

## **Review Essay: Regulating Late Modern Childrearing in Ireland**

DAVID THORPE

*Cartmel College, University of Lancaster*

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### I INTRODUCTION

**C**hild Welfare agencies across the developed world have experienced an unforeseen and unprecedented expansion in their workloads over the past twenty years or so. Almost all these changes have occurred under the heading of "Child Protection", a quite distinctive and identifiable way of doing child welfare work which comes complete with an ideology of childhood, a set of professional procedures and practices based on beliefs about a phenomenon entitled "child abuse" and a new social work vocabulary embedded in a discourse which is only very rarely questioned. Ireland has been no exception to this rule and the interesting and important collection of essays published in the Summer 1996 edition of the *Journal of the Institute of Public Administration of Ireland* displays all the contradictions and tensions currently exhibited by those academics and professionals engaged in research and practice in child protection. It is possible to see within these essays a combination of scepticism, unease and uncertainty from most of the academic contributors, hard-headed, pragmatic and realistic assessments from practitioners and managers of what "child protection" can achieve and, in at least

one instance, blind faith in the possibilities held out by “child protection” for Grand Scale social engineering. This curious mixture of caution and recklessness is perhaps the single most obvious feature of the contemporary global “child protection” scene.

The intention of this review article is to locate these issues as they appear in *Administration*, within this global context. This will be accomplished in four stages. The second section will explore the “child abuse” question as it has recently been surfacing in terms of public attitudes to traditional institutions. In that sense Ireland is no exception to a situation where traditional, nationally culturally embedded forms of authority have been brought into question by “child abuse” scandals and tragedies. The examples given will be those of Belgium, the United Kingdom and Ireland. In the third section, the review will explore the matter of the *scale* of increases in child protection work and the now wholesale application of procedure-led child and family social work practices. Again, examples will be given from other countries, in this instance Australia, the United Kingdom and Ireland. The fourth section will focus on the nature of the “child protection” discourse, specifically the way in which the term “abuse” is used as a decontextualised and disembedded signifier. The illustration here will be from two of the chapters in the *Journal* which will be analysed by means of a pragmatic/managerial versus idealistic/romantic dichotomy. Finally, in conclusion the review will deal with the problems associated with the definition of the term “abuse” and provide some indication of the kinds of changes which are likely to be made to child protection/child welfare programmes in the not-too-distant future. There are certainly strong elements in the collection of essays which indicate an awareness of the problems created by current policies and practices in Ireland.

## II “CHILD ABUSE” AND DE-TRADITIONALISATION

Towards the end of his essay on “Protecting Irish Children in Time”, Ferguson refers to a “structural crisis in trust relations” in Ireland (Ferguson, 1996, p. 29). More specifically, he raises the matter of trust in the Catholic Church. Ireland is by no means alone in this respect, there are two quite spectacular recent examples of this phenomenon in Belgium and the United Kingdom.

Since the end of the Second World War, Belgium has until very recently presented as a model of a federal multi-lingual and multi-religious society. Essentially, the country consists of two communities with completely different ethnic and religious identities, along with the capital city of Brussels which has always had a separate and conceivably third cultural identity

which over the past thirty years has become increasingly internationalised as the European Union's administrative heart. The Belgium federal constitution enshrined the rights of both French speaking Catholic citizens and Flemish speaking Protestant citizens. Historically, economic (but not necessarily political) power lay in the hands of the southern French speaking Catholic landowners. Constitutional and of necessity, political compromises were made to ensure that the federation stayed governable. However, since 1945, economic power began to shift towards the Protestant north located around Antwerp with its international port and heavy industry. The political classes on both sides of the federal divide have been forced increasingly into "doing deals" in Brussels in order to hold the federation together and inevitably many of these compromises entailed difficult political decisions about the allocation of government funds and EU funded programmes. One consequence of this has been that Flemish speaking Protestant northerners have increasingly opted for more and more independence within the federation and in doing so, have called into question more and more of the traditional institutions of the Belgian government. Speculation became rife in the 1990s about government corruption, senior politicians were forced to resign, indicted and investigated. In the summer of 1996 it was discovered that Dutroux, a man serving a short prison sentence, was one of the individuals at the heart of a "paedophile ring" who had abducted and confined girls. Indeed it was established that while serving his prison sentence, two of Dutroux's captives had been left caged and unattended in an empty house. Further police enquiries began to uncover bodies and then the finger of suspicion inevitably began to point towards prominent business men and politicians. The prime minister, Daheane appointed an official investigator, who was then sacked when Dutroux's lawyers claimed he had demonstrated support for a parent's pressure group by attending a sponsored dinner on behalf of parents of missing children. A protest demonstration was held in Brussels on October 20 against the prime minister's action. The size of the protest rally was entirely unanticipated, it attracted some 350,000 people who blamed government corruption and incompetence in the criminal justice system for the deaths of children. What is of importance here is that the demonstration must have attracted a very wide range of people with differing agendas, protesting about the nature of the government and a lack of trust and confidence in its ability to deal fairly, openly and equitably in the sphere of criminal justice. A few weeks later, in the UK, the government began to introduce measures to restrict ownership of firearms in response to the murder of 16 school children and a teacher in Dunblane in March 1996. Firearms owners had been attempting to discreetly lobby the government against the new law despite massive public opinion in favour of the new

regulations. In late December, the Duke of Edinburgh said in a radio interview that “There’s no evidence that people who use weapons for sport are any more dangerous than people who use golf clubs or tennis racquets or cricket bats”. *The Guardian* leading article of the next day commented on the Dunblane tragedy — then proceeded to make the point that the Duke’s comments had even further discredited what had become an already widely discredited and unpopular institution — the British Royal Family. Again direct links were made between events involving the murder of children and the inability of a traditional institution to take cognisance of public sensitivities on the matter.

In December 1995, a European government actually fell from power because of a “child abuse” scandal. In this instance it was the coalition led by Albert Reynolds, the Irish Taoiseach. It was the delay of the Irish Attorney General to extradite a Catholic priest to Northern Ireland to answer charges of sexual assaults against children, which caused the collapse of the coalition government leading to a general election.

