

Glasgow SASO NP debate.

Show the TB film.

The case against the NP

Many people don't understand what could possibly be wrong with the NP proposal. Surely its about helping children?

In defending the NP, government and supporters main argument is that their intentions are irreproachably good – and certainly better than those of their critics. Critics were accused of not caring if children died, of wanting to protect middle class parents from the clutches of child protection services.

In this short talk I am planning to take us on a tour behind some of the claims of good intentions

Because this is a criminal justice audience I am going to use some terms that you will be familiar with from that field.

One term is net widening

another is threshold lowering

I also want to refer to labelling theory –

And I would remind you of the longitudinal study Youth Crime and Transitions led by Lesley McAra and Susan McVie. For most of the children referred to hearings, it would have been better to have had no such formal intervention at all. Only a very very small number of children and families need to have external interference.

Members of the audience who work in criminal justice will be aware that within critical criminology the term 'net-widening' is used to describe the effects of providing alternatives to incarceration or diversion programs to direct offenders away from court but which then just pulls in more people who would not previously have become involved in criminal justice system - and thus just enlarging the pool.

Threshold lowering pulls people into formal systems on the basis of much lower thresholds of concern. In criminology this means lowering entry requirements for drawing people into

cj attention on basis of say antisocial but not criminal behaviour or very petty minor offending that should be ignored.

Labelling theory is about how the self-identity and behavior of individuals may be determined or influenced by the terms used to describe or classify them. It is associated with the concepts of self-fulfilling prophecy and stereotyping.

The consequences of net widening, threshold lowering and labelling have been an overstretched criminal justice system, with courts and PF overwhelmed, rising legal aid and other costs, rising numbers of our fellow citizens in the churn, with offending records, and too many of them in prison. It focuses efforts on the wrong targets. It is the enemy of prevention but it often wears the clothes of prevention.

In England and in Scotland we are now rowing back from that with young people. emptying Polmont. But unfortunately we are going there now with children and families.

In the world of GIRFEC, and of the NP, 'risk' is ascribed to a wide range of social or other circumstances (there are over 200 risk indicators including being a child) This leads to negative attention, higher risk attribution, risk-averse professional behaviour, and systems.

And negative impacts on children, families and the wider civic society

And that is in essence my case against the NP.

One of the things that fascinates me in the arguments of supporters are that they refuse to acknowledge what is (or was) written in the actual legislation. We have been treated to huge flights of fancy about its voluntary nature, and about its benefits. These changed daily depending on the speech, the minister, the moment – a chameleon policy.

But there is only one NP project and policy and that is what is written in the law.

We have been told that NP was created in response to parents' demands. That it is a voluntary offer to parents and children at their request. The next day or sometimes even in the same breath we were told they are necessary to save children's lives. We were assured that putting a state guardian in place will somehow protect children from a full range of possible harms that their parents might inflict on them. The main thing uniting NP

supporters seemed to be that actually argument will do because they have unimpeachably good intentions and know what is best for children. This means that they know that the NP is best for children. So any argument in favour is a good argument in favour. Even if they are contradictory. Huge confidence in being right. Hubris. Unentitled to. Who guards the guards?

SLIDE 1 THE ACT DON'T LIE

Function of the NP is doing such of the following

'...where the named person considers it to be appropriate in order to promote, support or safeguard the wellbeing of the child or young person—

NOTE there is NO duty to respond to parents or children's requests, no mention of any duty to consult, collaborate, or advocate for a parent or child. Not anywhere in the Act.

Despite years of talk about partnership, participation, collaboration, working with parents, about children's rights, 'doing with' not 'doing to'...we have this stark setting out of the powers and functions of NP which make not even a tiny nod towards or mention of these. Why?

Let's go behind the CYP Act and look at the ideas behind it.

Going to quote from one of my favourite sw academics – and one of my favourite papers Sue White and Steven Wastell on Prevention : the rise and rise of prevention science in the UK family welfare Surveillance gets under the skin.

