



University of the
West of England

Devine, L. (2015) Policing parents, protecting children? Rethinking Child Protection Strategy: Initial findings from trend data. In: *'Is the Child Protection System fit for purpose?'* *The Transparency Project Conference 1st June 2015, NCVO, London, NCVO Conference Centre, Kings Cross, London, N1, 1st June.*

We recommend you cite the published version.

The publisher's URL is:

<http://eprints.uwe.ac.uk/25265/>

Refereed: No

(no note)

Disclaimer

UWE has obtained warranties from all depositors as to their title in the material deposited and as to their right to deposit such material.

UWE makes no representation or warranties of commercial utility, title, or fitness for a particular purpose or any other warranty, express or implied in respect of any material deposited.

UWE makes no representation that the use of the materials will not infringe any patent, copyright, trademark or other property or proprietary rights.

UWE accepts no liability for any infringement of intellectual property rights in any material deposited but will remove such material from public view pending investigation in the event of an allegation of any such infringement.

PLEASE SCROLL DOWN FOR TEXT.

Policing Parents, Protecting Children? Rethinking Child Protection Strategy

Initial findings: trend data

Keynote address: Transparency Project Conference

‘Is the Child Protection System fit for purpose?’

1st June 2015

NCVO, London

Rethinking Child Protection Strategy

Dr Lauren Devine

(Co-Investigator: Stephen Parker)



University of the
West of England

© 2015 Dr Lauren Devine



ESRC Grant Ref: ES/M000990/1

Rethinking Child Protection Strategy

- * A critical look at key questions in relation to the current system of child protection & safeguarding referral and assessment.
- * This paper focusses on some important issues from our 1st area of investigation research findings (trend analysis);
- * The trend analysis findings indicate that radical policy re-think to referral and assessment.

Our key research questions

- * Investigating the drive towards **increased referrals and assessments** (carried out via trend analysis);
- * Investigating the use and impact of **risk assessment** in child protection & safeguarding referrals and assessment;
- * Investigating the impact of **Public Inquiries and Serious Case Reviews** on policy and practice; and
- * An **overall evaluation** of how these 3 elements contribute to social work practice & family welfare.

Radical policy change

- * Our theoretical and trend analysis indicates the need for a better balance between individual rights and state power, aligned with the balance that was intended when the Children Act 1989 came into force.
- * The balance has been eroded by the statutory guidance and policy surrounding social work interaction with families.

Some issues with current policy

Our findings so far highlight the following issues:

- * A growing number of families becoming known to social services with no increase in significant harm detected (see later slides);
- * Often a climate of fear, mistrust and confusion – are social workers policing or supporting?
- * A system that cannot separate out requests for help from allegations of abuse without invasion into private family life;
- * The system's assessment framework of assessing every aspect of a family's life, not simply an allegation (if one is made);
- * The lack of a process of exoneration;
- * The distress caused by removal of children and 'forced adoption' particularly when based on apparent future risk.

Children Act 1989

- * The Children Act 1989 created a clear separation between consensual and non-consensual interventions.
- * S.17 concerned support services for families. It is consensual. (Part III of the Act).
- * S.47 concerned the investigation of reasonably suspected significant harm to children. It is not consensual. (Part V of the Act).
- * The intention was to interfere into private family life as little as possible.
- * Policy has eroded this notion and embedded the two sections together via statutory guidance, 'Working Together to Safeguard Children' (DfE, 2015).