These three examples of “child abuse” issues acting as the focus for national protests about traditional institutions which have lost authority and legitimacy exemplify one way in which the brand name “abuse” has come to be used as a commodity, a rallying slogan so to speak by those wishing to bring about change. In Ireland, it is the Roman Catholic church, a traditional institution which was given a level of influence rarely seen in modern, secular democratic societies, which has been called into public discredit. In Ferguson’s words:

These developments [in Ireland] reflect how in many respects the social problem of child abuse has taken on a profound sociological significance in the de-traditionalisation and liberalisation of Irish society (p. 30).

What is interesting about Belgium, the UK and Ireland is that the impact of the “scandals” has taken different forms — in Belgium, the federal government and the criminal justice system, in the UK, the monarchy and in Ireland, the Roman Catholic church. These forms clearly very much depend on local factors, the impact is on those social identities which have been constructed by traditional institutions. Ferguson — although he does not specifically mention the fall of the Reynolds’s government — has clearly identified the role played by concerns about “child abuse” as the major factor in the re-structuring of trust relationships in Ireland. Sadly, these scandals constitute the worst crimes known to Western civilisation. They include forced abduction, captivity, rape, torture, the mass murder of children and the use of official positions of authority to sexually assault and exploit children. What is important about these “worst possible” case scenarios is the

symbolic role they have come to play in societies which are undergoing accelerating social and economic change and the way in which the media and the public use these cases to call for changes in the means of governance which cannot be accommodated by existing democratic (or for that matter undemocratic) traditional institutions. It comes down at the end of the day to a matter of trust and accountability.

### III INCREASED CHILD PROTECTION WORK LOADS

The second essay published in the *Administration* collection carries the title "Child Abuse Guidelines in Ireland". In this essay Buckley echoes the views held by other international commentators that orthodox and conventional government and agency procedures are based on the results and recommendations of "child abuse" inquiries. Nowhere is this more the case than in the UK, where traditional child care social work has now become overwhelmed by procedure. Buckley points out that "One of the effects of working within officially designated channels can be a re-definition of clients' needs according to whether or not their situations fit into what an agency feels it ought to be doing". She goes on to state that:

My research on child protection activity in a community care social work team suggests that unless the concern (an interesting term which will be dealt with later in this section) expressed in a referral fits the child abuse criteria set by an agency, the subject of concern is less likely to receive a service. Out of 166 non-child abuse referrals made to a social work team over six months, only ten received any follow-up, as opposed to child abuse referrals, where most were investigated to some degree. This suggests the narrowing of what was originally a generic social work service to one which focuses quite narrowly on child protection, and ignores the needs of other families in the community. Even within the total number of referrals designated as child abuse in the study, only 25 per cent survived the investigative filters which decide whether or not they will receive a service. The conclusion to be drawn from these findings suggests that practice which is dominated by official guidelines results in social workers spending most of their time investigating cases, viewing them through a child abuse lens and eliminating those which do not conform to the designated norm of abuse (pp. 49 and 50).

This paragraph contains one of the most important pieces of information in the journal — it confirms that the patterns of child protection activity in the Republic of Ireland are exactly in line with those found in the UK and Western Australia. As Buckley says, "Similar results have been noted by

Thorpe (1994); Farmer and Owen (1995); and Gibbons, Conroy and Bell (1995).” The research Buckley cites in support of her findings was all undertaken in the late 1980s and early 1990s in the UK and Australia. One way of understanding the filter/funnel process she refers to is by producing a diagram which shows how cases are filtered out. Figure 1 is a funnel showing how cases were filtered out in Gwent (South Wales) Social Services Department during the first few months of 1990.

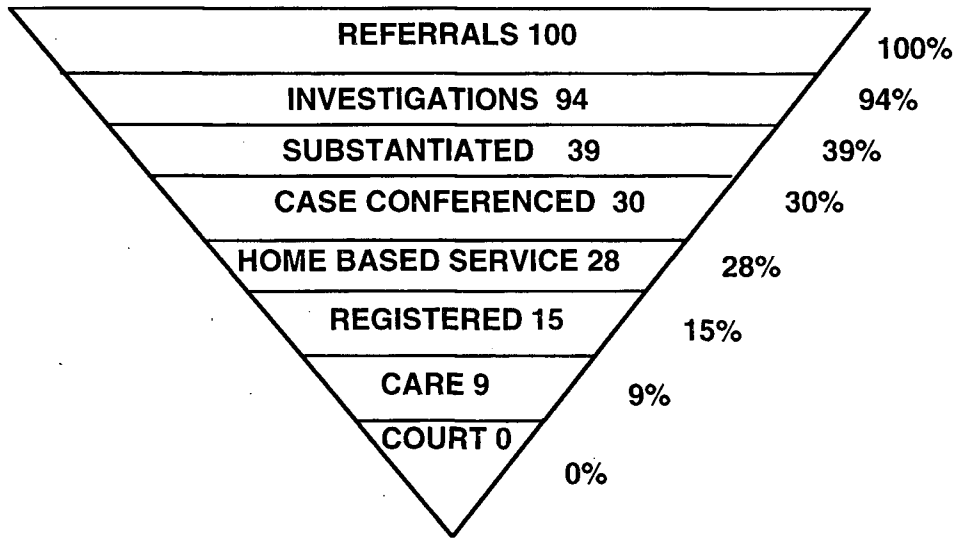


Fig. 1: *Child Protection Referral Outcomes Gwent County Council Social Services Department 1990*

Figure 1 is a diagrammatic view of the way in which the first 100 child protection referrals made to Gwent Social Services from the beginning of January 1990 were handled (see Denman and Thorpe (1993)). It shows that just over one-third of investigations produced a “substantiated” result (39 per cent) while less than one-third (28 per cent) received a home-based service. Only 15 cases (15 per cent) achieved registration, while 9 children entered care. This diagram gives some indication of the extent to which registration figures give a very distorted picture of the true levels of child protection activity and that research which is based solely on register activity gives a very misleading picture of events. Buckley mentions that the Kilkenny Report recommended the use of registers (McGuinness, 1993; Buckley, 1993) but that “... research findings indicate that the introduction of child abuse registers under official guidelines may, by de-contextualising individual situations, lead to artificial conjecturing about the incidence and prevalence

of child abuse" (pp. 47/48). Sadly, much of the early child protection service research in the UK was based almost entirely on register statistics (see, for example, Creighton and Noyce (1989)).

