Beyond care versus control: decision-making discourses and their functions in child protection social work.

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Abstract

The process of coming to judgement in child protection social work is like deciding whether or not to jump from the Titanic as it lists: both types of decisions operate under limited time, conditions of uncertainty, lack of complete knowledge of all relevant factors, unknown and unknowable outcomes and significantly negative possibilities regardless of which option is taken. As people make complex decisions of this nature, they must not only ‘discover’ relevant information, but in order to make sense of that information or determine its relevance, must undertake an interpretive process of knowledge construction. This process is reliant on their preconceived interpretive lenses and the interactional social context. Drawing on a social constructionist perspective, this study examines how social workers negotiate the discursive lenses specific to their social context to produce the reasoning rationales that underpin decisions. In response to challenges to understand the rationalities informing everyday social work practice, this study contributes to a significant gap in the literature, especially in the Aotearoa/New Zealand (A/NZ) child protection context (Taylor & White, 2001; Stanley, 2007).

This qualitative study of social workers and their clients in an NGO context examines the ‘range of rationalities’ used by social workers to make decisions in cases social workers felt ‘pleased with’ (Kemshall, 2010). The study found that social workers’ decisions operate with reference to a discursive schema that generates a hierarchy of options from most to least desirable. Underpinning the schema is an overall preference for family maintenance, and this structures the range of decision outcomes ranging from working with a family to ensure the child can remain living at home, to permanent removal. ‘Family maintenance’ as a desirable outcome is supported by the legal context and moral commitments of social workers, making it particularly powerful as an underpinning ideal. Deciding which option to take on the schema, however, is not straightforward, and relies on the interconnections between the family maintenance discourse and several other interpretive concepts. These include: children’s best interests, conceptualised as relational needs and rights; harm, primarily psychological harm; non-culpable yet micro-oriented constructions of original family
problems, such as mental illness and lack of support; risk (and safety) concepts, heavily influenced by the Signs of Safety approach (Turnell & Edwards, 1999) and a Maori practice model used by the agency; a belief in parental client’s ability to change within a strong emphasis on relationship building and exception finding; and ethical notions of ‘respect for persons’. ‘Respect for persons’, in terms of a parent’s right to autonomy, was delimited with reference to children’s right to protection, in order to determine when the use of hierarchical power was legitimate (Bundy-Fazioli et al., 2009). The Signs of Safety model assisted social workers to make this distinction by carefully defining what was considered as ‘harm’.

These findings are discussed with reference to decision trajectories. In general, these constructions guided social workers to resist defensive, reactive responses to ‘risk’, and therefore encouraged decisions that were as least intrusive as possible into biological families. Further, decisions that supported the family maintenance preference were related to the construction of parents as complex, creditworthy individuals with the potential for both harmful behaviour and competent, safe parenting practices. Overall, this combination of constructions influenced social worker’s capacity for privileging their perceptions of children’s long-term needs, and forming a relationship with parental clients that contained important aspects of collaboration despite unequal power dynamics. Ongoing evaluations of parental ‘riskiness’ generally lowered over time, as the offering of morally acceptable subject positions to parental clients and a focus on future safety enabled clients to respond in collaborative, non-defensive ways.

The intersections between decisions, discourse, power and relationships are discussed with reference to ongoing patterns of decision-making, micro/macro dichotomies, and ethical issues. The micro focus of the discourses used to construct risk, safety, family problems and children’s best interests can be viewed as obscuring structural factors such as gender and class. However, many collaborative aspects of knowledge production between social workers and clients, combined with the role of the agency as a buffer against pernicious aspects of current state policy, provided important opportunities for empowerment for clients and a humane and inclusive approach to the constructions that frame significant decisions in this context. Thus, simple empowerment vs. control dichotomies are unhelpful for theorising child protection
decisions. Both exist simultaneously within social worker’s practices that must contain aspects of various forms of power, discretion, control and surveillance in order to respond to the rights and needs of both child and adult clients.
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To Gary, for being proud.
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List of Abbreviations

A/NZ – Aotearoa/New Zealand
CYP&TF Act – Children, Young Persons and their Families Act, 1989
OHF – Open Home Foundation
NGO – Non-governmental organisation
SF – Solution focussed
Issues of judgement are fundamental to the social work task. While social workers may be exhorted to be ‘non-judgemental’, most, if not all social work roles involve some aspect of judgement or decision-making. From the distribution of resources to whether to remove children from their parents or not, social workers are constantly involved in making judgements regarding service users and how to respond to them. Which option is taken at any given time contains implicit assumptions regarding the aims of practice, the nature of the problem or issue at hand, and what works in dealing with that particular problem. Within social work with children and families, where social workers are imbued with statutory power, decision-making becomes especially significant, as decisions result in the alteration of children’s lives forever. Competing interests between children and their families, legal imperatives, theoretical concepts, personal values and ethical issues all contribute to the reasoning processes that underpin decision-making in this context. Understanding how social workers approach this difficult, significant and complex task is therefore of much importance and the primary aim of this study.

This study examines decision-making in child protection social work within a large NGO provider of child protection services in Aotearoa/NZ (A/NZ). It makes a significant contribution to the literature which would not be difficult given that there is only one other study of child protection decision-making in the A/NZ context, that of Stanley’s work examining the use of risk discourses in social work decisions within the main statutory provider of services, Child Youth and Family Services (Stanley, 2005, 2007). The current study builds on that research by examining how risk is constructed within an NGO provider of child protection services, and what other prominent discourses inform the construction of decision-making rationales in that context in addition to risk discourses. It also includes clients’ views of decisions in order to gather a holistic description of decision-making discourses from a range of stakeholder perspectives. Thus, this study investigates the ways social workers and clients interpret the life situations, behaviours and experiences of clients, the

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1 Aotearoa is one Maori term for ‘New Zealand’ and is usually translated ‘land of the
discursive lenses they use to construct these phenomena, and the outcomes emanating from these discursive interpretations.

These interpretations of clients’ lives, both parental and child, are never solely about simply ‘knowing information’ but reflect the socially constructed ‘ways of viewing’ promoted by the context of practice. This context of practice includes personal factors, such as the social worker’s own personal background and experience, as well as ecological factors springing from the organisational, theoretical, legal and socio-political environments. These factors are also significantly shaped by the influence of power dynamics and the dialogic process of co-constructing meaning between social workers, clients, co-workers and managers. Outcomes of these discursive acts include the constitution of knowledge in particular ways that construct reasoning rationales for decisions; the creation of subjectivity investment options for both social workers and clients; a relationship characterised by either collaboration or hostility and defensiveness, (or both); information-gathering practices that influence the ongoing trajectory of judgements; and prescription of the level of inclusion of parent’s and children’s own views in knowledge production about their lives (Berger & Luckman, 1966; D. Best & Best, 2003; Burr, 2003; B. Cooper, 2001; Gergen, 2001, 2003; Hacking, 1999; Holstein & Gubrium, 2008; Shotter, 1997; C. Taylor & White, 2000).

**Significance of the problem and contribution to knowledge**

The study of the everyday practice of social workers is necessary for a number of reasons. Firstly, there often exists a rather large and trenchant gap between the theory and practice aspects of social work. The academic side of social work claims theoretical rigour, while the practice side claims the pragmatic moral high ground (Beckett, 2006; Turnell & Edwards, 1999). Others point out the inextricability of theory from practice (Fook, 2002; Schon, 1998). In social work with children and families, as the stakes are so high, knowing more about how social workers interpret the actions, behaviours and situations of families, and use these interpretations to construct reasoning rationales for decisions is of considerable importance. Understanding decision-making processes as they play out in practice therefore has significant ramifications, not only for children and families, but also organisational practice and wider child welfare policy (Stanley, 2005). Numerous authors, both here
and overseas, have noted the need for more research into the everyday practice of social work with children and families, and the interconnectedness of these practices with organisational and national policies (Ferguson, 2008; Fook, 2002b; N. Gilbert, Parton, & Skivenes, 2011; Gillingham & Bromfield, 2008; Hall, Juhila, Parton, & Poso, 2003; Kemshall, 2010; Mandel, Lehman, & Yuille, 1994; O’sullivan, 2005; Parton, 1999b; Rodwell, 1998; Sheppard, 2000; C. Taylor & White, 2000; C. Taylor & White, 2006; S. White, Fook, & Gardener, 2006). The combination of these factors is intensely influential in determining what the aims of practice are, how problems are defined, and what might be done to remedy them (Buckley, 2000b; Spratt, 2000; Stanley, 2005). Here in A/NZ, this research is markedly absent (apart from Stanley as above), however, the Brown report (M. Brown, 2000) calls for research into how social workers currently undertake assessments.

This study helps remedy this gap in knowledge by contributing to an understanding of how social workers who work with children and families construct into a coherent narrative, and then come to judgement about children’s lives in the context of an NGO child and family service in A/NZ. Thus, the study sets out to identify the social constructions underpinning decision-making in child protection practice, examine their contextual discursive origins and investigate their impacts on practice. Discourse, the conduit of social constructions, can be defined as “…the language practices through which knowledge, truth, our sense of ourselves and social relations are constructed” (Healy, 2005, p.199). These discourses underlie many implicit assumptions within the microcontext of practice. Examining their sources and elucidating their effects assists in developing a robust understanding of everyday practice and provides a way to examine coming to judgement in light of the ethical, theoretical and legal aims of practice.

**Chapter outlines**

The literature review sets out the approach to knowledge used in the thesis, and discusses the grounded, social constructionist basis of the project. The review has been built up throughout the project in recognition of a grounded approach to theory development (Charmaz, 2003; Rodwell, 1998; Strauss & Corbin, 1998). Beginning with examining the consequences of a constructionist position for the current study,
the review argues that if knowledge is socially constructed and context specific, then decisions are neither ontologically correct or incorrect, nor do they occur in splendid isolation, but instead they are malleable, contingent, situated, interpretive and constitutive acts. This approach allows for deconstruction of many of the taken-for-granted assumptions in the social context under study, and examines their consequences from a perspective that accepts the contestability of knowledge production. Following this, the decision-making literature from cognitive psychology is covered briefly, before an examination of common discourses used in the child protection context. These concepts include children’s best interests, needs, rights, harm, attachment theory, and Maori concepts. The context for each of these areas within A/NZ as it influences each of these is covered. The review then lays out the relevant literature on notions of risk as they contribute to decisions in this context, covering a range of selected literature regarding risk from Beck’s ‘risk’ society’ thesis, to Stanford’s contention that social workers act as situated moral actors who can resist the worst excesses of individualised response to risk (Beck, 1992; Stanford, 2011; Webb, 2006). The discussion of risk continues, as the review introduces Broadhurst et al.’s ‘logics of risk’ (2010) and Kemshall’s ‘rationalities of risk’ (2010) as ways of conceptualising risk thinking as a cultural lens through which risk comes to be known in specific settings. The chapter then outlines the philosophical basis of Turnell & Edwards’ ‘Signs of Safety’ approach that attempts to formalise an approach to assist social workers in an enterprise of resistance to complete risk aversion while still taking seriously the ethical responsibilities of child protection (Broadhurst, Hall, Wastell, White, & Pithouse, 2010; Dean, 1999; Gurney, 2000b; Kemshall, 2010; Turnell & Edwards, 1999).

The literature review then turns to examine other studies of judgement in social work. These include studies of the moral aspects of decision-making, those that apply cognitive process concepts to child protection social work, those that elaborate on constructions of abuse and harm, and those that examine how structural influences are conceptualised or absent in knowledge production regarding the causes of family problems. Finally the literature review considers studies that focus on relationships within social work between social workers and clients, and ethical approaches as they affect decisions and judgements. These two kinds of studies highlight the intensely relational and value-based nature of judgement making, as well as provide a careful
examination of concepts relating to power within the social worker-client relationship. How this power dynamic affects the knowledge production that informs decisions is examined, and theoretical ideas relating to Foucault’s power/knowledge concepts, the simultaneous exercise and constraints of power, and the combination of discretionary and surveillance functions are explored (Bundy-Fazioli, Briar-Lawson, & Hardiman, 2009; Foucault, 1980; T. Gilbert & Powell, 2010; Healy, 2005; Sawicki, 1991). The research questions are also stated here.