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*Something significant is happening to the relationship between parents and the state in the UK. There is a consensus across all political parties in the four nations that 'early intervention' is imperative to safeguard children's health and development. This is exemplified in the establishment of the Early Intervention Foundation in England, and is **arguably at its most explicit and pervasive in Scotland**. In 2014, The Scottish Government passed the Children and Young People (Scotland) Act (CYPA) 2014. This designates a 'named person', typically a professional from health or education services, to oversee the family and mitigate risks to the child.*

they go on to comment that

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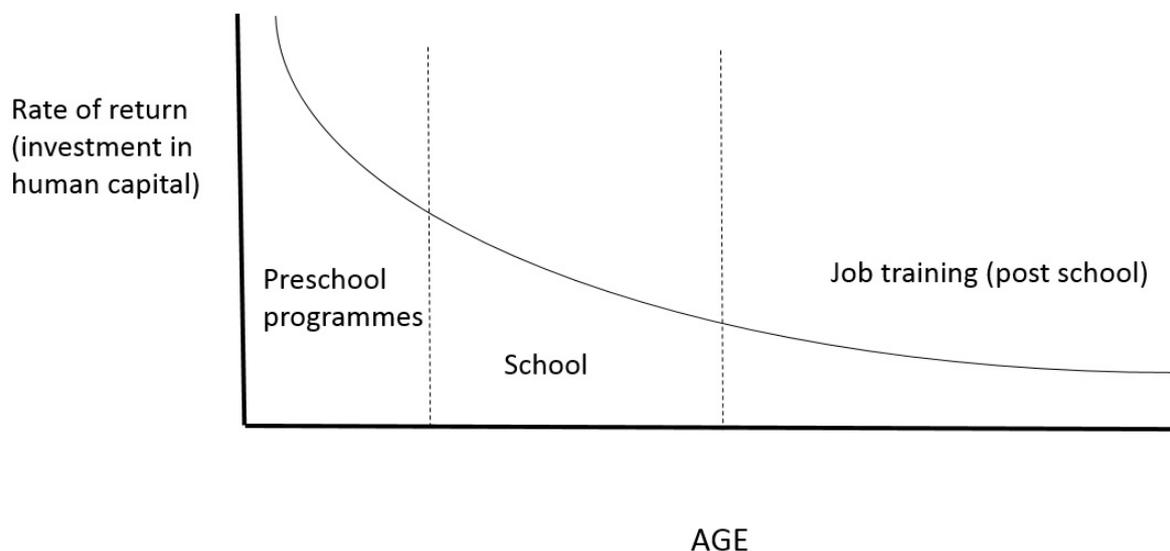
“ Early intervention and forced adoption may seem polar ends of a spectrum of state intervention in family life but, as we shall show, they are closely related in terms of their legitimating narratives.”

It is a fascinating paper, linking policy and legislative development here in the UK on early years, on crime, on economics - to ideas stemming from the USA. USA is one of the most unequal societies in the world, has one of the highest prison populations in the world. It has virtually no primary health care. High rates of infant mortality in poorest areas. But very high rates of intervention around CP concerns in mostly poor families and people of colour.

But we are suckers for buying their exported snake oil.

SLIDE 4 hackman curve

Prevention science



This is the Hackman Curve. You may have seen it shown in a number of presentations as if it were an actual table of results from investments. Civil servants bouncing around with excitement about the future savings..the much quoted 1 in 5 return on

investment....as in the TB clip.

It is not. It is a hypothesis and one that has actually been disproved by any number of actual research studies. It comes from a marketing strategy not from research results.

Hackman points to the Family Nurse Partnership as an example of social investment that will bring about increasingly lower demand for spending as the children who benefit go into school and then into jobs. In fact evaluations of the FNP and other early years interventions or programmes in the States are equivocal and show wash out in relatively few years. The one major evaluation here did not even show the positive short term results that the US found. Perhaps because we already have primary health care here? Unlike the USA. The NHS invented health visiting and then cut it, then we sent civil servants over to US to buy their commercialised version at great expense. Similarly with PPP which Glasgow health and education services bought into at great expense. The evaluation of that showed that too had wasted money. Interventions feature heavily in the GIRFEC guidance “buy one get one free...”

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A favourite image of prevention science is Bruce Perry’s now famous image of a child’s normal brain and the brain of a child affected by chronic neglect . This was used on the front page of the influential Early Years report in England. Susan Deacon’s Join the Dots report was in contrast informed by good antipoverty and family support policy. The Scottish girfec ‘early years collaborative’ was mainly based on prevention science arguments on the need to improve parents in order to tackle poverty. Dearth of evaluation of that...

This brain image was used impressionable minds in government and others and it seems to have had a remarkably damaging impact on their brain function.