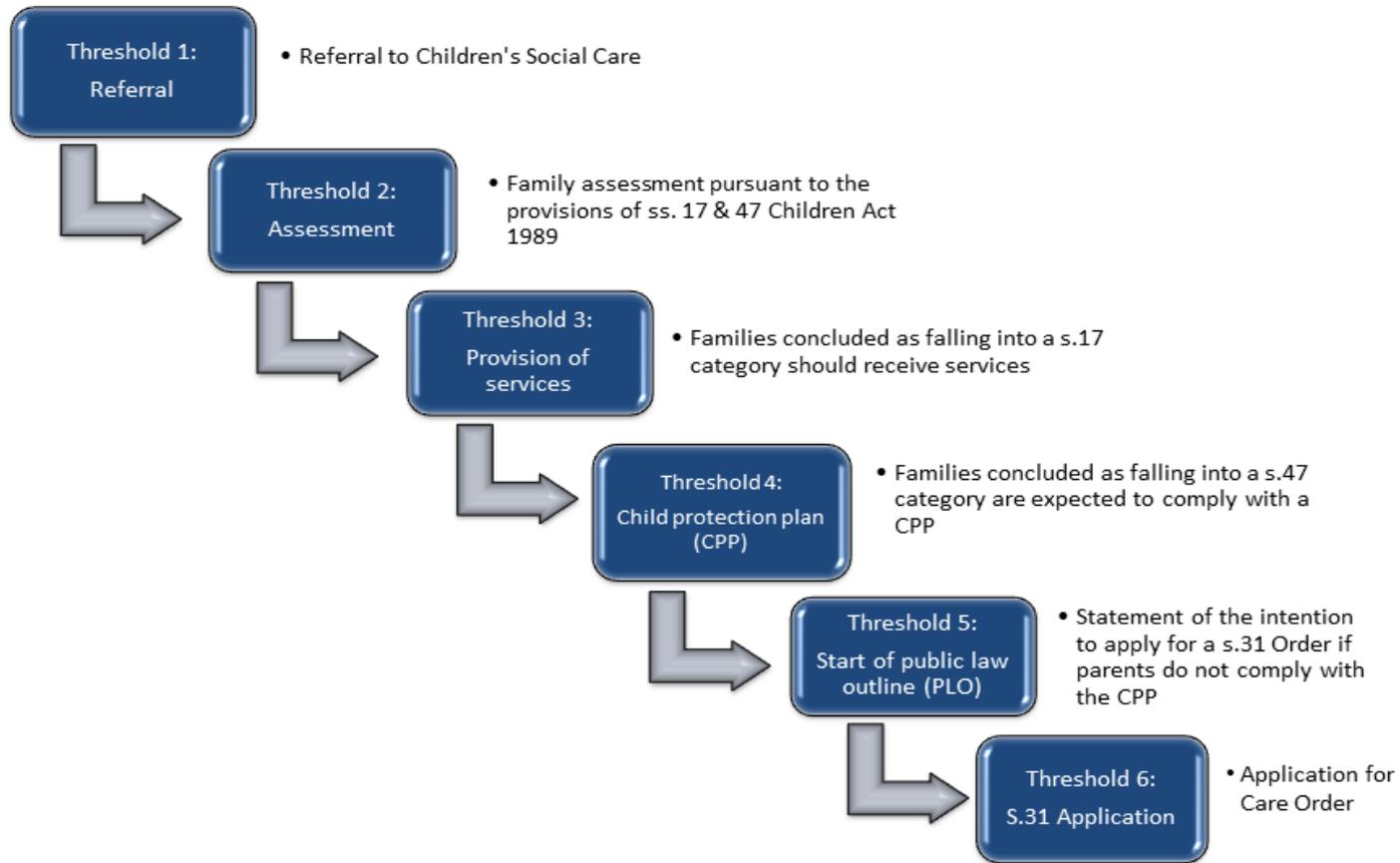
Why is change necessary?

- * The current 'mixed' system creates conflict and fear of (different) consequences for social workers and for families.
- * The expectation that social workers 'work with' families in assessments that mix the requirements of ss.17 and 47 Children Act 1989 to support and police is, we believe, unrealistic.
- * Worldwide research indicates that this relationship is problematic and based on compliance not partnership.

The role of lawyers

- * Where a s.31 Care Order Application has been made there is already a high level of social work interaction;
- * This interaction frequently forms the evidence base for cases;
- * Families may not recognise that the referral and assessment stages are threshold stages towards litigation unless they (parents) comply with social work demands;
- * Often there is little a lawyer can do other than urge compliance as their involvement occurs after the forensic evidence gathering stage is completed.

England's selective threshold model



Policy development

- * Modern child protection & safeguarding policy has developed over the last 35 years as a response to high profile child tragedies and political agendas, particularly when **Public Inquiries & Serious Case Reviews** occur.
- * Tragedies such as Dennis O'Neal (1948), Maria Colwell (1974) and Jasmine Beckford (1985) raised public and political awareness of horrific abuse of children.
- * Social work became linked with the need to prevent abuse as opposed to primarily a professional welfare social service as intended following the Beveridge Report (1942).