Chapter two examines the methodology employed in this study. Using a constructivist qualitative methodology drawing on aspects of constructionist grounded theory and case study methods, this research project uses a critical incident report to elicit case narratives (Charmaz, 2005; Flanagan, 1954; Fook, 2002b; Kemppainen, 2000; Rodwell, 1998; Yin, 2004). On these methodological bases, twenty-two social workers and fifteen clients (mostly parents) across seven sites of an NGO faith-based child and family service were interviewed. This was preceded by a lengthy access negotiation process that contained a number of ethical and practical issues. On-site observations were undertaken, as was document review and the use of a reference group comprised of agency managers. Feedback loops and member checking were undertaken in various ways including the return of transcripts, reference group consultation, and inviting group feedback from each office of the agency. The data are organised into themes using both inductive and deductive coding, with patterns selected that appear to inform judgements in this practice context. Several key cases are also built into case studies. These are then analysed further for the discursive sources and consequences of the meaning making patterns evident in the themes, and compared to existing literature about each of the themes (Boyatzis, 1998; Braun & Clarke, 2006; Fook, 2002b).

The findings chapters set out the main themes of the study. The study found that social workers generally select as ‘pleasing’ cases where children were maintained in the care of their biological family and that this involves a ‘weighing up’ of harms. A few cases went against his general preference for family maintenance, most commonly where children’s ongoing needs were evaluated as best met by removal. The other main theme of pleasing cases was that relationships with parental clients were maintained despite periods of conflict. The content of reasoning rationales
revolves around a primary aim to favour biological family maintenance wherever possible. This creates a family maintenance schema or hierarchy of preferred decision options. In order to decide which option to take, social workers use additional ‘meaning layers’, and these layers allow a more nuanced analysis of the meaning making process.

The first meaning layer presented is that of children's best interests. Children’s best interests are constructed around children as both needs and rights bearing individuals. Needs are most commonly defined as psychological needs for attachment relationships, rights to family, identity and protection, and for Maori children, both a need and a right for connection to kin and the genealogical links this provides children with essential for a Maori identity (Durie, 1995). Children in long-term foster-care were viewed as having more individualised rights compared to those in biological families. Children’s needs generally were interpreted as primarily emotional and psychological in nature, and this resulted in concepts of both harm and ‘good enough’ parenting revolving around emotional rather than material provision from parents. Children’s rights concepts influenced decision-by underpinning ‘child focused’ practices in relation to establishing their rights and therefore best interests. This involved seeking children’s own views, empathising with children’s perspectives, and attempting to include them in decisions, as well as the inclusion of children in the operationalisation of safety plans. Children’s views in biological families tended to support the family maintenance preference, as those children usually wanted to remain or return home. Younger children’s views were interpreted through their behaviour, whereas older children’s views were considered as able to be more directly stated. Foster children were more equivocal in their wishes, and this contributed to more variable decisions about their lives as above.

The next ‘meaning layer’ discussed is the interpretation of the original causes of parental problems revolves around concepts relating to poor mental health, lack of

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2 Maori is the term used to describe people who identify as belonging to one of the indigenous tribal groups of Aotearoa/New Zealand. Its use began following the arrival of European settlers, and is derived from its older meaning, that is, to be normal or usual.
social supports or cultural dislocation, and these generally function to avoid direct accusation and culpability. Risk and safety are constructed as: concerns, risks, bottom-lines and safety and strengths via the Signs of Safety approach (Turnell & Edwards, 1999). This format encourages an active search for strengths and resources the client might have in addition to ‘concerns’ that state the exact nature of the agency’s view of potential harm (risks) to the child based on past behaviour. This approach is combined by some social workers with an indigenous model of practice that draws on Maori spiritual concepts and extended family networks to explain family problems and solutions to those problems. The use of safety plans to manage risks and make ongoing decisions about children was evident, reflecting underlying beliefs about the nature of parental capacity to generally be resolved or improved, the potential for many risks to be managed within the family context, and the view that children’s best interests were often related to needs that required relationship maintenance and improvement, rather than severance.

The relationships between social workers and clients are then examined. It was found that the prioritisation of relationships encouraged by the agency culture and its practice tools resulted in specific problem constructions that avoided blame, and focused on the future. Focusing on safety-building, using solution-focused approaches, viewing clients as honest and capable of change, going ‘above and beyond’, providing practical ongoing parental support and viewing practice as including the ‘broader territory’ of clients’ lives beyond the child protection concerns, enabled some aspects of power sharing over knowledge production, and engaged clients despite periods of hostility or anger. This highlights the interrelationship between social worker-client relationships and knowledge production, as the effect on decisions of ‘safety logic’ was they were less intrusive, and resulted in a view of many risks as manageable within family contexts. Further, the overall ethos of the agency, combined with high levels of social work education, contributes to a strong ethical commitment to ideals of ‘respect for people’ as humans and the inclusion of clients’ views in the construction of problem explanation and interventions where possible. Careful differentiation between those aspects of clients’ lives that can be subjected to intervention without consent, (hierarchical power) and those that the client maintained control over was an important result of the combination of ethical imperatives and practice tools. Differentiating between these aspects of clients’ lives
influenced decision-making by constructing legitimacy and responsibility for social workers around some factors (harm to children), while removing their power over others, thus shaping decision processes.

Chapter five analyses selected results, discussing the sources and consequences of the most dominant discourses used to construct judgements in this site of practice. The family maintenance schema is theorised using the cognitive psychology concepts of ecological rationality, heuristics, framing, naturalistic decision-making and attention and search (Gigerenzer, 1996; Lipshitz, Klein, Orasanu, & Salas, 2001; March, 1994). These ideas allow a discussion of how social workers decide which information is salient, yet highlight the context-bound and uncertain nature of this perceived salience.

Within children’s best interests, the interrelationship between needs and rights, and some of the consequences of constructing them in this way, are discussed. It is contended that how these influenced decisions depended on how rights and needs were constructed in relation to the construction of children. Constructing children primarily as embedded within their relational context, rather than as individuals, impacted on the construction of needs and rights in specific ways, with rights often interpreted with reference to relational needs. The more dominant viewing of children as embedded in a relational system led to children considered as needing attachment relationships in order to develop psychologically and emotionally, as having a right to family and belonging, and for Maori children to both need and have a right to connection to whanau3 for identity reasons (‘attachment plus’). These discourses were all used in support of the family maintenance premise, especially as the construction of attachment needs portrayed removal as containing both harmful and positive aspects, (not just positive) as the disrupting of existing attachments was viewed as

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3 Whanau, often translated as simply ‘family’, refers to a much broader concept than nuclear family. Based on whakapapa or ancestry, it includes extended family kinship networks incorporating aunts, uncles, grandparents and cousins, within which roles, responsibilities, and genealogical connection are defined. It is also the verb meaning ‘to be born’. See here for a more comprehensive definition: http://www.teara.govt.nz/en/whanau-maori-and-family/page-1
harmful even where there had been some level of abuse. The construction of needs as primarily emotional (rather than physical) assisted in excluding low socioeconomic class in evaluations of needs right and harm, yet this could be viewed equivocally as a negative aspect that did not take account for structural considerations in contributing to family problems. However, where harm (physical, sexual, emotional) was serious and ongoing, children’s best interests moved towards a more individualised discourse of their right as an individual to be protected from harm. This construction was more likely to result in decisions to remove, but the nesting of rights within relational needs meant that the long-term aim could still be to return children to their biological parents.

Considerations of the best interests of foster children operated slightly differently – their needs and rights were more evenly balanced between views of them as individuals versus them as family members. This can be related to a different construction of foster families as less fundamental to children’s well being than biological families, the heightened overall responsibility the agency, as legal guardian, has for those children, as well as the ‘optional’ nature of foster-caregivers provision of care to children. Children’s views were actively taken into consideration within decision processes, and the level of inclusion can be considered as affording children an ‘active subjectivity’ (Fattore & Turnbull, 2005, p. 47). The possibility that this may confer a substantially high level of responsibility for safety plans is discussed. A focus on children’s best interests helped deflect a focus on parental deficit and ‘good enough’ parenting, and this assisted in building collaboration with parents. While the use of psychological theories of attachment as need to construct ‘best interests’ may obscure structural issues relating to the gendered nature of parenting, nevertheless the NGO positioning of the agency allows it to provide a supportive child welfare orientation response to families in contrast to the wider child protection national orientation.

The construction of parental client problems in non-culpable, yet micro-focused ways is examined. This most often took the shape of discourses of mental illness, (particularly depression and drug and alcohol addiction) lack of support and for some Maori, cultural disconnection. The overall function of these discursive tactics is the avoidance of constructing parents as either globally incompetent or totally
blameworthy as individuals. This affects decisions and enhances the possibility of building collaboration with clients, particularly as the construal of their problems due to mental illness or support factors beyond their control de-emphasises their moral culpability or intrinsic lack of competence. When combined with strengths/safety approaches, a view of them as having resources and periods of acceptable parental functioning is made possible. This provides some attractive moral subject positions worthy of investment, although these are traded off against some less desirable ones (Featherstone & Fawcett, 1994; Holloway, 1994). The consequences of this combination for decision-making are that it allows for less intrusive decisions, and supportive interventions tried for as long as possible before and after removal.

The use of the Signs of Safety approach within a broader strengths and child welfare orientation assisted social workers to resist defensive, risk averse practices in decision-making, focus on children’s views and needs, and share power over knowledge production, to some extent, with parental and child clients. The expectation of competence assists parental clients to be positioned as capable and ‘redeemable’ within a system where their implicit positioning, as an ‘abusive’ parent, is often one of lack of capacity, dangerousness and moral deficit. This provides investment options for subjectivity that are relatively attractive for parents. Providing an alternative ‘logic of risk’, the Signs of Safety framework allows social workers to take risks, manage risks and avoid risk. By accepting some rights of parental clients to take risks, an ability to manage risk of abuse in the family context (through scaling and safety plans), while avoiding the risks associated with removal, provides an attractive discursive package for aligning practice decisions with the family maintenance schema (Broadhurst et al., 2010; Gurney, 2000b). The tensions between risk-taking and risk-avoidance, however, are neither simple nor straightforward, and contains elements of oppression and empowerment, lends power to clients while also restricting it, and attempts to balance children’s and parent’s rights.

While social worker-parental client relationships included collaboration and power sharing, they also included aspects of hierarchical power use, surveillance, and periods of hostility and disagreement between social workers and parental clients (Bundy-Fazioli et al., 2009). A focus on family maintenance meant that although parents were supported to keep children or have them returned to their care, this
meant a high degree of monitoring in order to ensure safety plans were enacted. In turn, this monitoring was experienced by clients as oppressive as well as empowering. Judgments made to continue with safety plans or family maintenance were only made possible where the relationship between social workers and parent were maintained. Maintaining engagement under these circumstances was enabled when surveillance was combined with practical and emotional support, a deep respect for clients, a focus on children’s best interests, a future focus on safety building, and the construction of parental problems in non-blaming ways. It also, importantly, allowed children to remain with their families who might otherwise have been removed permanently.

The ethical component of decisions is then examined. Social workers reported a strong, Kantian universalist ethic of respect for persons that they considered fundamental to engagement, relationship and professional discretion (Banks, 2006). They used this concept, together with the Signs of Safety tool, to limit the imposition of hierarchical power to those aspects of client’s lives that could be viewed as directly harmful to children. This helped delimit the boundaries of acceptable and unacceptable uses of power, and was further supported by the humanistic Christian ethos of the agency. However, they also responded in relativist, case specific ways to the decision task better theorised using an ethic of care approach (Gray, 2010; Hugman, 2003; Tronto, 1994). Drawing on these two ethical traditions, Benhabib’s integrated universalism is utilised to build up a complex pictures of how social workers balance duties, consequences, relational care aspects and the specific family context within practice decisions (Benhabib, 1992; Hudson, 2003).