Figure 2 reproduces the funnel and filter diagram of child protection service activity, but this time the agency is Northamptonshire Social Services Department in 1995. It is based on a study of the first 205 child protection referrals accepted by that Department in the first 2 months of 1995 — some five years *after* the sample used in Figure 1 (Thorpe and Bilson, 1996).

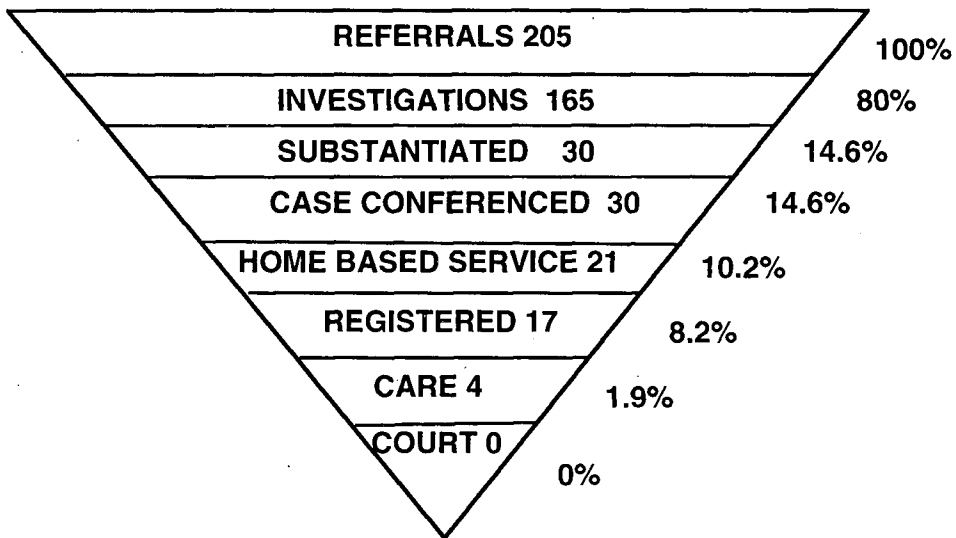


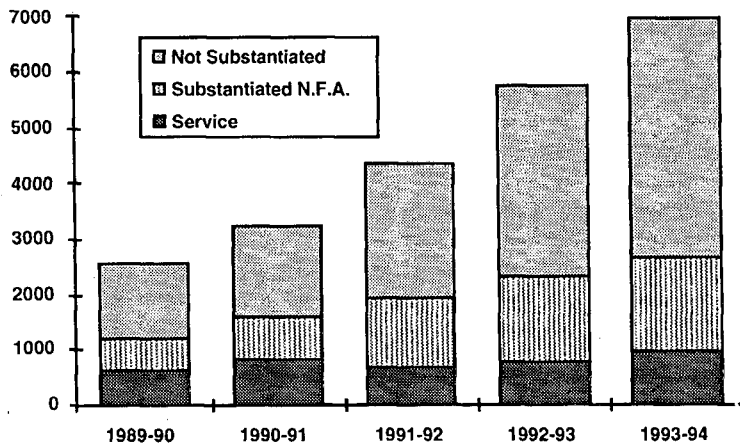
Fig. 2: *Child Protection Referral Outcomes Northamptonshire County Council Social Services Department 1995*

Levels of substantiation, service delivery and registration after investigation are *less than half* of the 1990 South Wales position as shown in Figure 1. This suggests that child protection activity may actually have doubled since the research reported in *Messages from Research* (DOH, 1995) took place in the late 1980s and early 1990s. While Gwent and Northamptonshire are different agencies (Gwent County Council has ceased to exist with local government reorganisation in Wales) Figures 1 and 2 show a halving of substantiation rates, of case conferencing rates and of registration rates between 1990 and 1995. It may be therefore that Buckley's research on the operations of the child protection system in Ireland and the available Irish statistics for 1993 (which show 1,609 substantiated cases out of 4,110 allegations) are already dated. Long-term analysis of Western Australia's child protection statistics gives the following results.

Table 1: *Child Protection Trends in Western Australia 1989-1994*

<i>Career Type</i>	1989-90	1990-91	1991-92	1992-93	1993-94
Begins Care	258	291	267	260	269
Becomes Care	4	17	15	28	30
Home-Based Services	382	500	410	497	680
Substantiated N.F.A.	567	769	1248	1549	1695
Not Substantiated	1331	1664	2406	3403	4308
TOTAL	2,542	3,241	4,346	5,737	6,982

As is the case with Ireland, Western Australia has so far been spared the costly diversion of registration procedures. However, rates of allegation, rates of substantiation (or confirmation) and rates of service delivery show interesting changes over time in Western Australia. Table 1 and Figure 3 show that between 1989 and 1994, rates of child protection referral rose from 2,594 per year to 6,982, representing a rise of 275 per cent over 4 years. Researchers in the Department of Family and Children's Services in Western Australia calculated that if those rates of increase were maintained, then every child in the state could become a subject of a child protection investigation by the year 2010. What however is interesting about Table 1 is that the number of cases entering care either during or shortly after investigations (the Begins Care Cases) remained more or less constant during



(From Thorpe, 1997, p. 64 in Parton (ed.)).

Fig. 3: *Child Protection Trends in Western Australia 1989-1994*



the period, while the numbers receiving Home-Based services rose by 178 per cent from 382 to 680. Numerically however this represents an addition on caseloads of only 298 across the whole state. The social workers in that agency appear to have dealt with the tripling of investigations not by a tripling in service, but by means of radical increases in No Further Action and Not Substantiated decisions. This pattern conforms to the changes exhibited in Figures 1 and 2 in the UK local authorities between 1990 and 1995.

