

Protecting children from abuse

Pamela Davies suggests that identifying abuse or neglect is an inherently uncertain process that can result in negative impacts

In July 2011 the Department of Education published its response to the first report of Professor Eileen Munro's independent review of child protection. Munro explains that identifying abuse or neglect is an uncertain process.

There can be uncertainty about the facts of the case (was the child injured?) and the interpretation of the facts (was the injury due to deliberate assault?). Adults may give convincing but false accounts of how the injuries were due to an accident; children and young people may lie from fear or to protect their parents; professionals may think the parents are lying when they are in fact telling the truth and the injuries are indeed accidental. (Munro, 2010)

The subject of child abuse is highly newsworthy and emotive. Professionals working in multi-agency partnerships to protect children continue to find themselves in the firing line because they are judged to have failed to intervene, or that they intervened too zealously. From Maria Colwell in 1973, to Victoria Climbié in 2000, several tragic child abuse cases have featured in the media. Inquiries and publicity dwells in the main on the innocence of the child. This is pitched against paradigms of bad practice, failings and inadequacies of service provisions. Poor co-ordination, ineffective responses to signs of danger and insufficiently

assertive professional investigations have been recurring themes. Despite the formalising of child protection procedures and practices sadly, deaths from severe injury continue to make headline news.

Gap in knowledge

Researchers who undertake parental perception studies agree that the views of the parents - and respondents are usually mothers - can offer valuable insights into child protection work. This body of evidence sheds light on some very private, emotive and often painful experiences of child protection intervention and its impact. Yet there remains a gap in knowledge about people's experiences.

Drawing upon one incident - a swelling on my son's head and my subsequent experience of a child protection investigation - I contribute to the experiential vacancy.

On the evening of his first birthday, our son Frederick rolled off the sofa in our living room. The sofa is low and the floor is carpeted. Afterwards he seemed fine. However,

two days later, at about 7 am, I felt a small swelling on his head. Later that morning, the swelling had grown in size so Frederick's childminder took him to hospital where I

joined them. It was obvious that he had sustained a head injury.

During the initial examinations, I explained what I knew of the injury to nurses, doctors and consultants. As I did so, it became clear to me that this was appearing unsatisfactory. A CT scan showed a small minimally depressed fracture

associated with a large soft tissue swelling overlying the top left of our son's skull. This fracture pointed to non-accidental injury. My account suggested a delay in seeking medical help; a vague story of the 'accident' that was not compatible with the injury observed. Despite full skeletal x-rays showing no broken bones or injuries or circumstantial evidence such as bruising and signs of neglect, and with no previous presentations of childhood injury, paediatrically, Frederick was at high risk of abuse. This hospital visit resulted in a strategy meeting and a child protection investigation.

The investigation

From the strategy meeting up until the case conference, our three children were under protection and my husband and I were at risk of losing the right to care for them. As parents, we were supervised (chaperoned) by a police-checked person when we were with our children, around the clock, until the conference date. This level of supervision began during our car journey home from the hospital.

The child protection conference took place 18 days later. Thankfully, by this time Frederick had made a full recovery. During the investigation however, our harrowing experience grew worse. We were allocated a social worker who talked separately to us as parents, to Frederick's brothers, to his grandparents and to his childminder. She talked to our older boy's teachers and (rather belatedly) our health visitor and doctor. A detective constable also interviewed Frederick's brothers. Scene of crime officers took photographs of our home. My husband and I were interviewed separately under caution and on a voluntary basis at the police station. I felt the investigation began from the unsettling principle that I was guilty of child abuse or neglect.

Nobody, including us, did anything wrong and proper professional procedures were followed. We had a co-operative relationship with our social worker who probably did much damage limitation work. This did not prevent us from suffering.

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My reflections

Although the case was closed, my family found the experience devastating. Not only was our son seriously hurt, but our worth as parents was called into question. The question I ask is could this procedure be improved so that the experience of being investigated is less stressful? We suffered twice. Was this inevitable?