The combination of discourses and practices contained many tensions in the generation of reasoning rationales that informed judgements and decisions in this study. The management of the power imbalance throughout the process of coming to judgement, and the interrelationship between power, discourse and relationships is analysed. The individualised constructions of children’s best interests, problem causation, risk/safety, and ethical concepts are discussed as mechanisms that conferred both empowerment and oppressive functions, and rely on social worker’s and the agency’s discretionary use of power to support client’s self determination within their surveillance functions (T. Gilbert & Powell, 2010; Healy, 2005).
The use of individualised/family discourses of problem and risk/safety factors, together with individualised ethical concepts such as ‘respect for persons’ also excludes structural analyses of the causes of family situations (Thompson, 2006). These discourses sometimes operate to obscure aspects of clients’ lives that are influenced by gender, class and ethnicised disadvantage, however, they also emphasise parent’s competence, protect children and parents from excessive intervention, aim to reduce discrimination based on class factors, retain a focus on wider supports and family networks, and seek to emphasise client self-determination. The role of the agency as buffering the worst effects of neo-liberal state policy for social workers and clients is discussed, as is its role in establishing the micro focused, child welfare oriented role of the social worker. This study of social work practice decision-making within a specific site of practice thus gives insight into the real world of practice, and extrapolates the possibilities and constraints of the interpretive aspects of that practice in relation to the ethical aims of child protection social work practice.

Note: This thesis contains some words from te reo Maori, the indigenous language of Aotearoa/New Zealand. As it is not a ‘foreign language’, but one of the three official languages of A/NZ, I do not italicise the words as they appear in text. However, footnoted translations for ease of reading are provided.
Chapter one: Literature review - setting the scene

Introduction

This study explores the discourses underpinning decisions made by social workers and clients within a child protection social work context. Based on social constructionist concepts, this study investigates the content, function and consequences of the dynamic, negotiated discourses used to constitute the psychological and social realities of child and parent clients (Berger & Luckman, 1966). These discursive warrants are relied on to explain and legitimate decisions, and inform ongoing practices, thus determining the judgement trajectory of the case process. Social workers must make sense of the chaos that often confronts them, and this study examines these sense-making processes that result in judgements, practices and actions. Social workers do not have the luxury of merely theorising or speculating; they must inevitably act, often with significant consequences (Munro, 1996, p. 40). In the process of deciding how to act, social work practitioners use many kinds of context-specific social constructions when interpreting the information they elicit. The selection of information is determined by the prominent discourses available that privilege some kinds of information over others. Social workers draw on these constructions to create ‘reasoning rationales’, that is, representational narratives of events, behaviours, situations and contingencies to create modes of logic, and thus are used to justify decision outcomes within a given case.

The meanings workers come to ascribe to client behaviour and circumstances are not just the simple application of knowledge from a variety of sources to a fixed, passive, static problem, but rather are actively negotiated together with clients and other stakeholders (who have their own influencing discourses) through a dialogic process of fluid co-construction (Gergen, 1989). While other parties, such as managers and other professionals also influence the meaning making process, this study focuses on the primary influence of the social worker, with a secondary focus on the role of the client. The mutual, social process of meaning making between this essential dyad is dynamically interrelated to three things: the context of interaction; the kind of relationship formed between worker and client; and the kinds of practices used to elicit information. Thus, there is an interaction between discourse content and process,
that is, what knowledge is gathered and formulated into case knowledge, and how the information is gathered from clients within the social worker-client relationship.

This study examines both process and content in a specific context: an NGO in A/NZ operating as a registered child and family service under the Children, Young Persons and their Families Act 1989 (CYP&TF Act). As no other studies of social work decision-making exist within the child protection NGO context in this country, and only one exists in the statutory service (Stanley, 2005), there is significant gap in the literature pertaining to the construction of decisions within this context. The NGO agency the study was undertaken in is the largest child and family service in the country. It provides a range of child protection services including investigations, assessments, court work, foster-care and reunification services. The legal status of this NGO accords it similar levels of power as the main child protection statutory body, Child Youth and Family, enabling it to offer these services, however the NGO is differentiated somewhat in clients’ minds. This separate status also allows the organisation some degree of distance from the state by way of establishing its own value base, culture and aims, as well as allowing it to offer supportive contracted services in addition to dealing with child protection concerns. These contextual specifics are important as they are part of determining the aim and nature of social work practice at this site, and assist in guiding this literature review.

As in many constructivist, grounded, exploratory studies of social phenomena, the broad nature of the research question requires a wide ranging literature review, one that has developed over time in order to reflect the study’s findings and directional changes of the study as it progresses (Charmaz, 1990; Strauss & Corbin, 1994). This review will therefore cover literature regarding the philosophical underpinnings of the study including the mutual social construction of meaning by situated social actors; research that examines the ways knowledge in practice can be conceptualised; judgement and decision-making in the cognitive psychology literature; the particular discourses associated with the child protection social work context including children’s ‘best interests’; risk, safety, and harm; micro and macro factors affecting decision-making; ethical and moral issues such as the moral construction of identities.
and ethical influences on decision-making; and the interrelationship between meaning making and social worker-client relationships.

A final twist to this literature review is a focus on the production of useful knowledge for practice or ‘best’ practice. That is, the study does not seek to give a description of all practice, but instead those cases that social workers define as ‘pleasing’. From an interpretivist or constructionist perspective, one way of defining best practice relies on criteria determined by social workers and clients as practice that leads to self-defined positive outcomes (Ferguson, 2008; Flyvberg, 2001; Witkin, 2001). The ways knowledge is created about clients that decisions are based on is an integral aspect of this process, as is how clients construct meaning about those decisions and ‘speak back’ to the professional formulation of their lives. Ways of analysing the interrelationship between meaning making, power and knowledge will be explored through ideas drawn from both Foucault and conceptual ‘codes’, or meaning templates, drawing on the work of Bernstein (Bernstein, 1977; Foucault, 1980). Finally, the circular nature of discourse to practice processes to knowledge production will be discussed, utilising ideas about positioning to discuss the interaction between discourse, practices and relationships. Thus, the project seeks to describe what discourses are used by social workers and clients to construct reasoning rationales for decisions and judgements in social worker defined ‘pleasing cases’, as well as their sources and consequences.

**The nature of knowledge and the implications for social work**

Decision-making and judgement are fundamentally connected to the way knowledge is used in practice. There are a number of detailed philosophical and conceptual ideas that assist in exploring this knowledge. These include reflection on the history of how ‘rational’ decision-making has changed over time, the social construction of knowledge and its use in ‘claims-making’, producing and performing subjectivities, and how these relate to critical best practice concepts. This section draws on these ideas to examine the literature on how practitioners draw on knowledge (discourse) to be able to engage in decision-making in practice:
In the traditional/positivist frame the assessment goal (is) diagnosis, to produce certain understandings of the nature of things and of normality, but in this century we inhabit a world that doubts if this is possible. If so much is socially constructed by words, how can our knowing be certain and independent of our language? The overarching ‘grand narratives’ (explanations) of modernism are seen by constructionists as unsound and unable to deliver truth. At least, we need to remain uncertain about them. (Milner & O'Byrne, 2002, p. 72)

This statement expresses the constructionist’s concern with the grand narratives of modernism and the claims they make on defining universal and objective truths. Modernism is associated with the Enlightenment period in the West in the late 18th century. This period was characterised by several features: an assumption that through science and rationality, both human and natural worlds could be understood; that ‘progress’ was inevitable and desirable; that reason was the best way to understand all activities; and that universal categories were discoverable. In order to discover such universal and objective truths about the world, scientific method must pursue objectivity, and rationality is the ultimate aim of any knowledge (May, 1996; Parton & O’Byrne, 2000). As this process is followed, ‘experts’ are created by discoverers and holders of universal knowledge (Flaskas, 1997). Thus, objective knowledge, free from the impediments of values, religious belief, bias or ignorance could be used as the basis for a rational and progressive (Western) world. People were viewed as acting out of rational and conscious thought, and this relied on ‘pure reason’. Such purity of reasoning necessarily entailed separation from “…a connected ‘body’ continually rubbing against the complex (social) world” (Latour, 1999 in Taylor & White, 2000, p. 22).

The idea of a ‘pure rationality’ was popular in early accounts of decision-making, where in the process of choosing between options it was assumed that: choices were consequential, in the sense that actions depend on the anticipated consequences; and preference-based, in the sense that the evaluation of such consequences rested on
personal preferences (March, 1994). Such a highly individualised account of decision-making ignores social context, cognitive biases, and the contestable nature of the social world. It rests on a realist or objectivist approach to knowledge that presumes that there is an independent external reality that can be ascertained through careful observation. Accounts of ‘reality’, if conceived of in this way, attempt to produce as close a ‘match’ as possible to this external reality (Hammersley, 1992). While this goal may be possible in physical sciences (although even there, aspects of social processes affect ‘truth claims’ (S. White, 2003) or in aspects of social work that rely on physical evidence, in the messy social world social workers encounter, interpreting reality is a constitutive, rather than reflective act. For example, both social workers and doctors require knowledge of injuries sustained by children that can be directly attributable to parental action – in a small minority of cases this is straightforward. However, more commonly physical injuries require an interpretive process of construction of the causes, intent, and consequences of injuries, and even medical proof of a deliberately inflicted injury is not sufficient in and of itself to establish causality or blame, provide direction about how to predict the likelihood of it happening again, or select interventions to prevent it (D'Cruz, 2004; C. Taylor & White, 2000). Some of these problems of prediction have been discussed in the risk literature (see below). However, as the majority of cases dealt with by the child protection system are of a less clearly definable nature, the creation of knowledge about clients becomes much more complex and a matter of discourse, construal, morality, interpretation and negotiation, in addition to simple facts or ‘indifferent knowledge’ (Hacking, 1999). For example, national child abuse inquiries tend to treat their own:

...policies, procedures and rules as the subject of proper interpretation, and endeavour to show whether the right rules have been applied...(in this setting) the inquiry is likely to miss an essential point: that a central part of the trouble of defining a case is based on situated action, on the ways that practitioners and, crucially, parents, referees and children make sense of presenting information at any given time. This has less to do with policies and procedures or even risk assessment factors, and more to do with culturally bound methods for interaction,
conversation and the interpretation of claims in local settings.

(Parton, Thorpe, & Wattam, 1997, p. 8)

Thus, a social constructionist approach to knowledge rejects claims of objectivity and instead examines truth-making processes as fundamentally social, that is, created through a process of objectification whereby communities of meaning makers agree on certain explanations for behaviour and those explanations or interpretations become reified as objective knowledge, when in fact they are socially constructed and sustained. This concept will now be further explained and related to meaning making processes.

An introduction to social constructionism

A view of decision-making as a particular kind of highly contextualised ‘claims making’ draws on concepts emanating from a social constructionist paradigm. This paradigm problematises the concept of objective truth, instead claiming that reality is socially produced (Berger & Luckman, 1966; Burr, 2003). The work of Berger and Luckman, drawing on earlier works in the symbolic interactionist tradition (Blumer, 1986), describes how groups of people develop shared understandings based on their social interactions with one another. These shared understandings gain common acceptance through language and social practice, and are reinforced over time through institutional power. They become ‘objectified’ in the sense that they become viewed as objectively real despite their genesis through social, rather than essential or biological means. They are evoked through symbolic means such as language, which operates as a code for particular meanings. Burr (2003) describes the main ideas of social constructionism as a broad theoretical ‘family’ that has contributed heavily to the ‘narrative turn’ across a number of disciplines including sociology, psychology, anthropology, cultural studies, literature and social work. She names these basic features as:

[t]aking a critical stance towards many of the taken for granted ways of understanding the world; viewing various ways of understanding the world as relative to periods in history and to culture; seeing knowledge as not being determined by the
nature of things, but as constructed between people as they talk and interact; and an awareness that social action is driven by the social constructions of the time. (Burr, 2003, p. 5)

Social constructionism suggests that knowledge arises from the interaction between people and between people and society and the environment (Gergen, 1985, 2003; Shotter, 1997). It is the social, historical, cultural, economic and political influences in our world that shape our knowledge and perceptions. Social constructionism is elsewhere defined as:

...a paradigm concerned with the way in which individuals are constituted by the social world; the way in which the world of language and symbols come to dwell within us; the way in which we use them to construct our sense of self and our sense of the world around us. (G. W. Taylor & Ussher, 2001, p. 295)

If knowledge is primarily socially created, this philosophical position leads us to analyse the political, philosophical and pragmatic implications of defining knowledge in particular ways, rather than searching for objective truth. For example the particular ways ‘risk’ has come to be defined, identified, coded and categorised in child protection work can be viewed as a process of social negotiation and symbolic attachment of meaning within a specific kind of historically specific ‘risk’ society where risks are viewed as prolific and the responsibility of individuals to account for (Beck, 1992; Dean, 1999; Parton, 1999b). Risk becomes situation specific rather than universally indicated, and the consequences of coding risk in certain ways becomes the object of study, rather than what factors contribute to risk of future harm. Thus, social constructionism problematises the ‘taken-for-granted’ notion that there is a real world out there that can be accurately encountered, if only the correct methods of observation are followed (Butt & Parton, 2005; C. Taylor & White, 2000).