One interpretation of this data is that once child protection procedures are established, the child protection way of doing child welfare work becomes the norm in agencies. In Buckley's words:

It has been argued that while child abuse inquiries have been instrumental in the framing of official guidance in the United Kingdom, and Ireland, that they are not theoretically sound enough to form the basis of procedures to deal with a multiplicity of cases and situations. Research findings have been used to demonstrate the weakness and restricted focus of the recommendations from the Kilkenny Inquiry, and the necessity to analyse their implications in greater depth before translating them into guidelines.

I have argued that there is a danger that the individual discretion and therapeutic skill of professionals may have to surrender to administrative management because of the regulation of measures to deal with child abuse. It has also been suggested that the formalising of procedures with its increased demand for accountability has the potential to re-privatise protection to cover the worker and agency first, and the child and family second (p. 53).

The evidence from the UK and Western Australia is that this "potential" has now been realised and that the combination of greater public awareness along with closer inter-agency co-operation has produced a situation where procedurally circumscribed child protection investigations become a normal and standardised way of responding to a wide range of different problems coming to the attention of child welfare agencies. In the UK, these procedures are determined by guidelines set out in *Working Together* (DOH, 1991). In Western Australia, which has neither mandatory reporting procedures nor a registration system, practice is shaped by an official document entitled *Child Protection Services: A Guide to Case Practice* (Department for Community Services, 1987). In Ireland, the Child Abuse Guidelines (Department of Health, 1987) outlines similar procedures and check-lists and actively promotes inter-agency co-operation.

Each DCC/MOH should arrange periodic meetings of the key staff involved in the management of cases to enable them to exchange views and experiences in relation to effective procedures and ensure that those newly involved are fully informed and aware of the support available to them. He (sic) should also, in consultation with the senior members of his (sic) team, review from time to time procedures in his (sic) area for co-ordinating support services generally in cases where different disciplines and different agencies are providing support on a regular basis for families with young children. This would facilitate the early detection of vulnerable families as well as increase the overall effectiveness of support measures for them. In this way stresses which give rise to situations associated with the incidence of child abuse can be identified early on and steps taken to alleviate them. All staff dealing with the welfare of children have a responsibility in this area and should develop a greater awareness of child abuse and of the circumstances with which they are dealing (Department of Health, 1987).

There are two important components to this official advice. The first is the encouragement of active co-operation with other agencies, while the second refers to "situations associated with the incidence of child abuse" and not simply to children who are known to have been harmed or injured. In other words the spectre of "Risk" is raised without actually using the word. No clear information is offered about what specifically are the "situations associated with the incidence of child abuse". There is however, an assumption that predictions can be made. The evidence is that it is precisely these assumptions about "Risk" factors and prediction which has in part led to the "blowout" as Australians put it, in headline child protection figures (see Parton, Thorpe and Wattam (1997) forthcoming). As Wattam (1996) has said, "notions of risk have become central to child protection practice". What the increase in referrals demonstrate is the way in which this concept, in association with proceduralisation, has so profoundly affected practice.

There may be another and rather more sinister factor here associated with what Bauman (1989) calls "Moral Invisibility". The point which he makes about the Holocaust is that the systematic selection and murder of six million Jews in Europe in the 1930s and 1940s was made possible primarily by the effective and efficient functioning of a range of bureaucratically organised agencies. Workers in these agencies did their jobs as they were organisationally and procedurally defined. In that sense they were often only one part of a system; of local government, local police, local transport officials and local transport workers. Right across Europe (and not simply in Germany), these men and women did their work and carried out standard procedures in

the application of selection criteria and the arrangements for transportation. It is not clear how many of these officials and workers knew that at the end of this process lay the gas chambers. Bauman refers to the failure of enforced emigration during the early years of the war as a solution to the "Jewish Problem" in Europe as Nazi conquests expanded. There were simply too many Jews to cope with in the newly occupied territories. After October 1941 a new solution was found to deal with the changing scale of the problem.

The task of "getting rid of the Jews" had been found another, more effective means of implementation: Physical extermination was chosen as the most feasible and effective means to the original, and newly expanded, end. The rest was a matter of co-operation between various departments of state bureaucracy; of careful planning, designing proper technology and technical equipment, budgeting, calculating and modifying necessary resources: indeed, the matter of dull bureaucratic routine.

The most shattering of lessons deriving from the analysis of the "twisted road to Auschwitz" is that — in the last resort — *the choice of physical extermination as the right means to the task of Entfernung was a product of routine bureaucratic procedures*: means — end calculus, budget-balancing, universal rule applications. To make the point sharper still — the choice was an effect of the earnest effort to find rational solutions to successive "problems", as they arose in the changing circumstances. It was also affected by the widely described bureaucratic tendency to goal-displacement — an affliction as normal in all bureaucracies as their routines. The very presence of functionaries charged with their specific tasks led to further initiations and a continuous expansion of original purposes. Once again, expertise demonstrated its self-propelling capacity, its proclivity to expand and enrich the target which supplied its *raison d'être* (Bauman, 1989, pp. 16 and 17).

Bauman makes the point that the majority of these functionaries, experts and administrators were unlikely to have strong anti-Semitic views, but that they were merely doing their work, the end result of which was not visible to them. He echoes Kelman's opinion that moral inhibition is reduced when three conditions exist: official authorisation: routinised and proceduralised action: dehumanisation of victims (by means of *definitions* and indoctrination). All these conditions exist in the "child protection" enterprise, in which it is possible to see the way in which new laws based around the United Nations Convention on the Rights of the Child have affected social work practice. Boyden (1990) refers to this as the globalisation of childhood — or a

particular construction of childhood — on which virtually all recent child welfare legislation in the developed world is based. This of course includes the 1989 Children Act in the UK and the 1991 Child Care Act in the Republic of Ireland. Changed laws on child welfare work give official legitimation to developing practices, official guidance organises these into specific procedures and guidelines, while the vocabulary of the child protection discourse dehumanises action in families by referring to them as “perpetrators”, “abusers”, “dangerous” or whatever.

