TRANSFORMING SOCIAL WORK PRACTICE

2nd Edition

Proactive Child Protection and Social Work

Liz Davies and Nora Duckett

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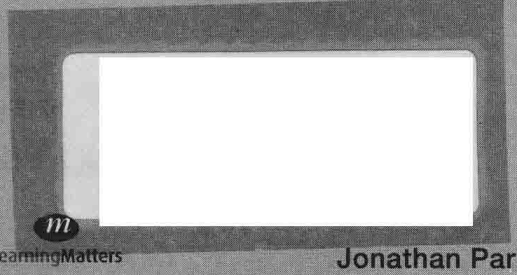

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Proactive Child Protection and Social Work

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In memory of Helen Mitchell (1.01.1967–26.01.2014)
social worker and whistleblower

About the authors

Liz Davies is an Emeritus Reader in Child Protection at London Metropolitan University and a registered social worker. She began her academic post in 2002, and gained her PhD, entitled *Protecting children – a critical contribution to policy and practice development*. Following her work in the 1970s as a mental health social worker, she was team manager in the London Borough of Islington where she exposed wide scale abuse of children within the care system. In the 1990s, as child protection manager and trainer in the London Borough of Harrow, she developed a specialism in conducting serious case reviews as well as in the investigation of organised crime and abuse networks. Liz co-authored the first edition of *Proactive Child Protection and Social Work* (2008) and *Communicating with Children and Their Families* (2013), both widely used as academic texts. She trained police and social workers for over 15 years in Achieving Best Evidence skills and published training manuals in joint investigation and investigative interviewing. As an academic for 13 years, she designed and delivered social work courses on communication in social work, protecting children and children's social policy, and also supervised PhDs. As a regular contributor to television, radio and print media, she has long campaigned to achieve justice for survivors of abuse, most recently working with the WhiteFlowers survivor and whistleblower network. In 2015, she supported the relaunch of the BASW London Forum and contributes to the BASW Children and Families Committee. Her website is www.lizdavies.net

Nora Duckett is a Senior Lecturer in Social Work at Anglia Ruskin University in Chelmsford, Essex and a registered social worker. She began her academic career in 2003 and in 2008 co-authored, with Liz Davies, the first edition of *Proactive Child Protection and Social Work*. Between 2008 and 2011 she contributed to a three-year youth homelessness research project, commissioned by the EU, and she is currently undertaking doctorate level study looking at improving understandings of professional dangerousness in child protection social work education and practice. Prior to her academic role, in the mid-1980s Nora worked in an inner London borough as an unqualified family aide, which led her to complete an access course and obtain a degree and a social work qualification. As well as spending several years working as a social worker in the community and in a hospital setting, she helped pioneer a young women's sexual exploitation service in central London and managed a young runaways strategy project, raising awareness of the risks of running away and coordinating services across London. Her experience of social work with children, young people and families is at the heart of her work as an academic.

Acknowledgements

We acknowledge the contribution of many survivors and whistleblowers, who constantly inform our work, including from the WhiteFlowers campaign. We also remember the children and families in the London Boroughs of Islington and Westminster, and where we worked together in the London Borough of Harrow, as well as young women in the sexual exploitation project *Breaking Free*, all of whose lives we recalled over and over again in writing this second edition. We thank Louise Cooper and Brian Douieb as without their support this book would not have been completed.

Foreword

The revised edition of this book comes at an important time for social workers. Amid the changed and changing political context, which is having such a significant impact on children's present and future circumstances, social workers need courage and integrity to fight for social justice for children. To do so they need to be informed by sound evidence such as this book provides.

I first met Liz in 2004, when she made *Golly in the Cupboard* (Frampton, 2004 – my childhood memoir of growing up as a mixed race boy in children's homes) a key text for social work students. I have since taught many times with both Liz and Nora, contributing my experience and knowledge as a care leaver, survivor and campaigner to social work modules at London Metropolitan University.

The first edition of *Proactive Child Protection and Social Work* became a key text for UK social work courses and reviews praised its practical relevance. This second edition strengthens a children's rights perspective, updates research evidence and focuses in depth on the unmet, neglected protection needs of children in custody, disabled children, young carers and unaccompanied child migrants. The book also draws attention to changes in policy and political and resource reasons for gaps in the social work response as demonstrated by a wide range of case studies.