Intervention models

- * There are 2 main global intervention models in relation to child welfare:
 - * The universal service model (Western European); and
 - * The rationed service model (Anglo-American)
- * England operates the rationed service model using referral and assessment as a gateway to accessing services.
- * This expands the use of assessment to all families who would like, or need some support.

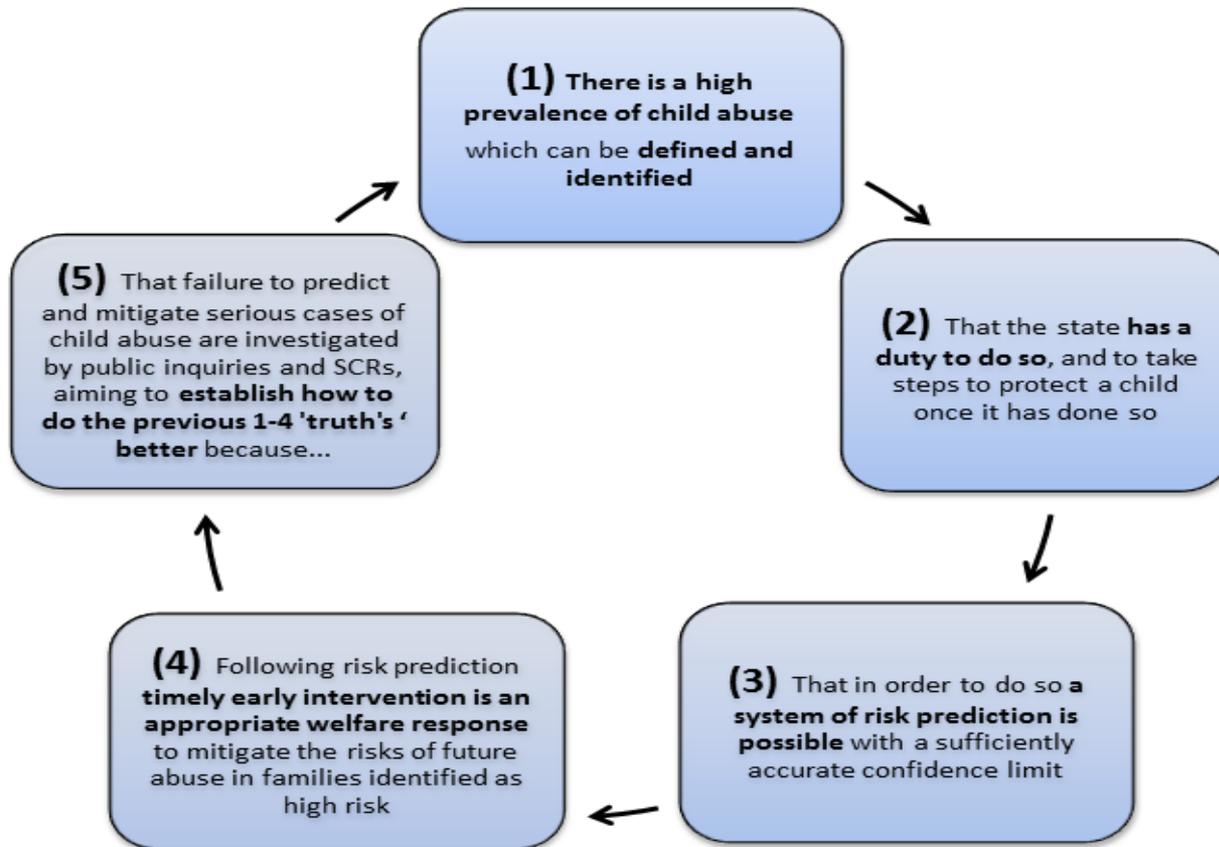
Embedding child protection with safeguarding

- * The assessment to check if a family is eligible for support services enabled 'child protection' to be embedded with safeguarding and service provision.
- * This dramatically increases the cost to the state and the intrusion into private life for all referred families (over 5% of all families per year).
- * The two distinct functions of social work, to support (s.17) and to police (s.47) have been mixed and integrated so that one cannot take place without the other.
- * When 'failures' occur, blame is apportioned via Public Inquiries, Serious Case Reviews and resultant adverse publicity.