It is clear that guidelines mediate in important ways between official legitimation and practice. Satka (1995) refers to these as “textually organised practices” based on Dorothy Smith’s notion of “conceptual practices” (Smith, 1990). Satka’s analysis of the development of Finnish family and child welfare services shows how the changing “organising texts” of family and child social work practice (theories and the intervention and practice guides textually based on them) reflect wider struggles around relationships of ruling, which specifically in the child welfare example are those of class and gender. She demonstrates how these texts and practices progressively shape interventions away from activities based on local, contextualised knowledge and direct personal experience of poverty, class and gender, to more professionalised and individualised interpretations *based on moral categories possessing a modern and scientific ring*. These moral categories serve the purpose of creating a moral distance between worker and client, they become “objectifying discourses” which she claims “are constant and standardised across geographically and temporarily separated settings and accessible to anyone with appropriate competencies”.

This is the purpose served by the International Society for the Prevention of Child Abuse and Neglect which held its 1996 International Conference in Dublin. The conference itself offered its international and local audience a veritable supermarket of texts and technologies of intervention. Perhaps all child protection social workers ought to read Satka’s account and analysis of the modifications made to the Finnish Poor Law after the Civil War of 1918. The war bitterly divided the nation and left 30,000 dead with many widowed and orphaned in need of poor relief. The widows and orphans of White families (the victors in the Civil War) automatically qualified for, claimed and obtained state pensions without question. The widows and orphans of Red families (the losers in the war) received monthly visits from social workers who inspected their homes and their children and wrote reports for the local municipal poor law boards. Financial relief for them was based entirely on the findings and recommendations of these reports. Satka notes for example that:

... both the foster care and the care of Red children by their own biological mothers “whose skills and motivation for child rearing were questionable” were required to undersign that contract as a precondition for getting poor relief. ... The contract included ... several obligations for the mother concerning her everyday practices of mothering and housekeeping. She had to undersign a form confirming that she was going to keep her home and children clean, carefully control the free time activities of children, and teach her children industriousness and the virtues of a decent citizen. Over all these obligations was a threat, printed on the written contract, that should she not carefully follow what she had signed, her children could be taken away (Satka, 1995, p. 91).

Like Bauman, but this time in a child welfare context, Satka shows how expertise and professionalism in combination with bureaucracy, creates a moral distance between those charged with the task of intervention and those who are subject to it. The example she gives is that of a *ruled* sector of a society which had recently been traumatised by Civil War and where the losers, the Reds, were held to be morally inferior. They were defined, like the Jews in Europe, as a moral category.

#### IV REALISM AND IDEALISM IN CHILD PROTECTION

One of the most interesting features of the child protection discourse is its origins within medical science, medical knowledge and medical practice. Pfohl (1977) traces the origins of current child protection practices and the ideologies on which they are based, to US paediatricians and more specifically the paediatric radiologists who began to identify unexplained multiple healed and healing fractures in infants. They coined the expression “Battered Child Syndrome” in 1961 (Kempe *et al.*, 1962) which slowly became transformed into “Non-Accidental Injury” (NAI) and finally, by the early 1970s, “Child Abuse”. This transformation and its implications will be dealt with in the concluding section of this Review, but the point of raising the matter at this stage is that right from the very beginning, the child protection discourse was shaped within a positivist and scientific paradigm, a matter which has been extensively explored elsewhere (Parton, 1985; Parton, Thorpe and Wattam, 1997 forthcoming) and is referenced to by Ferguson’s paper in *Administration* (p.15). Since the discourse has its origins within “scientific” literature it is worth noting that the terminology of child protection contains a vocabulary consisting of *moral* as opposed to *scientific* categories. A good example of this is the 1986 International Conference edition of the ISPCAN Journal *Child*

*Abuse and Neglect* which contained eleven papers written by conference contributors. Five of these eleven papers dealt with single female parent families, but they are represented differently in the titles of the papers. As I commented in *Evaluating Child Protection*, Paper 2 uses the expression “child abusing and high risk parents” yet in the text describes the intervention in the following way:

The main function of the supportive home helpers was to provide nurturance to the abusing mothers, act as a parenting model for the mother, and teach home making skills to improve the physical functioning of the home (Hornick and Clarke, 1986, p. 311).

Paper 8 uses the expression “parenting problems” in its title, but in the text describes the subjects of the research as “300 mothers” (Thorpe, 1994, p. 26). What was important about these papers was that half were written by clinical practitioners or researchers whose value judgements on child rearing practices were disguised and dressed up as scientific categories. This offers us an important clue as to how moral invisibility and moral distance has been created and is being sustained in child protection. Science is used to transform moral categories into objectifying discourses.

The irony of this is that many child welfare practitioners are aware of this, although they cannot consciously articulate it. This becomes clear in Doherty’s paper in *Administration*, which is followed by a completely different perspective in Kelly’s contribution to the collection of essays. Doherty, a service manager, (whose essay is entitled “Child Care and Protection: Protecting the Children — Supporting Their Service Providers”) begins on an anxious and cautionary note:

I have concerns regarding our collective reaction to these events, (the constant flow of child abuse scandals in Ireland) and in particular to the evolving negative attitude to service providers in the child protection field. Rather than developing a balanced picture which recognises the enormous complexity of the child protection task and the commitment and professionalism of current service providers, we are entering into judgements based on limited understanding. Increasing numbers of staff are, sadly, coming to view child protection work as thankless and professionally risky (p. 102).

Three paragraphs later, Doherty adds that:

The anxiety and anger which has been fuelled by the disclosures and scandals has led to the emergence of a type of moral panic, characterised by a desperate search for simple solutions based on unrealistic and often contradictory expectations, and a failure to grasp the realities of dealing

with child protection situations. I have concerns about the impact which this moral panic, the conflicting and unrealistic expectations, and the search for simple solutions are having on service providers, particularly front line staff (Doherty, p. 103).

He continues later:

The evolving public and media expectations that professionals can solve and manage all social problems must be questioned. The assumption that additional resources and more efficient personnel and procedures can offer guarantees is erroneous. ... Child protection agencies cannot however guarantee that parents will not harm their children. Any implications to the contrary must inevitably lead to condemnations and blame (Doherty, p. 104).