In addition to this, social constructionism contends instead that as all knowledge is dependent on social, interpretive processes, that individuals are constrained by available discourses, but can also exercise agency by actively and purposefully
negotiating discourses, utilising the meanings available in each given context for particular ends (Foucault, 1980; Gergen, 1999). The power dynamics of the given context, and the power attached to certain prominent discourses, shape how much an individual may be able to either use or be oppressed by a discursive warrant, that is, a discourse used to justify a certain action or subjectivity claim. These ideas relate to Foucault’s concept of power/knowledge, and a more fluid understanding of power as able to be exercised by numerous social actors across contexts, and not possessed by those simply holding a certain categorical identity (such as ‘social worker’ as powerful and ‘client’ as all powerless) (Foucault, 1980; Healy, 2005).

As people undertake discursive negotiations, they rely on the mobilisation of discourse to meet specific aims, drawing on the symbolic use of language and action to do so. For example, whether an action becomes known as ‘abuse’ or ‘discipline’ relies on a conflict of discourses about the same behaviour, with each holding moral and interventive consequences depending on which might succeed in attaining dominance within a child protection context. Often aims are connected to identities and moral positions held as desirable to maintain or promulgate, thus the ways people describe themselves and others in interaction are attempts to understand and to be understood as a certain kind of person. Thus categorising is part of the function of language and discourse in everyday life (Prus, 1996). This is part of the ‘work of language’, that is, the way it functions to achieve moral and constitutive aims, but does not necessarily reflect essential given differences (Austin, 1962). In this process, we are actively using some kinds of interpretations and not others: “Descriptions or constructions of the world therefore sustain some patterns of social action and exclude others” (Burr, 2003, p. 48).

As discourse forms the building blocks of social construal, thus the concept of discourse becomes important. Discourse can be defined in numerous ways, but Burr (2003) states that discourse:

…refers to a set of meanings, metaphors, representations, images, stories, statements and so on that in some way together produce a particular version of events…a multitude of alternative versions of events is potentially available through
language, this means that, surrounding any one object, event, person, etc., there may be a variety of different discourses, each with a different story to tell about the object in question, a different way of representing it to the world. (Burr, 2003, p. 48)

Thus, discourses relating to each context are used to mobilise claims about both the truth of a certain event, and the evocation of desirable moral identities.

**Social constructionism and its limits: knowledge production, child protection and critiques**

The production of what comes to ‘count as knowledge’ (Berger & Luckman, 1966) within a social constructionist paradigm is the result of negotiated understandings gleaned from the intersubjective realm between social actors. In child protection social work, these are the social workers, their child and parental clients, and other professionals working with the family. Each may come from entirely different communities of meaning making, meaning that the process of ‘negotiation’ in this process of objectification can be contested and conflictual (Gergen, 2001). In child protection work in particular, the negotiation around the meanings attached to actions can be fierce, with parents, for example, often hotly contesting an interpretation of their actions as being ‘abusive’, and the categorisation that goes with it (B. Cooper, 2008; Hall, Slembrouck, & Sarangi, 2006; Hall & White, 2005).

An approach to knowledge that recognises its socially constructed nature in child protection social work is significant for several reasons. Firstly, it allows us to examine the ways constructions related to child abuse change according to historical and cultural particularities (Burr, 1995; Parton, 2003). Secondly, it allows us a way to deconstruct how relationships of power affect the ways ideas relating to child abuse are defined as problematic, then intervened on according to such explanations (Milner & O'Byrne, 2002a). These explanations and interventions range from legal imperatives, through organisational policies, social ‘norms’, individual practice and client understandings. Thirdly, social constructionism allows for an examination of the ways understandings are created and maintained through dynamic language
practices found in both conversations and written texts. This focus on language, and the context that makes various things ‘sayable’ or ‘unsayable’, acceptable or not acceptable, understandable or incomprehensible (Foucault, 1978; Gergen, 2001), points us to research traditions involved with collaborative ethnography, cases studies (for cultural and social context) and microsociology (such as narrative and discourse analysis) to be able to explain such constructions (Gergen, 2001; C. Taylor, 2006).

While scientific, positivist testing might be appropriate for finding out about some phenomena, this can only provide part of the whole picture of knowledge for social work practice:

> Our concern is that such a search for certainty and truth can apply only to discrete components of professional activity, the remainder of which is categorised by uncertainty and complex qualitative judgements. (S. White & Stancombe, 2003, p. 14)

A constructionist view on knowledge leads to considering ‘truth’ as therefore being ‘truth claims’, rather than absolute truths. Accepting the malleability of truth claims allows for a recognition of the ways people utilise truth claims to serve particular purposes, and highlights the ‘tacit knowledges’ mobilised in the naming of such claims (C. Taylor & White, 2000). Acknowledging the ways truths might be malleable, functional beyond reflecting ‘truth’, and be contextually fluid all allow for a way to analyse child protection as a site in which various social actors bring differing perceptions based on their own social context, and be simultaneously maintaining subjectivity positions as they engage in decision-making processes.

Whilst much of the social constructionist metatheorising has been critical, as it has been in social work, (Ferguson, 2004) new possibilities are arising for a ‘positive programme’ of social constructionist science and scholarship (Gergen, 1994, 2001). Such a positive turn can be seen in the emergence in social work of ‘critical best practice’; (Ferguson, 2003; K. Jones, Cooper, & Ferguson, 2008b) reconstruction of theory as well as deconstruction; (Fook, 2002) using the concepts of social constructionism to influence constructions in emancipatory ways; (Parton & O’Byrne,
2000a; Milner & O'Byrne 2002a; B. Cooper, 2001) a focus on ‘affirmative’, rather than ‘sceptical’ postmodernism; (Rosenau, 1992) appreciative inquiry; (Bellinger & Elliott, 2011; Cooperrider & Whitney, 2005; Gergen, 2001) approaches in interpersonal theories that seek to work therapeutically with the client to ‘co-construct’ more satisfying versions of reality; (Berg & de Jong, 1996; Corey, 2009; de Shazer, 1991; Milner & O'Byrne, 2002b; Monk, 1997; M. White & Epston, 1990) and interest in how constructionist ideas might assist in understanding and resolving ethical dilemmas (Banks, 2006; Wilks, 2005).

While I have argued strongly for the importance of social constructionism in theorising the child protection social work decision-making context, several critiques of the constructionist position remain. Cromby and Nightingale (1999) identify two major problems with a strong social constructionist approach: embodiment and materiality. By this they mean those aspects of life that exist beyond discourse – the embodied nature of physical human experience and the real conditions we live in – for example, the presence of enough water or otherwise strongly influences human life and behaviour that is beyond, they would argue, the discourses used to describe this experience. Further, objective truth conversations have played out within concepts relating to harm, abuse, and risk, with authors arguing both for and against an objectivist position (Sclonsky & Wagner, 2005). While some of these topics will be covered in more depth below, this section will outline the broader conceptual or philosophical issues. The two that will be covered is the problem of relativism or acceptance of ‘all truths’ sometimes equated with a social constructionist position, and the problem that some things are objectively ‘real’, for example, physical injury. Taylor and White (2000) and Jones (2001) argue that when making judgements, social constructionism does not commit us to a position that arbitrarily accepts all ‘truths’ as equal, plunging us into the ‘abyss of relativism’. This is thought of as being the lack of ability to choose between positions if the truth of the knowledge claims being made cannot be distinguished from each other. If there are no objective criteria to judge a position against, how can we make decisions?:

For example, could it not mean that a parent’s claim to have merely chastised their child appropriately…is just as valid as the charge by health care professionals that the parent has
caused the child significant harm? It is argued, then, that a sort of stalemate ensues in which no version can be accorded precedence. (C. Taylor & White, 2000, p. 31)

They argue that this is not the case, but rather that meaningful value judgements can be made on the basis of ‘contingent considerations’, that is, a careful weighing up of the available alternatives and the likely or possible outcomes (B. H. Smith, 1994). Smith (in Taylor and White (2000)) argues that these deliberations take place “in the light of historical evidence and judicial precedence…broader communal interests and communal goals, and [our] own general values, beliefs prior experiences” (B. H. Smith, 1994, p. 303).

Some values are made explicit in social work, where an acceptance and promulgation of the broad principles of human rights, social justice and self-determination, while by no means unitary or uncomplicated, nevertheless provides the building blocks of the recognition of the ways values and beliefs can be utilised explicitly to decide between competing truth claims. Cooper (2001) points out the ‘existential principle’ of all accounts as equally valid does not mean they are equally acceptable, nor equally viable in a pragmatic or ethical sense. Cooper (2001) maintains that:

> It is perfectly possible for social workers to accept the validity of individuals’ accounts through ‘credulous listening’ whilst making an individual value judgement about the situation within professional calculations of ethical and statutory obligations. (p. 728)

Cooper (2001) goes on to state that constructionism does not commit us to an absence of evaluative judgements – but it makes those criteria more transparent. Taylor and White (2000) call this ‘sturdy relativism’, and contend this position does not imply an acceptance of all views, an abandonment of moral standards, or denial of the consequences of material acts - but it makes the moral and socially defined aspects of many decisions more scrutable and open to examination (Rorty, 1980; Webb, 2001).
In terms of material realities, this study is located within what might be termed ‘contextual’ social constructionist research. This can be defined as research that examines the ways actors perceive, make claims about, and construct the issue under examination, but accepts that wider social conditions, whether defined as objectively ‘real’ or relatively stable ‘constructions’ exist, and attending to these wider social conditions is important in locating a social problem (D. Best & Best, 2003; J. Best, 1989; Edwards, Ashmore, & Potter, 2000; Cromby & Nightingale, 1999). This allows, for example, an acceptance of the physical, emotional, psychological and spiritual damage done to children exposed to what we call ‘abuse’, despite variability in the nature of that ‘damage’ and socially and historically malleable definitions of ‘abuse’. However, how it is dealt with, the claims made about the causes of the parental (or societal) behaviour that inflicted it, and what should be done about it, remains highly contestable and plays out within particular social and organisational contexts that shape its trajectory. It is this ‘playing out’ that this study describes.

**Identities, subjectivities and positionality**

A constructionist approach provides a mechanism by which to consider the identity work people undertake in the performance of narratives in everyday interactions (Hall et al., 2003; Hall et al., 2006). A focus on discourse suggests that the ways people are described or implied in interaction offers them certain subjective positions that they then respond to. This situated performance may be called ‘subjectivity’, or a subject position made manifest through language that influences behaviour and experience. Certain discourses offer people positions that change according to the moral meaning of that discourse, and are intensely related to the power relations between social actors (Burr, 2003; Hardin, 2003; Juhila, 2003). This allows for a fluid understanding of identities and behaviour as malleable and contingent, and again creates a focus on the content of the discourse and the context it is produced within as a driver of interaction, rather than psychological attributes, individual personalities, or fixed, essentialised identities based on race, class, gender or profession (although these may influence the discourses used) (Gunnarson, 1997; S. Holland, 1999). This view proposes that social interaction is driven by subtle negotiations between social actors. Individuals constantly manage their identities through drawing on particular
discourses viewed as synchronous with a sense of self, or acceptable to those in the everyday ‘audience’. As Lynch (1998) notes, “nothing could be more definitive of constructionism than the thesis that social identities depend on audience ascriptions” (p. 14). Thus, subjectivities are constructed through interaction, rather than residing within individuals per se. Workers and clients construct social work within their specific agencies and understandings of their relative power in positions as ‘worker and client’. The discourses governing these positions are in turn constructed from the society surrounding them: “That is the process of social construction. People in different social contexts create a shared reality of some set of social relations which they know as social work” (Payne, 1997, p. 1).