*‘Parents who are neglectful or who are drunk, drugged or violent, will have impaired capacity to provide this social and emotional stability, and will create the likelihood that adverse experiences might have a negative impact on their children’s development ... **the worst and deepest damage is done to children when their brains are being formed during their earliest months and years.*** (Allen, 2011: 15)

Neglect is now one of the two top reasons for children being registered at risk.

But precisely how much neglect? How many drinks, or violence, risks this worst and deepest damage?

Here is the Scottish Government on prebirth damage .

... we now know that there is a strong link between antenatal anxiety and maternal depression, and poor outcomes for children including development, parental bonding and behavioural problems. (The Scottish Government, 2015)

We now have pre-pregnancy screening. 230 GIRFEC risk indicators.

How long before homelessness or even poor housing becomes an unacceptable risk which can be solved by removing the child rather than by offering a house?

As Sue White remarked

‘In Heckman’s work we can see a logic that brackets out socioeconomic disadvantage (or even ordinary adverse life events) in favour of a concentration on parenting behaviours

Early intervention and prevention science transformed ‘need’ into ‘risk’. In identifying risk of future harm from unmet need we now have the rationale for the removal of children at birth. We have entered the dystopian territory where possible future harm is averted by the removal of a child from its mother at birth. This is the link between apparently opposite actions of early help and prevention and a deliberate policy of forced adoption. Early help and intervention has become draconian action to prevent future harm.

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A very good article about this is ‘When early intervention met child protection: a marriage made in hell’

Featherstone White Morris

Recommend reading. This underlines the dangers of mixing up need with risk. And of posing poverty as a consequence of poor choices by the poor. And the consequences of poverty for children’s welfare being amenable to one by one casework.

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There is a report from the hell where that marriage has been consummated. Recent report by Legal Action for Women –‘Suffer little children.’ Anna Neale and Selma James.

Describes a legal social and economic war on poor women, women of colour, single mothers which tragically, much of social work with children and families seems to have signed up for. Despite it all being purporting to be about children, the action taken is often devastating for the children. Loss of mothers, security, identity, siblings.

The report describes the experience of intervention by social work services as discriminating, oppressive, lacking in empathy. It is clear that the law is not much protection for these women and children. Verdict first, trial afterwards. The word of mothers is worth much less than the word of social workers.

SLIDE 8 emotional abuse and neglect

These are the top two categories for cp registration. As in Scotland these are mainly of very young children and as a result of accusations against mothers of emotional abuse and neglect. Both very subjective. What are the services that are offered in the face of neglect? How different are they to the services needed to address poverty?

Family support is the hardest service to get funding for, and the first to lose funding when there are cuts. Because it is not a statutory responsibility. So much for prevention when the very services that prevent family breakdown are not statutory and are the first to be sacrificed.

So here we have a system that confuses need as risk, and confuses prevention with adversarial intervention. And therefore is driven along the road of increased numbers of children looked after and accommodated children at huge cost.

It has been claimed that the rate of looked after children is falling as a result of GIRFEC and NP. Children on supervision at home are in Scotland considered to be legally ‘looked after’. A few years ago, ‘Looked after at home’ as an outcome of children’s hearings became the target of criticism for poor results. Criticism came from providers of care away from home for children: private and third sector, it is a lucrative business.

The comparison was faulty on two main grounds. Firstly the outcomes were measured by two standard grade passes and a care plan being in place. Not longer term, relationships, health, criminal record, homelessness or prison. And secondly no account was taken of the very unbalanced resources invested in each. Hardly anything at all is spent on services for children who are supposedly 'looked after at home'. By contrast, profits are being made from services for children who are laac.

As a direct consequence there has been a huge decrease in the numbers of children looked after at home. this drop has been used to claim that the number of children in care in Scotland is falling. It is not - the real comparison is with LAAC rates in E and W and NI. And our rate is highest of all and it is rising.

There are similarities here of comparisons with the cj system and with the Prison lobby. Faulty and false comparisons are made, which then determine sentencing and have increased the prison population while ministers claim that they need to have proof that community sentences and diversion work. Like care, there are no waiting lists for prison. But there is poor care, overcrowding, and poor results.

As well as high rates of removal, child protection is one of the most inefficient public services. The numbers of families affected are increasing year on year In England 80% rise in referrals over the five years between 2009/10 and 2014/5. Increasing numbers of families are processed through referral and investigation. Increasingly inefficient in detecting abuse. One in 5 children being referred before they are five years old.