Doherty clearly views practitioners as being in an impossible position and refers to "media" and "social" expectations. He does not however include in this academic commentators who also strongly influence the media and those responsible for training social workers in the Further and Higher education sectors. Social work educators have of necessity to use texts based on interpretations of the findings of research. One such influence is Kelly who adopts a feminist analysis of the issues. Again, the title of her essay is revealing "When Women Protection is the Best Kind of Child Protection: Children, Domestic Violence and Child Abuse". She begins on an important note which makes sense to anyone researching the child protection area. "In developing our understanding of children's experiences we need to guard against recreating idealised, universalistic and western-centric notions of family life and child development" (Kelly, p.119). Kelly describes connections between what she calls "domestic abuse" and "child abuse". She speaks of "women abuse", the "cycle of abuse". Indeed her whole essay is liberally sprinkled with the word "abuse" and depends almost entirely on the word's existence to support her argument. On page 124 for example the word "abuse" or variations on it such as "abused" and "abuser" is used 19 times. Since there are only 38 lines on the page, the word occurs on average every two lines. Kelly concludes her argument (that child protection should focus its efforts on women protection and the "empowerment" of children) with a list of 12 points. Of these points, 5 consist of demands for more service (Advocacy services, services in refuges and bed and breakfast hostels, support services, prevention and education work etc.); 5 seek to change awareness (about the prevalence of violence in families, a "stronger knowledge base" etc.); and one recommends a legal change (the recognition of children's rights). In only one instance does Kelly issue a warning about potential unintended consequences of her proposals.

Care must be taken to ensure that policy and practice which recognises the connections between woman abuse and child abuse does not develop punitive forms — for example, threatening to remove children if a woman does not get a protection order or formulating definitions of “abusing parent” such as the one in New York State which includes: “allows to be created a substantial risk of physical injury to the child” and is used to remove children who have witnessed domestic abuse (Kelly, p. 133).

While there is much to commend Kelly’s appeal for the recognition of male violence against women and its connections with both violence towards children and the traumas induced by children living in unhappy and violent homes, the adoption of crude feminist stances on child protection matters can backfire.

There is a startlingly consistent pattern of the over representation of single female parent households in every single system study I have as yet undertaken, as illustrated by the following table.

Table 2: *Single Female Parent Families as a Proportion of All Investigations*

<i>Study and Date</i>	<i>Sample Size</i>	<i>Single Female Parent Families Per Cent</i>
W. Australia 1997-98	655	42.1
Gwent 1990	100	40
W. Australia 1989-94	23,727	41.1
Northants 1995	205	42.4
A.N. Other Local Authority 1995	110	45

Why are the proportions of single female parent families involved in child protection investigations so remarkably consistent across the world and over time? Part of the answer lies in the issue raised early on by Kelly in respect of non-standard child rearing settings as targets for child protection activity. But the targets here are women as *mothers*, looking after children under conditions of poverty and isolation. In a secondary analysis of the 655 Western Australian cases, Thorpe and Jackson (1997 forthcoming) analysed



the physical punishment cases (which were approximately 90 per cent of substantiated "physical abuse" cases) and discovered that *half* of these cases were women hitting children and half, men hitting children. More recently, Smith *et al.* (1995) researched the question of corporal punishment and families and looked at gender factors. They concluded that:

Mothers considered themselves to be the principal punishers in their family, a view not always shared by fathers who often saw themselves as taking a punitive stance. In fact, mothers were more likely to hit their children than fathers. This difference was not only a consequence of fathers spending less time with their children. Even when care of the offspring was equally shared, fathers hit less (Smith *et al.*, 1995, p. 84).

This result was obtained from a sample of 403 families. In drawing justifiable attention to male violence, especially sexual assaults, some (but not all) feminists have intensified the moral panic which Doherty cites as a cause of the stress experienced by social workers who do child protection work. All the evidence shows that this intensification followed by new laws, new procedures and more resources does not necessarily achieve the desired objective. Rather, it generates an unintended consequence. There are serious dangers in trying to get social work to serve purposes which it quite simply was never designed to do. Using social work to bring about the "Gender Revolution" however desirable that utopian end, cannot succeed. Rather, it will net yet more under resourced and stressed people. Doherty has already warned of the effects of raised expectations in Ireland on front line social workers.

## V CONCLUSION

### "Abuse"

The summary document *Child Protection: Messages from Research* (1995) published by the Department of Health begins the overview section with "The problems of definition". It notes that "... behaviour becomes abusive as soon as practitioners describe it as such" (DOH, 1995, p. 11). In reviewing the research, Wattam (1996) draws attention to the fact that once *Messages from Research* concludes that "abuse" is a construction it then proceeds to use the term "for practical purposes" as if it represented an ontological reality. In many respects, the "A" word lies at the core of the problem of the child protection enterprise, a problem which has so far defied attempts at resolution. In Wattam's words:

Having stated that child abuse and, it could be added, all the other terms (within the child protection literature) are socially constructed,

they are then utilised just as they are within the discourse itself to judge that discourse's practices without any reference to their construction. Individually, the research studies make some reference to parent's perceptions and the overview suggests that parent/child concerns should play a greater role in what is defined as abusive. However, the term "abuse" is still consistently used as if its definition were remedial, as if agreement could be obtained. In failing to recognise the "work" that the term "abuse" does in its applied settings, the Department of Health remains confused and confusing (Wattam, 1996, p. 191).