The first section of this literature review has outlined the general philosophical position of the thesis. Social constructionism as a foundational concept leads us to examine the ways contextual discourses structure the building of reasoning rationales for decisions according to certain modes of logic; create subjectivity positions for social actors dependent on power/knowledge dynamics; influence research methods and paradigms; rely on social relationships for the assignation of meaning to events; and guide the implicit rules used to process knowledge and create conceptual schemas. While there are persistent critiques of constructionism, the notion of ‘contextual constructionism’ helps ameliorate these to some extent.

**Applying knowledge to practice**

Within this broad social constructionist paradigm, many other useful concepts are included to develop more depth to the consideration of possible pathways for examining decision-making processes. These include the concepts of process knowledge and rules, examining the contestable nature of ‘evidence’ for practice, the cognitive psychology literature on decision-making, reflexivity, emotion, and ethics and values. Social workers’ reasoning processes may draw on formal theories or product knowledge to guide evaluations of risk, safety, establishing children’s best interests and conceptualising the role and function of families. These theoretical bases may impact on worker’s formulations of the problem, use of particular discourses to
construct the problem, and guide action for intervention. Each theory (such as critical theories or attachment theory) provides particular ways of analysing and explaining human behaviour, and guiding interventions (Healy, 2005). In addition to these formal theories, however, social workers formulate their own working theories based on the practice contexts that influence their ongoing conceptualisations of cases and what to do about them. Some researchers have found that informal, practice-based theories, or everyday understandings of these concepts, are much more significant influences on social worker’s reasoning than their espoused formal theories, although they may interact (Fook, 2002; Sheppard, 2000). Both formal and informal theories are, in turn, constructed and implemented in various ways depending on the historical, organisational, political, cultural and interpersonal contexts, and contribute to decision-making in various ways (Milner & O'Byrne, 2002a; O’Connor, Wilson, & Setterlund, 2003; Payne, 2005).

**Product knowledge, process knowledge, and evidence for practice**

One way of examining in more depth the constructed nature of knowledge as it is used in decision-making, is the concept of process knowledge. This has several useful ideas for considering both decision-making and evidence for practice. Sheppard & Ryan (2003) juxtapose process knowledge with product knowledge thus:

> Product knowledge (knowledge as product) has been defined as a set of information or formal knowledge, and this has until recently underlain the debate about “knowledge for social work”, regardless of other commitments or differences. (p. 158)

By this they mean that whether the argument is for structural/sociological knowledge regarding class or race, or psychodynamic knowledge, the discussion seldom examines how either may be used in the actual process of sense-making in practice. They argue instead that ‘process knowledge’ encapsulates for example, the process of developing hypotheses and rules regarding case situations and clients. Sheppard & Ryan’s study, while not explicitly using the language of social constructionism, nevertheless examines the implicit ‘rules’ used by social workers in practice, for
example, about the power of intergenerational patterns, or what laws should apply, and these rules imply essentially the taken for granted discourses present in the practice context. This section examines process knowledge and ways of considering ‘evidence-based practice’ to incorporate a broader theoretical view of knowledge as a socially constructed product of human interaction (Houston, 2005).

The promotion of the value of product knowledge above process or constructed knowledge presumes that knowledge can be applied to incoming information about a case in a clear, linear manner. This does not account for the conceptual schema that must be bought to bear on that information, nor the intersubjective negotiation of meanings between the actors involved. Parton (2003) extends the concept of product knowledge to comments on the kind of evidence to be used in practice. He notes that currently the conception of the professional practice of social work is as an activity of technical rationality:

Rigorous professional practice is conceived as deriving its rigour from scientific research and which is based on knowledge which is objective, consensual, cumulative and convergent...social work becomes the application of rigorous research-based knowledge to practice... (Parton, 2003, p. 2)

However, as he points out, (following Schon (1991)) that problems in practice are seldom neatly presented so as to fit technical approaches, and that knowledge about the specific situation develops through dialogue and often contains idiosyncratic, contingent and uncertain aspects. In these situations, knowledge is tacit and implicit (Parton, 2003). Webb (2001) notes that often social workers have too much, rather than too little information, and that ‘evidence’ in and of itself only becomes salient or useful if it has a theoretical framework within which it becomes comprehensible. He argues, following Winch (1976) that our conceptions of things guide and control how people act:
Thus, if we want to understand why clients, or indeed social workers, act as they do, we need to understand their conceptual thinking and not empirical evidence or controlled behaviours. Indeed the latter are not considered intelligible actions without the interpretation provided by the former. Actions are commended in and through language, with concepts constituting the beliefs which inform action. (Webb, 2001, p. 66)

He goes on to state that in decision-making, it is these conceptions, intentions and meanings that are really at the forefront of being able to understand how decisions are reached.

Cooper argues that the drive for social work to establish itself as a credible profession has resulted in a reliance on traditional social sciences that has had little impact on practice itself (B. Cooper, 2001). He argues that such theories, while useful in explanatory value, have little relevance for a practice environment that is focused on action and intervention. Parton (1997) states that the use of evidence for practice is often highly contingent and rests on malleable assumptions about the causes, consequences and recommended interventions for child abuse. Witkin (2001) also works with these ideas, pointing out that an ‘outcome’ in practice is not an objective, easily determinable, measured and reproduced result, but rather, outcomes are much more complex. The production of knowledge and practices are “considered mutual activities between professionals and people who use their services” (Witkin, 2001, p. 295). There is much interest in 'research based' practice - often reflected in social work research orthodoxy about 'what works'. However, what works is often presumed to be amenable to quantitative methods that can discover what methods are reliable, pragmatic and effective. This tends to focus on “…practical means to change behaviour in order to achieve social control” (Humphries, 2009, p. 309). This narrow perspective of ‘what works’ tends to ignore the context in which behaviours develop, ignores questions of how the behaviour came to be constructed as a problem, the ethical component, what standards it is measured against, and its meanings for those targeted for change. It also constructs practice as something to be ‘done’ to clients,
rather than a mutual activity co-generated between clients and practitioners (Witkin, 2001). Both Sheppard (2000) and Shannon & Young (2004) point out that in social change work, the criteria for knowledge selection and how it should be used in social work should perhaps be what has the most utility and what is most effective in encouraging human agency, rather than some attempt to apply traditional ‘social science’ to human problems (Sheppard, 2000). Some call this utility, focusing on what works, working backwards from this to extrapolate theory, and make clear the practical and moral reasoning processes involved (Flyvberg, 2001; Fook, 2002b).

In light of these critiques of more traditional social work research and conceptualisation of what might count as ‘evidence’ for practice, a recent focus on ‘process knowledge’ has developed to explore the ways workers make sense of practice situations, focusing on reflexivity concepts to describe how social workers actually use knowledge in practice reasoning (Sheppard, 1995, Sheppard et al., 2000, 2003; C. Taylor & White, 2001). This focus on conceptual schema could be broadly defined as constructivist, (a term often used interchangeably with social constructionism – but with an increased focus on the internalisation of discourses within cognitive processes) as it examines the ways people create and utilise interpretive systems that guide the interpretation of information and what to do about it. This inclusive philosophical approach allows us to examine the cognitive, emotional, moral, and social contexts of judgement and decision-making. A holistic approach such as this can account for complexity and uncertainty in decision processes (C. Taylor & White, 2006).

The idea of process knowledge, in the broadest sense, is most evident in the works of Taylor (2006), Sheppard et al. (2000) and Fook (2002a), and assists in a conceptualisation of how the application of knowledge, in whatever shape or form, might be used in practice, both descriptively and prescriptively, that is, how it is being used, and how it should be used. Sheppard et al.’s study of practice wisdom in the 1990s was extended to examine the social worker as ‘rule using analyst’ in the 2000s. Sheppard et al. (2000, 2003) group cognitive processes with reflection and reflexivity as ways of understanding the use of process knowledge in practice. In a vignette-based study using a cognitive processes interview, the ways social workers
conceptualised social work were elicited. They note that often discussions of knowledge tend to take as a given that when we speak of knowledge it is assumed that we are talking about formal or ‘product knowledge’. Within this view, practice decisions should be made in adherence to rules derived from formal product knowledge. However in addition to product knowledge, Sheppard et al. (2000) argue an understanding of process knowledge is imperative as part of attempts to apprehend the nature and limits of human understanding. Process knowledge thus examines how knowledge gets used in decision-making processes, although the prior interpretive components of this knowledge building are not covered by this approach.

Two aspects of process knowledge most applicable to judgement and decision-making are the ideas of hypothesis testing and rule use. Sheppard et al. (2000) argue that, through a process of critical appraisal, social workers carefully examine the presenting information, and from that draw out causal inferences. During this process, they bring ‘focused attention’ (similar to cognitive theories of attention and search) to bear on the information, sifting it for the pieces of information deemed most relevant. They then build hypotheses, defined as:

…propositions about the case, or an aspect of it, against which subsequent assessments or investigations could be made…points of reference for the collection of empirical data which would serve to confirm or falsify the hypotheses developed…. . (Sheppard, 2000, p. 475)

Rules are used as the basis on which hypotheses were built, and defined as “…a general norm mandating or guiding conduct or action in a given situation” (Sheppard, 2003, p. 161). Other authors also support a view that practice is not informed by scientific certainty, but by ‘working hypotheses’ about particular cases, and that the certainties expressed by child protection policies of the past have long since evaporated (Corby, 2000; Milner & O’Byrne, 2002a; Pinkerton, 2002).

So, what kinds of discourses social workers use in their everyday theorising for practice are an important foci of study, as they determine which information will be
focussed on and deemed significant in the formation of working hypotheses and the rules used to decide which is ‘confirmable’. A focus on discourses generates questions such as: How do social workers explain the situations they are confronted with, and how does this lead to intervention? How do implicit rules or discourses guide these reasoning processes? What is the impact of other knowledge producers, such as families and children on these discourses? Some have noted that professional judgements, far from being rational and objective, rely on an active choice between differing versions of events presented by different stakeholders (S. White & Stancombe, 2003). For this reason, the illumination of such processes is important. Taylor and White, for example, claim that “[t]he range of rationalities upon which social workers depend in making their judgements requires rigorous analysis and debate within the profession” (C. Taylor & White, 2001, p. 16).

Thus, in making judgements, social workers rely on discourses that structure their interpretations of behaviours, events and situations, and in doing so, certain aspects of the parent and children in the client family become codified, that is, they take on symbolic salience that are then assigned meaning by social workers according to their modes of reasoning, that is, the rules implicit in the discursive environment. Understanding judgements as knowledge production leads us to examine the ways knowledge and theory are used, constructed, discursively produced, and performed by social workers and other stakeholders in the formation of judgements and decisions. Examining process knowledge, product knowledge and how discourse may be expressed through context-specific ‘rules’ assists in understanding these constructive decision processes.

**Judgements and decisions as cognitive processes**

The cognitive psychology literature also provides much in examining how individuals make decisions. While this is a vast field, the concepts most amenable to inclusion within a social constructionist paradigm are included here, as they provide further nuance in explaining decision-making processes. These generally include those concepts that examine how the context shapes cognitive processes. For example, the limits on rationality such as decisions under conditions of uncertainty, information
constraints and ways of dealing with them, decision frames, confirmation and other biases, anchor hypotheses, time limits, responses to perceived risk, and the use of heuristics, adaptive rationality and naturalistic decision-making (NDM) are particularly important (Chase, Hertwig, & Gigerenzer, 1998; Kahneman, Slovic, & Tversky, 1982; March, 1994; Mumby & Putnam, 1992; C. Taylor & White, 2001).