Germ theory & child protection

- * In the late 1980s germ theory was applied to child protection.
- * A disease eradication model subsequently evolved which is based on risk and treatment with an objective of eradication.
- * This doesn't work well (statistically or emotionally).
- * The authors agreed this model created a large number of 'false positives'. For example in initial studies over 97% of cases of predicted abuse were found to be unwarranted (Browne, Gough *et al* 1988).
- * Despite this, the assessment and prediction of risk is embedded into practice (Parton, 2014).

The 'Truths' underpinning the theory of Child Protection



Interim results:

- * Interim results are presented in the Working Paper – ‘Rethinking Child Protection Strategy: Learning from Trends’ (Devine & Parker, 2015a).

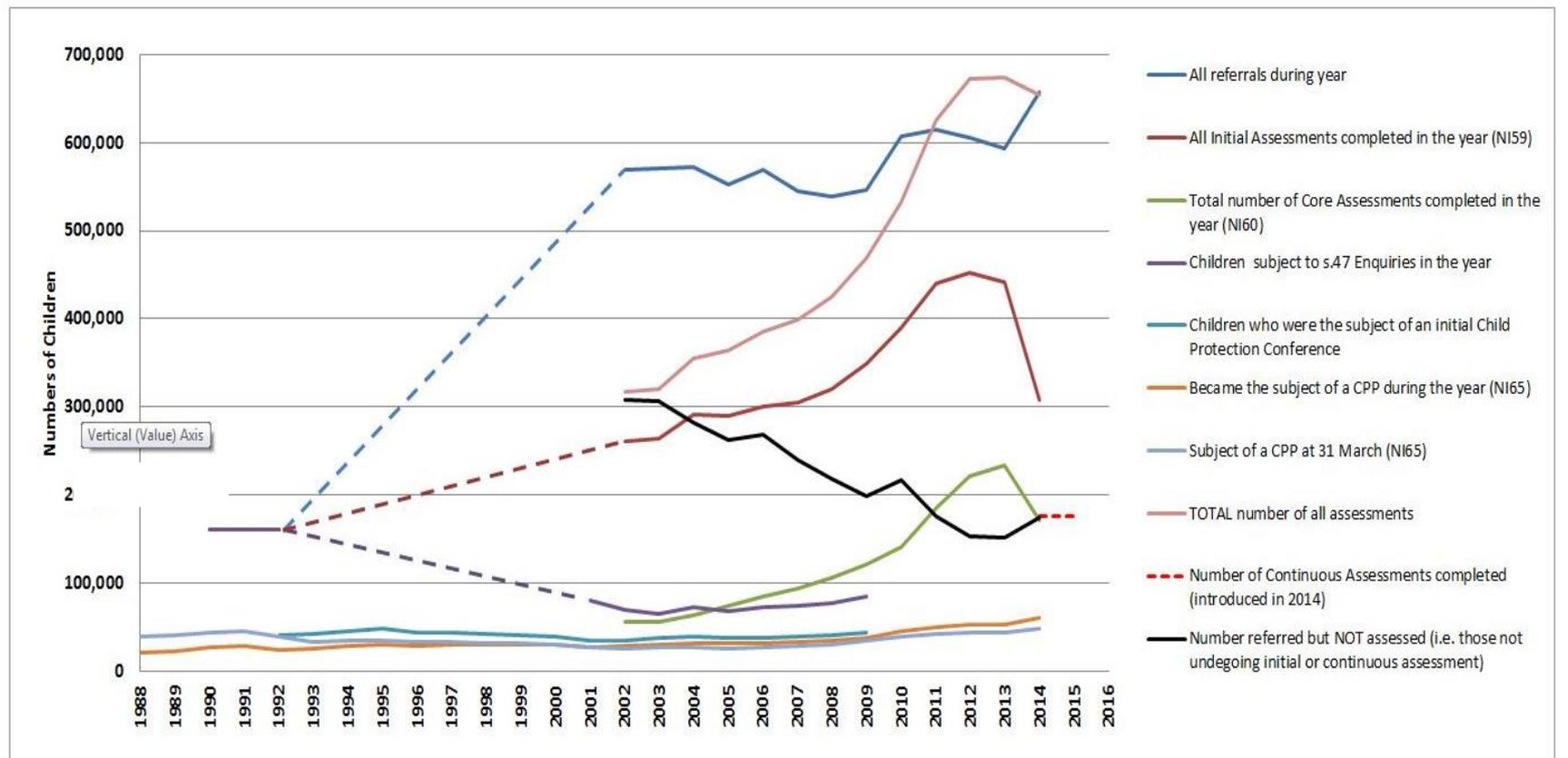
Conclusions:

- * Despite the increasing number of referrals and assessments there is no proportionate increase in the amount of child abuse found in referred cases;
- * There is no proportionate decrease in the reported prevalence of child abuse (Cawson *et al*, 2000; Radford *et al*, 2011)

Executive summary of the data

- * Since the Children Act 1989 referrals have increased by 311% (from 160,000 per year to 657,800 per year, between 1991 and 2014).
- * Assessments have increased by 302% over the same period (from 120,000 to 483,800).
- * The number of cases of 'core abuse' have fallen.
- * The ratio of referrals to registrations have fallen year on year (from 24.1% to 7.3%).

Child Protection & Safeguarding referral & assessment statistics, England



Assessment: quasi-coercive from the outset?

- * Despite the intention of the Children Act 1989 to keep ss.17 and 47 separate, assessment is arguably quasi-coercive;
- * If parents do not comply with social work requirements during and after assessment the situation can escalate out of a consensual stage;
- * This raises questions about whether any stage of social work involvement is truly consensual?
- * If not, the foundation of trust upon which social work relations were intended to be built is extremely difficult to obtain/maintain.

The policing/welfare dichotomy

- * We believe that mixing policing with welfare from the outset is problematic;
- * We suggest a return of policy to the original intention of the 1989 Act and will comment on this in our further Interim Reports and Final Report;
- * We suggest a framework to rebalance state power with private rights is indicated (Devine, 2015);
- * S.47 processes should follow a model aligned with the safeguards and controls inherent within the criminal justice process (Devine & Parker, 2015b);
- * Professional social work as a supportive service under s.17 would realign with a consensual service model based on trust.

Conclusions

- The next stages of the project will investigate the use of PIs and SCRs, and risk assessment, and their impact on policy and practice;
- Our project will complete its 3 areas of investigation by early 2016;
- The final project report will produce an analysis of the findings of the areas of investigation (trend analysis, PIs and SCRs, and risk assessment) in the context of current law, policy and practice.
- The final report will provide a comprehensive overview of these key aspects of the child protection system, and will recommend policy change where indicated.

Project Information

Contact details (Principal Investigator & Co-Investigator):

- * Dr Lauren Devine. E: Lauren.Devine@uwe.ac.uk Twitter: [@DrLaurenDevine](https://twitter.com/DrLaurenDevine)
- * Stephen Parker. E: Stephen3.Parker@uwe.ac.uk Twitter: [@Stephen3Parker](https://twitter.com/Stephen3Parker)

Project web pages:

- * **Rethinking Child Protection Strategy**, ESRC funded project (Grant Ref: ES/M000990/1)
- * W: <http://www1.uwe.ac.uk/bl/research/childprotectionstrategy.aspx>
- * E: transformative@uwe.ac.uk

Project publications:

<http://people.uwe.ac.uk/Pages/person.aspx?accountname=campus\l-devine>

References

- * **Browne et al** (1988) *Early Prediction and Prevention of Child Abuse*, Wiley, Chichester
- * **Cawson et al** (2000) *Child maltreatment in the United Kingdom: a study of the prevalence of child abuse and neglect*, NSPCC, London
- * **DfE** (2015) *Working Together to Safeguard Children*, HMSO, London
- * **Devine, L.** (2015) 'Considering Social Work Assessment of Families' *JSWFL* 37 (1). pp. 70-83
<http://www.tandfonline.com/doi/abs/10.1080/09649069.2015.998005#.VZIUQWDbJMs>
- * **Devine, L. & Parker, S.** (2015a) *Rethinking Child Protection Strategy: Learning from Trends*, Centre for Legal Research, UWE <http://eprints.uwe.ac.uk/25258/>
- * **Devine, L. & Parker, S.** (2015b) 'Public Family Law Cases in the context of Miscarriages of Justice', *Argument & Critique* <http://eprints.uwe.ac.uk/24666/>
- * **Parton, N.** (2014) 'Social Work, Child Protection and Politics: Some Critical and Constructive Reflection', *The British Journal of Social Work* (2014) 44, 2042–2056
- * **Radford et al** (2011) *Child Abuse and Neglect in the UK today*, NSPCC, London