The problematic nature of the definition of abuse has a long history in child protection research. Indeed, virtually all serious researchers have been forced at one time or another to tackle it simply in order to make sense of their own observations. Giovannoni and Becerra (1979) first began this task in the USA some twenty years ago, using a vignette technique. This methodology was adopted by Fox and Dingwall (1985) ten years later in the UK. Their results were very much in line with the American research, namely that professionals were able to agree with each other when vignettes described *serious* assaults or neglect, resulting in *serious* harm and injury. More recently, Gough (1996) in an invited commentary in *Child Abuse and Neglect* drew upon these past 20 years of definitional debates but came to no firm conclusion beyond an appeal for further research "... to construct a conceptual system to integrate these separate studies into a social science of child maltreatment and child protection ..." (Gough, 1996, p. 1,001). This is not surprising, since in its publicity leaflets, *Child Abuse and Neglect* declares that its "... scope extends to all those aspects of life which either favour or hinder optimal family interaction" (ISPCAN, 1996). In a sense, this statement reveals all, it uses the terms "favour", "hinder" and "optimal family functioning" without qualification. Even a moment's thought on this matter should cause scholars to stop and think, for the implication is that *all* child-rearing settings can be included under such a broad definition. There is no mention of harm, injury or criminal offences here, merely allusions to subjective judgements about child rearing practices. Following Wattam (1996) cited earlier, it may prove fruitful to explore the "work" done by the word "abuse".

This matter was raised earlier in this paper in the context of the discussion on moral and scientific categories. "Abuse" does not refer to behaviour, rather *it describes an individual moral interpretation of the motive for a behaviour*. Two independent observers of the same behaviour might place quite different interpretations on it, one might regard a motive as well-intentioned, another as ill-intentioned. Indeed it is clear that the practice definition (Thorpe, 1994)

ranges from behaviour which constitutes some of the most horrendous crimes known to western culture, through to very minor care giver shortcomings. From any standpoint, this is deeply unsatisfactory.

*"Levis" are not Just Jeans. Baudrillard and the Totality of Signs*

In his essay *The System of Objects* Baudrillard demonstrates how society creates meaning from meaning-less signs, by merging the *signified* (objects such as jeans, vacuum cleaners or whatever) and the *sign* (the advertisement). This is the process whereby brand names become established. Levis, Rolls Royces, Hoovers, Rolexes, Xeroxes and other commercial products become detached from the original objects (jeans, motor cars, vacuum cleaners, wrist watches, photocopying machines) and assume a new disembedded significance. They refer both to themselves *and* to lifestyles and the qualities and characteristics of lifestyles. Baudrillard suggests that before industrialisation and the development of modern, consumer society, objects were related to in terms of use value. Brand *names* however develop use-value in their own right. They come to act as a sign for something else other than clothing, transport or whatever. They become objects of consumption in themselves, as signs detached from the original objects which were used for the necessities of clothing and travel. Using Baudrillard's analysis it becomes possible to see that the word "abuse" becomes detached from its original use which signified a motivation of misuse. It becomes recreated as a Regime of Signification, it acts as a commodity to be used by anyone, anywhere who wishes to complain. A "regime" in Baudrillard's sense consists of the consumption of the "relation" produced by the totality of signs. In respect of the production of the sign "child abuse", the "regime" consists of the international professional bodies and associations, policy makers, journalists, professionals and local agencies who generate the meanings which attach to the brand name "child abuse". Within this Regime we find newspaper headlines, images of ideal children living ideal lives (as represented now by the regular publication of some 5 magazines devoted to parenting in the UK) pictures of injured and even murdered children and always professional stories about "the worst possible case scenario" — Maria Colwell, Tyra Henry, Child X, the Kilkenny Report and the West Case. These cases also serve to reinforce the Regime, the horrendous nature of these events is not in question, as is the relatively recent public awareness of the scale and nature of serious sexual assaults on children which have hitherto been concealed. The word "abuse" then comes to act as a sign for wrongs which have been covered up and this is where it connects with the stories at the beginning of this review which refer to traditional institutions concealing the misuse of power in the past. The 350,000 demonstrators in Brussels on that Sunday in October were

complaining about government and judicial corruption as much as a need for action against child murderers. Similarly, the fall of the Reynolds's coalition in Dublin a year earlier was a result of dissatisfaction with the traditional power of the Catholic Church and government incompetence as much as the need to deal with a criminal. Public criticism in the UK of the Duke of Edinburgh's insensitivities is as much about the failure of the monarchy to maintain a collective national identity under conditions of social fragmentation as it is about the need for tighter gun control and public protection.

Ironically, the protection issue is one of *child* protection and the word "abuse" in that context is prefixed by the word *child*. One of the most interesting features of much child protection literature is the absence of children's voices and perspectives (see Parton, Thorpe and Wattam, 1997 forthcoming) and with this in mind, *Protecting Irish Children* is no exception. The most conspicuous shortcoming of what is otherwise an interesting and important contribution, is the absence of an essay on Irish children and Irish childhoods and even more importantly, post-traditional Irish childhoods. Much recent child protection research suggests that demands for investigative interventions arise within contexts in which there are disputes about the care of children. A substantial proportion of these relate to custody/access disputes where the issue is not whether or not a child has been harmed or injured, but where there are concerns about children living in particular circumstances (Thorpe and Bilson, 1996). In post-traditional societies where the legitimacy of institutions traditionally entrusted with children and "traditional childhood" has become eroded, these concerns are now being fed into child protection programmes. Instead of concentrating their efforts on children who have been harmed and injured, child protection social workers have become increasingly drawn into dealing with differences between individuals about preferred child rearing practices. The evidence suggests that approximately two-thirds of child protection referrals arise as expressions of *concern* about children's welfare and that unless these matters can be separated out from allegations which specify assaults and/or harm and injuries at the time referrals are accepted, then the scale of inappropriate proceduralised investigative interventions will continue to grow. This is the most likely potential future for child protection services in Ireland.

#### REFERENCES

- BAUDRILLARD, J., 1988. "The System of Objects", in M. Poster, (ed.), *Jean Baudrillard: Selected Writings*, Cambridge: Polity.
- BAUMAN, Z., 1989. *Modernity and the Holocaust*, Cambridge: Polity.
- BOYDEN, J., 1990. "A Comparative Perspective on the Globalisation of Childhood", in A. James, and A. Prout (eds.), *Constructing and Reconstructing Childhood*, Basingstoke: Falmer Press.