Many concepts in the more traditional decision-making research revolved around a view of rationality that constructed decision-making as a pure form of hypothetico-deductive reasoning that presumed an objective and knowable reality, and often assumed humans follow predictable processes for complex social decisions (Latour, 1999; C. Taylor & White, 2000). They also tend to express a process of decision-making that establishes a dichotomy between the mind and emotion, thus reinscribing the idealised Cartesian subject and the mind/body split of much modernist, patriarchal thought (Mumby & Putnam, 1992; Rojek, Peacock, & Collins, 1988; C. Taylor & White, 2000). Much of the traditional research in these areas uses questions about, for example, gambling money, rather than the more complex decision to leave a child in a home where caregiving is less than ideal. However, more recent developments into ‘Naturalistic Decision-making’ deals with some of these issues and holds much promise for social work as it focuses on ‘real life’ decision-making domains heavily determined by context, complexity, and interaction. Some psychological research is also of interest in that it explores decisions made under time pressure – something common in child protection (Munro, 1996). Others in the social work field explore the need for ‘critical thinking’, ‘hypothesis testing’ (Pinkerton, 2002), and search for errors of reasoning (Munro, 1999; Sheppard, 1995).

Webb (2001) discusses some of these issues in a social work context. He outlines decision analysis as a cognitive model that attempts to account for outcomes, even uncertain ones, through the mathematical calculation of probabilities and accounting for bias in the decision maker. The five methodologies associated with this are: multicriterion decision analysis, rough set and fuzzy logic theory, Bayesian decision analysis, game theory and rational choice utility models and decision tree analyses. The use of these techniques has been proposed to overcome the social work decision context that frequently involves risk and uncertainty, intangibles, multiple criteria, unknown long-term implications, interdisciplinary input, political interests of various
stakeholders and value judgements. However, as Webb points out, this ideal of decision-making as derived from clear rule-driven criteria is unlikely to predict with certainty human behaviour where “…an unprecedented but distinguishing situation could arise in any application of any rule” (Wu, 1999 in Webb, 2002, p. 55).

While Webb (2006) draws on research from other fields such as medicine and nursing, the social context of social work is not a good fit with these kinds of models, where the most likely outcome of a particular kind of surgery, as a physical response common in most human bodies, can be predicted. The outcomes of a particular social intervention, say the removal of a child and placement in foster-care cannot be predicted so easily. While statistical modelling might assist professional judgement, it is a tool for use, rather than a determiner of outcome. Webb (2006) argues that the limited rationality research (see below) alerts us to the limits of a narrow viewing of what might be considered ‘Evidence-based practice’ because of the failure of pure mathematical calculations to predict decision outcomes. He argues that this shows that people do not act in purely rational ways, even when they have ‘evidence’ (defined here as that resulting from randomised control trials) at their disposal.

**Limited (bounded) rationality: heuristics and biases**

Whilst older ideas presumed a pure, domain general, (that is, applying equally in all domains) rationality that guided human decision-making, this was rapidly challenged by the limited rationality literature (Wang, 1996). This view of pure rationality has been extensively modified through the introduction of the idea of limited or bounded rationality that sought to understand the ways this basic process was modified by real-world constraints, both internal in the form of cognitive biases, and external, through interaction with others and the uncertainties this produced (Simon, 2000). For example, (and of particular relevance in child protection social work) is the fact that the consequences of particular actions can never be guaranteed, even with excellent knowledge of statistical probability. For example, the statistical likelihood of a child who has been abused being abused again, provides little by way of predicting whether this child, in this family, in this community will be abused again. Nor does it provide any insight into the delicate negotiation of decisions required to work with a family identified as ‘abusive’. Limited rationality recognises that:
not all alternatives can be known, that not all consequences are considered, and that not all preferences can be evoked at the same time…Instead of having a complete, consistent set of preferences, decision makers seem to have incomplete and inconsistent goals, not all of which are considered at the same time. The decision rules used by real decision makers seem to differ from the ones imagined by decision theory. (March, 1994, p. 4)

The first major challenge to ‘pure’ rationality came though Kahnemann and Tversky’s work on heuristics and biases in the 1970’s (Kahneman et al., 1982; Kahneman, Slovic, & Tversky, 1990; Kuhberger, 2002). They argued that human decision-making was inherently irrational, departing regularly from probability theory. They conceptualised these departures as either heuristics, the adoption of ‘rules of thumb’ to stand in for more complicated computations, or biases, the impact on cognitive inferences such as ‘confirmation bias’. This is where an initial hypothesis is held to and subsequent information that confirms that initial hypothesis is given more salience and attention in the subsequent search than others. This anchor hypothesis, and other irrational inferences, tend to be error prone, and often result in ‘cognitive illusions’, such as overconfidence, base-rate neglect, and the conjunction fallacy (Dowie & Elstein, 1988; Kahneman et al., 1982; March, 1994; C. Taylor & White, 2006; Tversky & Kahneman, 1983). The underlying premise was that far from following rules of mathematical logic, that people took short cuts, using ‘rules of thumb’ built up from personal experience to make decisions about the issue at hand.

Others have built on these ideas, while simultaneously challenging them, arguing that the development of heuristics, far from being a departure from rationality, is instead an adaptive or ecological rationality. The rationality of decisions can be understood in relation to the environment within which the decisions are being made. In this viewing, rationality can be understood as a vehicle for meeting ‘real-world goals’ rather than adhering to rational norms (Anderson, 1991; Chase et al., 1998).
The other argument by some proponents of limited rationality is that the ‘best’ outcome, or rather, the outcome most inline with probability theories (such as Baye’s theorem) is not evidence of the ‘irrationality’ of people’s real world decisions, but the shortfalls of systematic experiment design, where:

researchers in the heuristics and biases program select problems in which reasoning by cognitive heuristics leads to violation of the probability theory…many…conclude that human judgement is subject to severe and systematic biases that compromise its general functioning. (Chase et al., 1998, pp. 206 - 207)

Proponents of this more positive and adaptive viewing developed the idea of ‘fast and frugal’ heuristics that people commonly relied on to deal with real world pressures of limits on time and computational power (Chase et al., 1998; Kuhberger, 2002). Far from seeing this as evidence of irrationality, this view emphasises the adaptive, and often ‘correct’ outcomes of the use of fast and frugal heuristics. This is the use of ‘smart, simple’ rules that people use to stop information ‘search’. When making a decision, people search for information in order to help make inferences about the issue at hand. At some point, search stops, and the decision is made. How attention is given to differing alternatives, how many are searched for, and at what point ‘search’ stops are important ideas in the limited rationality literature. Limited rationality proposes that often our attention is limited by time, and too many relevant factors cannot be considered simultaneously. As a response to this, people tend to use stereotypes or typologies of attitudes to manage too much information about people. We attribute intent from observing or hearing about behaviour:

We adopt understandings of the world in the form of socially developed theories, scripts and schemas that fill in missing information and suppress discrepancies in their understandings. The understandings adopted tend to stabilise interpretations of the world. (March, 1994, p. 5)
This has obvious links with social constructionism, discourse and process knowledge ‘rules’. How much attention is given to particular things points us to the many ‘taken as given’ aspects of the social world, and provides us theoretically with a point of convergence with social theory (March, 1994). What causes us to stop our search? Is it simply when the costs of search outweigh the benefits? (Anderson, 1991). Or through ‘rational analysis’ that presumes that the adaptive function of human cognition amounts to optimisation? While the first is overly simple, and the second overly reliant on mathematical computation, the development of ‘fast and frugal heuristics’ attempts to deal adequately and more realistically with both environmental and cognitive factors.

One of these is the ‘take the best’ heuristic. People using heuristics tend to search for recognition of patterns in the issues they face and use this recognition to simplify the issue. In doing this, they tend therefore to see what they expect to see and give little salience or attention to unexpected things (March, 1994; Chase 1998). Foucault might argue this ignoring of unexpected phenomena occurs where the prevailing discourses make those aspects unsayable or unacceptable, or inexplicable. If a situation or option is recognisable, that option is much more likely to be chosen than the other. If both are recognised, some other knowledge from memory must be used in order to make a distinction between the two options. This heuristic then becomes a ‘take the best’ rule that assists people in deciding which option is the best. This system works remarkably well in test of issues as diverse as population sizes and high school drop out rates, where Take the best roughly matched or outperformed a number of linear models (see Chase et al., 1998). In social work, Nurius & Gibson (1990) argue that even in important decisions, social workers rarely have the time or energy to consider every option, but instead rely on matching to previous experiences.

**Framing**

Framing also affects decision processes and has crossovers into constructionist ideas. This is of particular relevance for social work decision-making and relates to social constructionism by pointing out how fundamental interpretive meanings affect decision processes:
Decisions are framed by beliefs that define the problem to be addressed, the information that must be collected, and the dimensions that must be evaluated. Decision makers adopt paradigms to tell themselves what perspective to take on a problem, what questions should be asked, and what technologies should be used to ask the questions...They direct attention to different options and different preferences. (March, 1994, p. 7)

The framing of decisions as being primarily focused on, for example, family cohesion and maintenance versus child protection are constant competing frames when making decisions, and competing versions of events can also be understood as the different frames that different actors in the child protection arena bring to the interaction.

**Naturalistic Decision-making (NDM)**

Naturalistic decision-making is perhaps the model of decision-making most confluent with sociological, constructionist ideas, even though it developed as a branch of cognitive psychological decision-making. It attempted to develop ideas about decision-making that did not rely on measuring decisions against a normative model, such as statistical probability. It critiques models that rely on the presumed superiority of ‘pure’ rationality in the same way that the limited rationality and heuristics and biases movements did. However, it moved even beyond those models of decision-making to examine the making of decisions in real life contexts. Broadly, NDM seeks to recognise the importance of time pressure, uncertainty, ill-defined goals and high personal stakes (Lipshitz et al., 2001). It also sought to understand the roles of multiple players found in most complex decisions, highlight the roles of action/feedback loops (that is, that decisions were seldom ‘one-shot’ decisions), and that decisions seldom took place in a vacuum, but rather in an context of organisational goals and norms (Zsambok, 1997). Many of these factors are obviously important to social work decision-making, as it can be similarly understood as the outcomes of a person acting in response to the frames and demands of their context (Lipshitz et al., 2001; G. M. J. van de Luitgaarden, 2007; Zsambok, 1997).
Another important theme in NDM is the focus on people who could be deemed ‘experts’ in their jobs. Novices were seldom selected for study, as those who were expert at a given job were felt to give insight into the particular sense-making processes people in those roles went through. This focus on experts also signals an attitude of NDM researchers to their work: while they do not see ‘domain practitioners’ as infallible, they:

nevertheless respect their dedication, skills and knowledge…NDM researchers want to document practitioner abilities in order to make sure that the subtle skills they have are recognised, understood and supported in training programs.

(Schraagen, Klein, & Hoffman, 2008, p. 5)

Early NDM studies found that people in naturalistic everyday contexts outside the decision laboratory, for example fire fighters, seldom made decisions based on an evaluation of all possible options. In such ‘real’ situations, not only is it not possible, but it is not desirable given the time and stakes constraints. They do not conduct a ‘utility analysis’ of a list of possible options generated and then scrutinise each for all its possible consequences (Schraagen et al., 2008). Instead, fire fighters, in one of the original NDM studies, used their expertise to identify the typical reaction to a particular situation that they had been ‘primed’ to recognise due to their previous experiences (Klein, Calderwood, & Clinton - Cirocco, 1986). If they could not identify any negative consequences to their decision, they proceeded, not stopping to consider other alternative options. These kind of assertions about decisions were seen as controversial where the traditional way of viewing decisions had been constructed around the metaphor of a ‘gamble’, a chance to be calculated objectively and with unlimited time and low personal stakes.