As co-ordinator of WhiteFlowers, a loose network of campaigners and whistleblowers, I have worked with both authors. Liz, as the whistleblower for children abused in Islington children's homes, has worked for over 25 years to seek justice for survivors. Together we have raised issues in the media and through political channels, including, in 2015, hosting two unprecedented conferences of survivors, whistleblowers, child protection professionals, lawyers and politicians at the House of Commons.

As in this revised edition, WhiteFlowers provides a voice to survivors and draws public attention to the experiences of victims. On the Belgian march of 1996, over 300,000 people carried white flowers in solidarity with parents of the children kidnapped and murdered by a group of child sex abusers connected to powerful people. On 4 October 2014, more than 50 survivors and whistleblowers held a vigil outside 114 Grosvenor Avenue in the London borough of Islington. As it poured with rain, they laid white flowers and spoke about abuse of children in this council home during the 1980s and 1990s.

Nicholas Rabet was a manager at Grosvenor Avenue children's home. He dressed like a cowboy with big boots and a sheriff's badge and owned an amusement arcade in

Sussex. In 1991, Rabet first came to police attention in Cambridge, when photographs were found linking him with a known child sex offender. Later, Sussex police investigated but, despite their best efforts, there was no conviction. Rabet went to Thailand in 1995, was convicted of sexual abuse of 30 boys and then took his own life. Islington survivors say that they were taken by Rabet to Haut de la Garenne, the children's home at the centre of Jersey child abuse.

Many social workers would have visited Grosvenor Avenue just as they visited children in homes across the country where crimes against children are known to have taken place and where children were unprotected. This book is an essential tool for social workers to assist them in hearing the voices of children and noticing the indicators of harm. But as research tells us, hearing and seeing is not enough; children need social work activists and advocates to be courageous in confronting abuse whenever and wherever it happens and pursuing every possible means of keeping children safe. Social workers have a particular duty to children, like those at Grosvenor Avenue, who were in the care of the state. Too many excuses have been made for failings in supporting and protecting young people in care.

In *The Golly in the Cupboard*, I concluded:

> *With all the wealth and knowledge in our society, such children should be looked on as an opportunity to develop fine adults fully contributing to this world rather than future prison fodder. Society pays for its neglect. Children become Adults.*
>
> (Frampton, 2004)

Protecting young people also involves helping them to develop a strong sense of self-esteem and self-value, and, if society understood and welcomed the real potential of every young person, there would be greater focus on protecting and nurturing every child to achieve that potential. The children's rights approach, presented so consistently throughout this book and grounded in the authors' experience, promotes a sensitive, respectful response to children who have a right to protection from all forms of abuse.

> *Diamonds are not grown in flower nurseries but developed through years of pressure underground. Young people surviving care are diamonds. And diamonds do not appear all polished and shiny. You see a glint and then the task is to polish it. That way you will see the glint turn into a sparkle and the sparkle into a jewel.*
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Introduction and key themes

A child rights perspective

> *Children should not be held responsible for reporting their abuse – many will be unable to do so, and feelings of guilt are exacerbated by placing the responsibility for stopping the abuse on their shoulders.*
>
> (OCC, 2015, p84)

A rights perspective is fundamental to this book. Protecting children from harm, being proactive in keeping them safe from abuse and crimes perpetrated against them, is a key role for all social workers in the promotion of children's rights. Hearing and responding to children's voices is an essential component of the professional response to abused children. Child abuse is abuse of power and to deny children's voices and fail to protect them constitutes discrimination against children and is an example of how adults misuse their power. *Childism* is the oppression of children and discrimination against them. While racism, ageism, disablism and sexism are rightly part of everyday vocabulary, few have ever heard or thought of *childism*.