Scotland is arguably further along this path. In Scotland girfec and risk aversion has conflated child protection with prevention. we now have high rates of referrals of 'well being' concerns: in the main this is now the route for referrals by police. These used to go to reporter and now go to the NP. the reduction in referrals to the reporter has been used to claim success for the NP and GIRFEC: But all that is happening is that police referrals which are by far the largest category are now all being routed by police to the NP and not to the reporter. Fife in 2011/12 reported 100 'wellbeing concern' referrals per week – a staggering enough number. By 2015 that had apparently increased to 10500 per year. There are only 64k children under 15 years in Fife. Overload. Liam Fee was reported by the senior social worker to have

‘slipped off the radar’. No wonder. Conflating wellbeing concerns with child protection, need with risk.

Instead of meeting need, we have with NP created population-wide casework and risk assessment.

We are seeing increasing use of unregulated and non-transparent processes have been increasingly brought into play. The right to a fair hearing is replaced by often secret meetings of professionals that exclude parents. ‘Professionals meetings’. Children’s plans are developed without parental input and often without their knowledge. Information sharing without consent is still happening- now a norm that records are created and shared without parents’ or children’s knowledge let alone consent.

Introduction of GIRFEC has also led to Scotland is also experiencing a surge in the number of children recorded as having an Additional Support for Learning need. (just under 1 in 4

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Pupils with Additional Support Needs

	2011	2012	2013	2014	2015	2016
Total pupils with Additional Support Needs	98,523	118,034	131,621	140,542	153,190	170,329

So from 98.5k up to 170.5k out of a total of only 650k pupils nationwide. 1 in 4.02

In Highland 1 in 2.74

If one in four children has an ‘additional need’ today and this has doubled in the last five years. What will it be by 2021? Double again? You might think that’s unlikely? Well Highland seems to have arrived there already. Nearly one in 2. And mostly these are not for reasons of disability but for named persons ‘child’s plan’. Fewer SN teachers. the majority

are 'other'.recording but not meeting NEED.

So we have higher numbers being investigated, unnecessarily in most cases. Higher numbers on child protection registers, for subjective reasons of future risk , higher numbers in care, higher numbers assessed as having ASN. Less support.

And the recent RC paediatrics report tells us that we have the worst child health in UK. Correlation is not a proof of causation. However, the evidence points at the very least to wasted effort and investment. Millions of £s and hours.

I have a lot of sympathy for arguments that the Scottish Govt does not have access to the real levers of change – the economy, welfare, etc and that rule by westminster has served us very badly. BUT there are choices to make.

I would contend that the major error has been the decision to attempt to **case work** the entire population of children instead of tackling poverty and inequality . One by one, families are increasingly picked up and scrutinised. Picked up and turned over in disturbing and frightening ways. Any parent or child that does not fit the NP 'service land' stereotype of 'normal' child in normal circumstances has 'special needs' or 'risks' which are assessed and recorded.

If we continue to understand poor parenting as the problem, and if prevention is understood as policing parents and regulating family life then we will continue to have the dire results that we have.

The NP can't provide a hot meal, a new pair of shoes, a warm home. Instead, we have the NP they are charged with monitoring and liasing and sharing information.

All of this, I would argue is evidence of a flight from acting on the clear case for an attack on inequality and poverty.

The evidence is that governments that are 'relaxed' about inequality find 'child rescue' attractive instead. Focus on families is a red herring.

Where is the recognition of poverty and inequality? The recognition that it is the job of government to tackle and ameliorate these, not to regulate family life or to pose as the guardians of children against their parents ignorance or vice.

What children and families really need from government are grown ups monitoring rising poverty, rising numbers in care, low birth weights, homelessness....and who have clear targets for improvement, and evidenced and well resourced measures to reach those targets. across health and housing and education. That is government. And that is children's rights. The State makes a lousy parent (as all available figures and evidence over many years show) but it can and does have the power to be a good leveller of inequalities.

There are measures that governments can take to make a difference. Income security is among the top of these. There is very little that cant be improved by a regular and sufficient income. We could put the right to family support on a statutory basis. That is what the NP claimed to be doing. Why not do it?

NOT caseworking and labelling the entire population of children and their families one by one.

We don't need Named Persons. The whole project is a diversion from real prevention and from social justice