NDM does not attempt to predict which option should be chosen, but describe the cognitive processes involved in the formulating of the reasoning behind such decisions. This results in informal, as opposed to formal models based on the actual data, rather than highly abstract models that the data are compared to (Lipshitz et al.,
This type of grounded theory has resulted in the development of situation-action matching rules. ‘Matching’ can be described here as ‘Do a because it is appropriate for situation b’ (Lipshitz, 1994). For example, March (1982) suggests that decisions in organisational contexts follow a logic of obligation based on one’s role and relationship of role to others, rather than a clear choice of optimum option. In this situation, matching is said to be how proficient decision makers act rather than following concurrent choice options, that is, do A because it has superior outcomes to its alternatives (Lipshitz et al., 2001). Matching differs from concurrent choice in that it suggests that decision makers quickly filter out most options, and the remaining few are selected or rejected based on their compatibility with the situation at hand or the decision maker’s values, rather than on their relative merits. It relies on pattern matching and informal reasoning as well as more explicit analytical reasoning. This has a clear relationship to more interpretive, constructionist explanations of decision-making.

One major model that has developed to account for this pattern matching is Recognition Primed Decision Making (RPD), developed by Klein (1998). This model hypothesised, based on a study of fire fighters, that experienced decision makers typically generate a feasible course of action as the first one they consider, based on their experience of previous cases. They match the current case with previous ones, and then rapidly identify the ‘right’ course of action. This has much in common with Schon’s work on reflective practice described below. In a variation of RPD, when the situation is not clear, decision makers were found to “…rely on a ‘story-building’ strategy to mentally simulate events leading up to the observed features on the situation” (Lipshitz et al., 2001, p. 336). The final variation of RPD describes how proficient decision makers are able to simulate a version of events that might proceed from the consequences of their decision. Each of these variations depends on the expertise and prior experience of the decision maker in order to either recognise the situation and match it to an appropriate course of action, compose a likely story of the lead up to the current events, or predict the likely outcomes and consequences of courses of action. Further research has shown that those most proficient tend to use the ‘forward chain’ reasoning of the third variation, while novices tend to use the backward chain reasoning of the second variant (Lipshitz et al., 2001; Patel & Groen, 1986).
Context-bound informal modelling refers to the contention that expert decision-making is context and domain specific, and that this restricts the pragmatic use of abstract models. Empirical based prescriptions refer to the idea that what ‘good’ decisions might look like should be based on descriptions of the actual behaviour of real experts in action, not as compared to a theoretical ‘norm’. This focus on the actionability or usefulness of knowledge generated by the act of research should concern social work research, where the practice applicability of research should be a major consideration of the focus, aims and methods of research (Shannon & Young, 2004). So, the nature of naturalistic decision-making holds a number of applications to social work practice decisions, and bears some similarities to other social work researchers. The NDM literature has further links with social work literature in that it tends to use qualitative research methods such as structured and unstructured interviews about past decisions; critical incidents, drawing of domain maps, think-aloud protocols, videos of task performance, and ethnographic real-time observations (Lipshitz et al., 2001). Most are analysed in some way with reference to cognitive task analysis. This addresses “the need to capture the knowledge and processing used by experts in performing their jobs” (Gordon & Gill, 1997, p. 131). Van de Luitgaarden (2007) has discussed the utility of naturalistic decision-making, and in particular recognition primed decision-making as the best match for implementing decision research in social work settings, arguing that earlier kinds of judgement and decision theories supported a view of ‘evidence’ that rests on a notion of rational choice and supports the privileging of randomised, experimental controlled trials as the pinnacle of ‘good evidence’.

Thus cognitive psychology provides numerous concepts to develop an understanding of the process of decision-making. Other concepts will now be discussed, focusing on critical reflection, moral reasoning, and ethics and values, before moving on to the specific content of children’s best interests, risk, safety, and the role of the social worker-client relationship.
Another important thread in considering how knowledge is used in practice is the development of reflection, critical reflection and reflexivity as mechanisms by which social workers are able to deconstruct and reflect on the assumptions and actions they routinely must make in the hurly burly of everyday practice (Fook, White, & Gardener, 2006). The concept of reflexivity as a way of identifying ‘process knowledge’ (described above) provides a number of useful concepts for examining reasoning processes, including the problems of judgement under conditions of uncertainty, the use of hypotheses and rules, and the assumptions underpinning such rules (Sheppard, 1995, 2003; C. Taylor & White, 2001; S. White, 1997). Concepts such as ‘reflection’ and reflexivity’ have been used often interchangeably in the social work literature, yet they often have slightly differing and overlapping meanings (D’Cruz, Gillingham, & Melendez, 2007). Ideas around both are important in regards to judgement and decision-making, as discussions about these concepts attempt to expose how social workers process and ‘make knowledge’, thus problematising the assumptions that practice is simply the neat and uncomplicated application of bodies of knowledge to an equally neat, understandable and uncomplicated presenting situation (Parton, 1999a).

Numerous authors have discussed the theory/practice interface examined and utilised by the ‘reflective practitioner’ to build pragmatic theory from practice, developing from the early work of Schon (1983, 1991). More recently, the works of numerous authors have explored how the premises of social constructionism and critical theory might contribute to the use of reflection (Fook, 2002a; Fook & Askeland, 2006; Hall, 1997; Hall et al., 2003; Parton, 1999a, 2003; C. Taylor & White, 2000; C. Taylor & White, 2001; S. White et al., 2006; S. White & Stancombe, 2003).

Schon (1983, 1991) proposes that reflection in professional practice entailed a process of careful examination of our experiences that might change our understandings of those experiences. Central to his theory is the notion that professionals often have a gap between their ‘espoused theory’ and their ‘theory in use’. He argues that by making more explicit the connections between the two, practitioners are able to adjust either to make their approach more congruent and transparent. In acknowledging the
possibilities for knowledge creation from experience, his ideas directly challenge the “…ruling epistemology, which tends to privilege knowledge created through a more ‘objective’ research process” (Fook & Askeland, 2006, p. 41). In this, his ideas underpin many more recent attempts to build practice theory directly from practice experience.

Schon’s ideas have been added to by the influence of ‘critical reflection’ concepts, which exhort practitioners to reflect on their practice not as a kind of ‘benign introspection’, (C. Taylor & White, 2000) but rather through the lens of critical theory:

Critical reflection is thus a process of reflection which incorporates analyses of individuals’ thinking with regard to the influence of socially dominant thinking. It…builds…a more substantial analysis of the links between individually held beliefs, socially imposed ones and the way power is exercised accordingly. (Fook & Askeland, 2006, p. 41)

The process of critical reflection is nothing new. Socrates spoke of living the ‘examined life’ as a way to consider one’s ethical, compassionate and humane engagement in the world (Nussbaum, 1997). Reflection defined in this way implies that our assumptions about what constitutes knowledge might be contestable. O’Sullivan (2005) notes the need for practitioners to be able to bring their knowledge production processes under ‘critical control’ so as to be able to make explicit the reasons for particular action. In doing this, the need for critical reflection and reflexivity is evident, while Eraut (1994) prefers the terms ‘metacognition’ to describe the ability to reflect whilst in the midst of interaction, and in deliberation about action.

Others have argued for reflexivity as a way of enhancing reflection, where reflexivity is defined as:

an ability to recognise our own influence – and the influence of our social and cultural contexts on …the type of knowledge we
create…recognising the influence of ourselves as the lenses…; recognising that our contexts themselves may influence what knowledge is available and how we interpret it; acknowledging the role of our own selves and perspectives in selecting the information we believe is important; and, finally…how the world we see may in fact be a direct function of the methods we use to see it and therefore a function of the environmental reaction to our actions and presence. (Fook & Askeland, 2006, p. 45)

Still others have called this more critical approach to reflection ‘epistemic reflexivity’. For example, White (1997), following Bourdieu, (1992) argues that the ways people are viewed is influenced by the position one holds in relation to them, thus reflexivity can only be attained when social workers gain an awareness of the “…dominant professional constructions influencing their practice” (p. 748). She goes on to note, for example, the ways simple requests for resources such as daycare can be read as covert rejection of a child and family therapy offered instead. Such issues are directly relevant to decision-making, where the way the story of a family is formulated within professional discourse defines the goals considered desirable and the interventions considered likely to achieve those goals. D'Cruz (2004) examines the way certain medical constructions of meaning about children and the material events that happen to them come to be viewed as ‘maltreatment’ or not. She contends that power relationships allow some meanings to become preferred while others are overridden in the process of professional practice.

Another line of constructionist thinking uses reflection/reflexivity as a way of conceptualising the performative aspects of social work. A growing literature explores how we might deconstruct and examine the spoken and written narratives of social workers in order to illuminate the ways they interpret, make sense of, and perform what they know (Hall et al., 2003; Milner & O'Byrne, 2002a; Parton, 2003; Parton & O’Byrne, 2000; C. Taylor & White, 2000; S. White & Stancombe, 2003). Thus, the literature on reflection and reflexivity creates a method of careful investigation of
what kinds of knowledge ‘count’ in the child protection area, opening up a space for
the investigation of such knowledges and their impact on judgement processes.

The reflection and reflexivity literature also recognises the impact of emotion or
intuition on reasoning processes. Damasio (1994) contends emotion is a vital
contributor to judgement processes. He argues that feelings help guide us in the right
direction, pointing us towards the ways we make sense of situations as they confront
us, and lead us to a ‘decision-making space’. White & Stancombe (2003) extend this
further, proposing that it is emotion that causes us to act with care and empathy
towards others, and as such is the basis for humane practice. Cooper (2005) in
discussing the report investigating the high profile murder of Victoria Climbe, a child
seen by various child protection workers in Britain before her death at the hands of
her caregivers, points out that the curious detachment and lack of acknowledgement
of the extremes of emotion generated in the case for the social workers involved
results in a “…disconnection between policy aims and practice realities” (A. Cooper,
2005, p. 1). He goes on, following Howe, to examine the lack of ‘depth’ this clinical
detachment produces as a consequence of late modernity within which social work is
reduced to a technical, bureaucratic, highly individualised pursuit (Howe, 1996). Such
disconnection can also be seen as result of the mind-body dualism inherent in Western
philosophy referred to earlier.

Hugman (2005) develops this idea in a manner directly relevant to social work
decision-making. He contends that where dualisms are established as asymmetrical
dichotomies, that is, where one is seen as more desirable to the other, hierarchies
become established, such as reason above emotion. Reason becomes the only
acceptable basis for determining what is ‘good’, and emotion, in contrast is seen as
unreliable, subjective, and irrelevant (Hugman, 2005). Within such a system, workers
are liable to try and subjugate emotion to reason, sometimes with the effect of
providing ‘logical’ rationales for what are emotional processes. Ruch (2005) in a
study of practitioners responses to emotion, found that those who she categorised as
‘holistic’ as opposed to ‘technical’ paid greater attention to emotional processes, were
more self aware, and were more able to tolerate uncertainty and risk – essential skills
for child protection social workers. White & Taylor (2006) discuss the use of
knowledge from ‘everyday life’ to lend legitimacy to social work judgements – such
appeals to ‘common-sense’, based on popularised notions of social science, have powerful connotations when used to legitimate social work decisions. They argue that a more realistic approach to judgement and decision-making that acknowledges and can live with uncertainty is produced through:

practical reasoning, emotion, and most of all, an intelligence that is disciplined and creative. It is time to revitalise reasoning by acknowledging the importance of emotion and interpretation…We have suggested that by…interrogating detailed examples of mundane practice, professionals can be helped to see the process of judgement more realistically and hence may become more reflexive, analytic and systematic in their sense-making activities. (C. Taylor & White, 2006, p. 950)

Forsberg (1999) examines the ways emotions are constructed in social workers accounts of practice. She found that they were viewed differently in child protection and family support contexts. While in both settings they were taken as natural and objectively existing, in child protection they were framed as hidden from view, something that should be ‘found’ and expressed, while in Family Support, they tended to frame client’s emotions in a relentlessly positive manner, with a future, rather than past orientation. White and Stancombe (2003) point out the close relationship between emotion and morality in the definition of clients as either ‘good’ or ‘bad’. For example, the narratives of social workers, whether spoken or written frequently refer to nebulous moral concepts such as ‘appropriate and ‘inappropriate’ (Hall, 1997). Such ideas are often linked to moral ideals of normative parenting, rather than a focus on observable risk to the child. Thus, both the reflection and reflexivity literatures provide valuable insight and emphasis on the implicit knowledges and emotions that impact on social work practice decisions.
Moral reasoning: constructing culpability, innocence, or parental identities in coming to judgement

Even thus far, it is clear that many studies of reasoning in child protection have links with two fundamental features: risk, and moral culpability. How risk is constructed is interconnected with the ways people are categorised in moral terms through the application of certain discourses to explain the causes of their behaviour, their situation and their future actions. While risk is covered more fully below, the influence of morality on judgements and decisions are discussed here. The ways ethical, value and moral issues are framed in child protection social work is often contested territory, and has much influence over judgements reached and implemented. Sacks explores these concepts in discourse analysis with his idea that language codes mark certain people as creditworthy or blameworthy, as others have explored these categorisation processes in social work (Juhila, 2003; Sacks, 1992).