I knew I had done nothing wrong but could not prove it. The Children's Services inquiry was disturbing and emotionally confusing. If it was deemed a non-accidental injury, one of us – me – could be held responsible for deliberate infliction of physical abuse or we – I – could be found guilty of neglect and failing to protect from, and, prevent the injury. There would remain the question of whether or not I had failed to protect our child. The starting point for the inquiry assumed me to be culpable and blameworthy already and this is the mode in which the inquiry was conducted. The centring and ranking of the experts left me feeling even more powerless in the process of which I was a key part. My 'evidence' was of a lower status than that of professionals.

Secondary victimisation

Frederick fitted the stereotype of a vulnerable innocent victim, incapable of defending himself, and deserving of help. However, as I sought help for him, I was sucked into a harmful child protection investigation. As his mother, I was the obvious person to blame, I felt wrongly accused. I was ushered into an investigation where our predicament was handled by an abundance of professionals who were predisposed to treat me with deep suspicion. I was made to feel guilty: feelings akin to those experienced by the falsely accused and those interrogated by an adversarial system.

Major miscarriages of justice have involved parents and mothers in particular. In 1985, the Amphlett's became known for their campaign Parents Against Injustice. Sally Clark and Angela Cannings were each acquitted on appeal for murdering

their children. Cannings, having spent 20 months in prison, was the third woman in 11 months to have her conviction quashed. When his wife was cleared of murdering three of their babies, Tripti Patel's husband commented on the waste of police, court and medical experts' time as well as the trauma of what his wife went through.

Back to lessons for the future

As Munro points out, uncertainty is a key feature in all aspects of child protection work. It is a tricky business weighing up who is at risk and those who pose a risk, and the 'front end' of the process is especially crucial. Professionals are reminded that they can leave parents feeling vulnerable, fragile, frightened and utterly powerless (de Boer and Cody, 2007; Dumbrill, 2006). There are inequalities in the balance of power between parents and the state as well as inequalities between worker and client at the critical decision-making junctures

in investigations. Social work professionals have the power to recommend that children be placed on the child protection register or in care. They and I know that child abuse and neglect cuts across the class divide yet; vulnerable themselves and with great powers, they might well be less relaxed with parents of our status.

Qualitative studies of parental experience tend to reveal less positive satisfaction levels with interventions than other types of research with parents. Parents experience and negotiate child protection interventions and investigations from a subjugated position of power, where they can feel very vulnerable and fragile (Davies, 2011). I believe that some of my negative feelings and emotions might have been reduced if matters concerning the process of the investigation were handled differently. Practitioners might be more consciously reflexive about balancing power with compassion.



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For me, a key failure was poor communication between medical teams. Had this been timely and effective the process might have been shortened. The social workers' intervention might have been more courageously autonomous and a less bureaucratic approach to the investigation was surely possible. The heavy-handed approach to surveillance and the pointlessly rigid regulatory response generally was out of proportion to the pain it caused. Do professionals have the discretion to abandon investigations? Do they have the courage to act non-defensively? If the answers to the first question is yes, then in our case, the answer to the second is no; otherwise no space would have been created for the negative impact of the intrusive investigation we experienced. If the answers to both these questions is no, then our

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predicament is likely to be widespread.

Areas of reform

The government's response to Munro agreed that implementing the identified areas of reform

would require a shift in mindset so that the views and experiences of children are at the heart of child protection. The government accepted the majority of Munro's recommendations outright, a small number in principle and agreed to consider further the suggestion

that when undertaking Serious Case Reviews the use of a 'systems methodology' should be adopted (Department for Education, 2011). The reviews 'systems approach' included reforms to ensure a better balance between professional judgement and central prescription including those around timescales,

a recommendation that was wholly accepted by the government. It will be interesting to observe whether reducing regulation from the centre will result in better outcomes for the most vulnerable. ■

Dr Pamela Davies is a Programme Director, School of Arts and Social Sciences, Northumbria University

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