The International Federation of Social Workers provides a global definition of social work grounded in human rights:

> *Social work is a practice-based profession and an academic discipline that promotes social change and development, social cohesion, and the empowerment and liberation of people. Principles of social justice, human rights, collective responsibility and respect for diversities are central to social work. Underpinned by theories of social work, social sciences, humanities and indigenous knowledge, social work engages people and structures to address life challenges and enhance wellbeing.*
>
> (IFSW, 2014)

An international perspective is essential to a full understanding of social work in the UK and is included wherever relevant in this book, particularly with reference to migration and to varying cultural but abusive practices. Social workers must be aware of world-wide issues affecting the profession or they will not understand the political and social significance of policy and practice changes and the impact on children and families.

The activist Stephan Hessel, a concentration camp survivor who died in 2013, wrote the *Time for Outrage* (2011). His messages are relevant to social work. He stated that:

> *The worst possible outlook is indifference that says 'I can't do anything about it or I'll get by'. Behaving like that deprives you of one of the essentials of being human:*

the capacity and the freedom to feel outraged.That freedom is indispensable, as is the political involvement that goes with it. ... The immense gap between the very poor and the very rich never ceases to expand. This alone should arouse our commitment ... They have the nerve to tell us that the state can no longer cover the costs of social programmes. Yet how can the money to continue and extend these as achievements be lacking today when the creation of wealth has grown so enormously? I want each and every one of you to have a reason to be outraged. When something outrages you, as Nazism did me, that is when you become a militant, strong and engaged. You join the movement of history, and the great current of history continues to flow only thanks to each and every one of us. History's direction is towards more justice and more freedom ... When you encounter someone who lacks those [human] rights, have sympathy and help him or her to achieve them.

(pp22–6)

The United Nations Convention on the Rights of the Child (UNCRC) (UN, 1989) is an international treaty and agreement between different governments on a set of rights for children under 18 years. It includes the right to education, the right to play, the right not to be separated from parents unless this is in their best interests, the right to be well cared for if living away from their family, the right to be listened to and to take part in decisions made about their lives, and the right to protection and help from the government. The rights should be implemented without discrimination on grounds such as disability, sex, ethnicity, age, faith or sexual orientation (CRAE, 2014). The UK signed up to this treaty in 1991 and therefore all areas of UK government must do all they can to fulfil children's rights, but the treaty is not part of domestic law. This legislation is referred to throughout this book including reference to where the UK is non-compliant with its principles. The UNCRC includes the following key Articles:

- Article 3: In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be the primary consideration.
- Article 19: Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parents, legal guardians or any other person who has the care of the child.
- Article 24: All effective and appropriate measures must be taken with a view to abolishing traditional practices prejudicial to the health of children.
- Article 34: Children have a right to protection from sexual abuse.

The Children Acts 1989 and 2004 reflect the principles of the UNCRC (UN, 1989) and state unequivocally that the welfare of children must be the paramount consideration. This is sometimes referred to as the paramountcy principle. Child abuse does not simply correlate with social and economic deprivation because all forms of abuse take place within every strata of society. Poor children are more easily visible to the

authorities and to the systems assessing their wellbeing and this results in child abuse being seen as situated in that social-economic class. As one example, the *Troubled Families* agenda focused on economically disadvantaged children who were defined as a possible corrosive element in society. Children have received more government attention as potential criminals than as victims requiring protection (Levitas, 2012). A child rights approach applies to all children in society who need protection from harm whether in custody, in care and education institutions, homeless or with their birth or adoptive families.

Statistics of the prevalence rates of child abuse indicate that the professional response is not effective in protecting children from harm. From a study of 6,196 respondents, Radford, et al. (2011, p118) estimated that one in five children aged 11–17 years, one in four aged 18–24 years and one in 17 aged under 11 years in the UK are severely maltreated. Parton (2012) in a critique of Munro (2011) states that the numbers known about and being actively responded to by children's services are considerably lower than those suggested by Radford, et al. (2011). *The potential for the child protection system being overwhelmed if it really did become child centred so that children felt empowered to access help is considerable. In many respects the child protection system acts to control demand and filter cases out of it at various points* (Parton, 2012, p157). He added that although the number of referrals in England was 5 per cent of the child population only 0.31 per cent of children under the age of 18 years were subject to a child protection plan. Children from black and minority ethnic groups are underrepresented in child protection systems and either do not access or receive a poorer quality of support (OCC, 2015, p49; BRAP, 2011). Anti-oppressive practice is integrated throughout this book as it is central to social work. An awareness of and ability to proactively confront and challenge childism, as with racism and other forms of oppression, must be demonstrated throughout all social work practice (HCPC, 2016).