- BUCKLEY, H., 1996. "Child Abuse Guidelines in Ireland: For Whose Protection?", in H. Ferguson and T. McNamara (eds.), *Administration* Vol. 44, No. 2, Special Edition *Protecting Irish Children*, Dublin: Institute of Public Administration, pp. 37-56.
- BUCKLEY, H., 1992. *The Identification of Issues Involved in Inter-Agency Co-operation Between Gardai and Social Workers in Relation to Child Abuse and Neglect: Research and Recommendations*, Department of Social Studies, Dublin: Trinity College, Unpublished Research.
- CREIGHTON, S., and P. NOYCE, 1989. *Child Abuse Trends in England and Wales 1983-1987*, London: National Society for the Prevention of Cruelty to Children.
- DENMAN, G., and D. THORPE, 1993. *Family Participation and Patterns of Intervention in Child Protection in Gwent. A Research Report*, Lancaster: Lancaster University, Department of Applied Social Science.
- DEPARTMENT FOR COMMUNITY SERVICES (DCS), 1987. *Child Protective Services: A Guide to Case Practice*, Perth: Department for Community Services.
- DEPARTMENT OF HEALTH (DOH), 1987. *Child Abuse Guidelines. Guidelines on Procedures for the Identification, Investigation and Management of Child Abuse*, Dublin: Department of Health.
- DEPARTMENT OF HEALTH (DOH), 1991. *Working Together*, London: HMSO.
- DEPARTMENT OF HEALTH (DOH), 1995. *Child Protection: Messages from Research*, London: HMSO.
- DOHERTY, D., 1996. "Child Care and Protection: Protecting the Children — Supporting Their Service Providers", in H. Ferguson and T. McNamara (eds.), *Administration*, Vol. 44, No. 2, Special Edition *Protecting Irish Children*, Dublin: Institute of Public Administration, pp. 102-113.
- FARMER, E., and M. OWEN, 1995. *Child Protection Practice: Private Risks and Public Remedies*. London: HMSO.
- FERGUSON, H. and T. McNAMARA, (eds.), 1996. *Administration*, Vol. 44, No. 2, Special Edition *Protecting Irish Children*, Dublin: Institute of Public Administration.
- FERGUSON, H., 1996. "Protecting Irish Children in Time: Child Abuse as a Social Problem and the Development of the Child Protection System in the Republic of Ireland", in H. Ferguson and T. McNamara (eds.), *Administration*, Vol. 44, No. 2, Special Edition *Protecting Irish Children*, Dublin: Institute of Public Administration, pp. 5-36.
- FOX, S., and R. DINGWALL, 1985. "An Exploratory Study of Variations in Social Workers' and Health Visitors' Definitions of Child Mistreatment", *British Journal of Social Work*, Vol. 15, No. 5, pp. 467-477.
- GIBBONS, J., S. CONROY, and C. BELL, 1995. *Operating the Child Protection System*, London: HMSO.
- GIOVANNONI, J., and R. BECERRA, 1979. *Defining Child Abuse*, New York: Free Press.
- GOUGH, D., 1996. "Defining the Problem", in *Child Abuse and Neglect*, IPSCAN Journal, Vol. 20, No. 11, pp. 993-1,002.
- HORNICK, J., and M. CLARKE, 1986. "A Cost/Effectiveness Evaluation of Lay Therapy Treatment for Child Abusing and High-risk Parents", *Child Abuse and Neglect*, Vol. 10, pp. 309-317.
- KELLY, L., 1996. "When Woman Protection is the Best Kind of Child Protection:

- Children, Domestic Violence and Child Abuse", in H. Ferguson and T. McNamara (eds.), *Administration*, Vol. 44, No. 2, Special Edition *Protecting Irish Children*, Dublin: Institute of Public Administration, pp. 118-135.
- KELMAN, H.C., 1973. "Violence Without Moral Restraint", *Journal of Social Issues*, Vol. 29, pp. 29-61.
- KEMPE, C., F. SILVERMAN, B. STEELE, W. DROEGEMUELLER, and H. SILVER, 1962. "The Battered Baby Syndrome", in *Journal of the American Medical Association*, Vol. 181, pp. 17-24.
- McGUINNESS, C., 1993. *The Report of the Kilkenny Incest Investigation*, Dublin: Stationery Office.
- PARTON, N., 1985. *The Politics of Child Abuse*, Basingstoke: Macmillan.
- PARTON, N., D. THORPE, and C. WATTAM, 1997 (forthcoming). *Child Protection: Risk and the Moral Order*, Basingstoke: Macmillan.
- PFOHL, S., 1977. "The 'Discovery' of Child Abuse", *Social Problems*, Vol. 24, pp. 310-323.
- SATKA, M., 1995. *Making Social Citizenship: Conceptual Practices from the Finnish Poor Law to Professional Social Work*, Jyväskylä: University of Jyväskylä.
- SMITH, D., 1990. *Texts, Facts and Femininity. Exploring the Relations of Ruling*, London: Routledge.
- SMITH, M., P. BEE, A. HEVERIN, and G. NOBES, 1995. "Parental Control within the Family: the Nature and Extent of Parental Violence to Children", Department of Health: *Messages from Research*, London: HMSO, pp. 83-85.
- THORPE, D., 1994. *Evaluating Child Protection*, Buckingham: Open University Press.
- THORPE, D.H., and A. BILSON, 1996. *Report on Child Protection Referrals to Northamptonshire County Council Social Services Department*. A Research Report on the Outcomes of Child Protection Referrals in January and February, 1995. Lancaster: Lancaster University, Department of Applied Social Science.
- THORPE, D., and M. JACKSON, 1997 (forthcoming). "Child Protection Services and Parental Reactions to Children's Misbehaviour", in *Child and Family Social Work*.
- THORPE, D., 1997. "Policing Minority Child Rearing Practices in Australia: the Consistency of 'Child Abuse'", in N. Parton, (ed.), *Child Protection and Family Support: Tensions, Contradictions and Possibilities*, London: Routledge, pp. 59-77.
- WATTAM, C., 1996. "The Social Construction of Child Abuse for Practical Purposes — a Review of "Child Protection: Messages from Research", *Child and Family Law Quarterly*, Vol. 18, No. 3, pp.189-200.