In this book, the rights of all children to be safe are explored and debated. Some children in the UK are particularly oppressed, such as those in custodial settings. Willow, a child rights activist, writes about imprisoned children whose rights are breached in the UK:

> *Imprisoned children inhabit a peculiar world of last resorts. Separation from parents is meant to be a last resort, criminal proceedings are meant to be a last resort, deprivation of liberty is meant to be a last resort, use of force is meant to be a last resort, the removal of clothes is meant to be a last resort, the deliberate infliction of pain as a form of restraint is meant to be a last resort, and personal safety techniques even more of a last resort. In a rich country like ours, with decades of learning about the needs of children – and health, education and child welfare services among the best in the world – it is incongruous that prisons remain a part of the landscape. A roll call of the children who have died in prison since the UK accepted the last resort obligations of the UNCRC stands as a towering memorial of our collective failure.*
>
> (Willow, 2014, p271)

Unaccompanied migrant children are another often unprotected group of children. They are treated unequally by detention and interrogation on entry to the UK, sometimes classified as adults and denied services, and many ruthlessly removed from the UK to unsafe war-torn countries. Some live in poverty in families who have no recourse to public funds, another example of the severe breach of children's rights to be safe from harm. Social workers must oppose all these examples of discrimination and must have the knowledge and skills to be effective in this challenge.

The social work role in protecting children has widened to include *children who are radicalised* as a child protection issue outlined in *Working Together to Safeguard Children* (DfE, 2015, p19). What has become known as the *Prevent* duty became statutory with the implementation of the Counter-Terrorism and Security Act 2015. *Prevent* aims to stop people becoming terrorists by halting the spread of extremist ideology and by mentoring children at risk. Local Safeguarding Children Boards are required to ensure that staff in all agencies are protecting children from the risks associated with radicalisation into extremist activities. Extremism is defined as vocal or active opposition to fundamental British values, including democracy, respect and tolerance of different faiths and beliefs (Home Office, 2015a). *Channel* panels, including the local authority, police and other agencies, must be set up to ensure multi-agency assessment of risk in line with child protection protocols, and children must be considered as potential victims of exploitation (DfE, 2015).

The act of protecting children is political. Children who speak out are silenced, survivors who speak out are silenced and professionals, who speak out for children and survivors, are silenced when they whistleblow on malpractice. Social activism is a core skill of social work. Social workers must comply with ethical codes of practice, work for human rights and social justice, and act with integrity and authenticity. Protecting children is demanding work which can easily overwhelm a social worker. Each of us has to do whatever we can in our corner of practice and sustain a deep awareness of the wider social, economic, cultural and political picture.

Responding to children's voices

> *The child has a right to express views freely in all matters affecting the child, the views of the child being given due weight in accordance with their age and maturity*
>
> (UN, 1989, Article 12)

> *A thread running throughout all five Ofsted evaluations is the failure to see, listen to or take account of the perspective of the child or children at the centre of a serious case review.*
>
> (Brandon, et al., 2013, p18)

Children's voices are represented throughout this book in order to promote their right to be heard and gain protection. *Working Together to Safeguard Children* (DfE, 2015, p11) states that children have expressed their needs as wanting adults to notice what is happening to them and to be heard, understood and seen to be

competent within a relationship of trust. They wish to be well informed of procedures and plans as well as about decisions made about them. They ask for support in their own right and to be provided with advocates. Research of 19 children's views of the child protection system provides an insight into children's perceptions of social work:

> *Twelve children said that the social workers saw them on their own. Older children were more likely than younger children to be seen alone;*
>
> *Children reported having minimal relationships with their social workers seeing them rarely or only at meetings;*
>
> *Some found it difficult to talk to their social workers because they felt pressured by the social worker asking questions;*
>
> *Only 5 children had seen their child protection plans.*
>
> (Cossar, et al., 2011, p12)

> *I could talk to my advocate about any problems and my concerns.*
>
> *They don't know what I would have said or what I think ... and they wouldn't really know my decisions [without an advocate].*
>
> (Laggay and Courtney, 2013, p10).

Independent advocacy must be available to children, empowering and supporting them through child protection processes enabling their full participation. Children need time and space to discuss their situation away from their social worker and family.

Children say that nothing matters more than somebody noticing and caring what happens to them. *She didn't judge me, she understood the kinds of ways I would feel without me telling her ... and gave me space even when my behaviour must have seemed weird and didn't make sense – even to me* (Nelson, 2008a, p35). Social workers often worry that they are too sensitive, feel too much and become over-involved. Yet children, who need protection, are saying that they want social workers, first and foremost, to care about them. Following an abuse referral, children should be seen on their own without alleged or known abusers present. Social workers need to have confidence in ensuring this happens and in entering into the child's world through seeing where they learn, play, eat, sleep and bathe. Ofsted concluded that, a *lesson from the review was that priority needed to be given to providing a safe and trusting environment, away from the carers, for the children to speak about their concerns* (2011a, p7).

Social workers need to be confident to place their feelings in a context of analysis based on knowledge of the subject of child abuse. A comprehensive knowledge base is presented throughout this book to support analysis and challenge dogmatism. Children say they want professionals who are not *rigidly wedded to a narrow understanding of procedures and ... who stick with them over time* (Nelson, 2008a, p31). Yet, in many authorities, an initial referral is passed on to other teams and if the child becomes placed in care there is yet another transfer so that children commonly have three or more social workers within weeks. High staff turnover also results in a lack of continuity, which adds to the abuse children have already experienced, reduces

social workers' direct involvement and may lead to mechanistic responses. Working in conveyor-belt systems focused on performance targets relates more to resource limitation than to the needs of children. Social workers need to be creative and persistent in making systems work for the benefit of children. Children especially want to speak about abuse in settings, such as drop-in centres, where they are free to respond away from the abuser. These should be neutral settings away from their home and school where confidentiality is respected, as far as is consistent with the child's safety.

The importance of social workers working closely with police to target child abusers and seek justice for abused children is emphasised in this book because no child will find safety unless either the abuser is removed from their world or the abuser's behaviour is challenged and changed. Proactive protectors, responsible and trusted adults, must be identified and actively engaged in supporting the child. It is not easy for social workers to set aside time for direct work with children. Abused children in particular require sustained and regular contact with social workers to build up trust and to find ways to talk about their distress. *You've got to trust the social worker and she's got to trust you. Otherwise there's no point* (Cossar, et al., 2011, p4). *They didn't have the words, were stuck, paralysed or confused ... If I wanted to tell physically my tongue wouldn't move* (Nelson, 2008a, p11).

Responding to the needs of children for protection will not be met by the use of tick-box assessment processes but rather through multi-agency working, the implementation of statutory procedures and reaching out to the child through a befriending, unpressurised approach. *The adults praised were honest, thoughtful, empathetic, kind and imaginative in trying to make difficult and humiliating situations easier for children* (Nelson, 2008a, p38). For children to survive abuse takes courage and being heard by even one social worker, survivors tell us, can and does make all the difference.

Overcoming barriers to protecting children

> *The findings of any next inquiry could reasonably be predicted before it has taken place, we would like to propose that no further public inquiries are commissioned before all training and resource deficiencies identified over the last 30 years have been remedied.*
>
> (Reder and Duncan, 2004, p112)

> *We're seeing children with malnutrition, children who are losing their hair, children who are scavenging in bins. And they are at the bottom of the list. We're snowed under with cases of sexual and physical abuse. Young children battered, shot at, hurled to the wall by drug-addicted parents battling with withdrawal. There are children we don't go near who in order to survive have become drug couriers or drug dealers ... what social worker understands their street language, their criminal network ...*
>
> (Keeble and Hollington, 2010, p38)

When protecting children it is important to reflect on the blocks that interfere with good practice, as professionals may unwittingly collude with or maintain the dangerous