Some authors note, for example, that accounts of practice in child protection are not so much concerned with establishing or predicting abuse, but documenting the behaviours of mothers primarily, then children and fathers, the home life of washing and feeding, and what other professionals say about the family. These factors were in some cases more predictive of a finding of risk that actual injury (Parton et al., 1997). In another case example, Parton et al. (1997) state that the features deemed high risk within a discourse of ‘moral reasoning’ are certain ideas about young parents and coping alone in difficult financial circumstances, neither of which in and of itself is an actual indicator of harm. In a study of case files, Parton et al. (1997) found that social workers undertook ‘situated moral reasoning’ which describes the ways workers “…articulated expectable features of parenting and utilised them in their judgements of child abuse claims” (Parton et al., 1997, p. 78).

Moral reasoning marks the moral enterprise of social work with children and families that has changed over time but has always been a significant influence on reasoning rationales, as child protection social work has been positioned as the conduit for upholding and enforcing social norms. This moral aspect should be recognised and discussed – a purely ‘scientific’ positivist approach tends to obscure this important aspect of practice reasoning (Parton et al., 1997). Pinkerton notes the need for critical
perspectives in child protection practice that should “…make explicit the vision and values that constitute both the ideological context and the personal ideology of practitioners” (Pinkerton, 2002, p. 97). Both Parton et al.’s and Dingwall et al.’s classic studies (Dingwall, Eekelaar, & Murray, 1983; Parton et al., 1997) found that social workers tended to apply what they considered criteria for ‘normal’ parenting in social work investigations, and such a normative framework frequently rested on preconceived ideas closely connected to socio-historical normative ideals inherently concerned with moral ideals regarding family forms and relationships.

Rutman et al. (2002) found that social workers involved with young women who became pregnant while in state care tended to reflect middle class values as to what constitutes ‘good’ and ‘bad’ parenting; took as a given that teenage pregnancy was in and of itself ‘bad’; adhered to the inevitability of the ‘cycle’ of children coming into care; and assumed that the babies born to those women would likely also end up ‘in care’. Of particular note was the different ways the ‘cycle’ was viewed by social workers as opposed to the young women themselves. The young women tended to see the pregnancy as breaking a high-risk, unhealthy lifestyle and providing a chance for substantial lifestyle changes as they adjusted to the responsibility of caring for a baby. While the workers perceived the risk for the babies as due to the inevitability of the ‘cycle’, the young women saw the main risk as being posed by removal of the babies by child protective services and their entry to the foster-care ‘system’. The nuanced focus in this study of alternative constructions of life events illustrates the morally loaded, unstable and contingent meanings associated with events by differing actors in the child protection arena.

Gillingham and Bromfield (2008) found that social workers often drew on discourses of blame and culpability in the process of categorising abuse as ‘substantiated’, rather than focus on the felt experiences of the child. They link this to the ‘risk society’ (Beck, 1992), where harm must be traced to individual accountability, thus producing a focus on parental deficit rather than children’s needs and experiences. They draw linkages between this focus and the legal framework that sought to establish culpability historically for the purposes of rescuing or ‘saving’ children. While this paradigm has ostensibly been replaced with a more collaborative approach in law both
here and in Australia (the context of their study), they found that an ideology of blame still tends to dominate (Gillingham & Bloomfield, 2008). They go on to claim that while risk assessment tools aim to make practice more ‘rational’ and objective, that these were often used as vehicles for attributing blame. Houston and Griffiths (2000) also contend that the application of moralistic norms, when combined with objectivist approaches to risk assessment, produce discriminatory outcomes as they promote traditional patriarchal family structures (Houston & Griffiths, 2000). However, while morality is often linked to discriminatory and oppressive practices, all judgement unavoidably and properly implies some aspect of moral reasoning. For example, the removal of children subject to extreme physical violence from their caregivers is inescapably linked to the morally-based values of society in defining what is and is not acceptable parenting behaviour (Healy, 1999).

Another aspect of moral reasoning is the categorising function of language, and the various discursive features used to grant children and parents access to, or exclusion from, certain categories. Such categorisations can be linked to notions of ‘surface’ social work practice, where the primary procedural task is a technical one involving classifying clients rather than understanding their actions (Houston & Griffiths, 2000; Howe, 1996). They can also be linked to the moral construction of clients for specific purposes. Stancombe, (2002) in a study of family therapy clients, found that in order for a parent to successfully produce themselves (and thus be categorised) as a ‘good parent’, they had to present themselves in one of two ways. Firstly, as someone who had done everything possible to ensure the welfare of their child including seeking professional help, or, they confessed blame in some way, but now sought expert intervention in order to become ‘better’ parents (Stancombe, 2002). Such member categorisation is frequently accomplished through the narratives used to describe clients, and is laden with socially constructed but often unarticulated discourses. In this process, ‘contrast structures’ are used in conversation to set up an expected norm, then contrasts the person being discussed with this norm (D. E. Smith, 1978). In the assigning of people to even the most fundamental categories such as ‘mother’, ‘father’ or ‘child’, a set of culturally prescribed expectations are mobilised to define what should be considered proper behaviour, and if people step outside the parameters of such expected behaviour, they may be considered morally deficient (Sacks, 1992; Silverman, 1998). Hall et al. (2003) examine the ways mothering identities are
challenged in settings where the rejection of one’s child must be legitimated. White (2003) examines the ways accounts of clients often are based on ideas relating to professional identities, appeals to ‘common sense’ and moral judgements, rather than the espoused ‘evidence base’.

Thus, these studies and others (see Juhila, 2003) refute the presumption that language is a direct reflection on family life, rather than constituting a version of it for professional consumption. Versions of family troubles, for example, seldom include children as blameworthy, and even if children seem culpable in some way it is due to parents who either have been or continue to be deficient in meeting children’s needs (Stancombe, 2002; S. White & Stancombe, 2003). In such studies, language is thoroughly deconstructed as a way of constituting reality in practice situations, and as such brings much to the discussion. Where moral decisions are connected to knowledge bases, certain ways of reaching judgements become prescribed. Foucault examines the relationships between morality and what he calls ‘regimes of truth’ (Foucault, 1978). These can be defined as “certain ideas that make us think, feel and do particular things” (C. Taylor & White, 2000, p. 43). In seeking to uncover such regimes, and the localised processes of and power dynamics that have produced them, the role of language as discursive practice is emphasised. Language does more than simply provide a mirror to an objective social world – it makes it.

**Ethics and Values**

Moral reasoning in decision-making is clearly linked to social worker ethics and values. In child protection, there are frequently conflicts arising as to whose rights should take precedence: the child’s or the parent’s, and although the ‘paramountcy principle’ in theory defines the overriding right as being the protection of the ‘best interests of the child’ (CYP&TF Act 1989), in practice this can be complicated, especially where there is the potential for ‘rights-talk’ to obscure ‘needs-talk’ for both children and parents (Buckley, 2003). For example, if the mother of a young baby requires intensive mental health services in order to care adequately for her child, but these services are not funded for her because she is an adult, the problems of such definitions becomes obvious. Other major conflicts arise around who should be defined as family, and when family members conflict in their opinions as to what
should happen, whose views should take precedence? (Banks, 2006; Banks & Williams, 2005; Hugman, 2005).

In order to untangle such ethical conflicts, several strands of ethical theory can be found. In terms of Kantian duty-based ethics, a social worker can be seen to hold duties primarily to the child, but also to society and the family to ensure the child is protected and as much as possible the family is empowered to make decisions and care appropriately for the child (McBeath & Webb, 2002). The social worker also has a duty to society in terms of occupying an intermediate position whereby social work ethics are an expression by society of its public morality. Within this framework, social workers have special responsibilities but ultimately are governed by social expectations of moral behaviour (Clark, 2000). Universal values such as respect for people regardless of their behaviour, and a faith in them as rational human beings might also be suggested by Kantian or neo Kantian ideals. In terms of teleological, consequentialist, or utilitarian approaches, child protection social workers have a duty to protect children from harm due to the need to uphold the ‘public good’, bearing in mind the consequences of not doing so both in terms of society at large (abusive practices become permissible) and to the individual (protected from long-term physical and emotional harm) (Banks, 2005).

However, consequences cannot be truly known with certainty, and this provides a problem not easily remedied in ethical judgement, and in fact was Kant’s major criticism of teleological approaches in general. Kant rejected the idea that humans could predict “outcomes” (future consequences) with any substantial degree of certainty. Thus, ethical decisions based on a “guess” about future consequences appalled him (Sewell, 2007). Can we really know for this particular child, the consequences of removing them from their own family, placing them with another family, or returning a child home? In many cases, the relative weighing up of benefit and harm is impossible in an absolute sense, but must be reasonably evaluated in order to act. Parton argues that a focus on managing risk, as opposed to providing for children’s needs and welfare has attempted to remove uncertainty about future consequences and attempts to make the future ‘calculable’, but that the result of this is the overlooking of ambiguity (Parton, 1998). This serves the project of advanced liberalism, whereby people are held increasingly responsible as individuals, and
expected to act ‘prudently’. As such, social work policies must also become ‘auditable’ and in so doing the focus becomes on covering and protecting one’s practice, rather than focusing on the outcomes for the child. In doing so, the kind of information collected becomes a forensic resource for establishing risk and culpability, and contributes to managerial and bureaucratic approaches, rather than as a tool for deciding on the best outcome for the child.

Thus, traditional ethical theories are interrelated with concepts of risk, whereby the difficulties of future prediction are highlighted by both Kantian ethical approaches (and concepts such as ‘moral luck’) as well as critiques of traditional objectivist risk assessment. Postmodern approaches include character based approaches for example ethic of care approaches (Banks, 2006; Parton, 2003; Tronto, 1994; Wilks, 2005) Bauman’s concern for the ‘other’, (Bauman, 1993; Stanford, 2007, 2011) narrative or casuistry approaches that focus on the specifics of the case to determine correct action, and recently, Hoy’s post-critique ideas (Hoys, 2004; Hugman, 2003). Many postmodern approaches provide ways of theorising the practice-based aspects of decision-making as opposed to the broad ethics of justice based on, for example, statute. Such approaches acknowledge the ‘moral embeddedness’ of all decision-making, even those we try and base on objective, measurable or rule-based indicators (O’Connor et al., 2003). Finally, Benhabib’s ideas of integrated universalism allow for a combination of universal principles with specific case contextualising that may provide useful in theorising social work ethics (Benhabib, 1992; Hudson, 2003).

In practice, social workers often draw on a number of theoretical traditions in their reasoning rationales: sometimes they are complementary, and sometimes conflictual. Theoretically speaking, Kantians and neo-Kantians appreciation of the universal respect that all people should be entitled to, for example, can be used in tandem with an ethic of care that emphasises the care and support needs of parents/children, while postmodern approaches can offer both an appreciation and concern for the ‘other’, and an intense appreciation of the situated, contingent aspects of how ‘respect’ might be operationalised in child protection practice, where some ‘hierarchical’ power is, arguably, justifiable in order to protect children (Bundy-Fazioli et al., 2009; Healy, 1999). To go one step further, Hoy’s post-critique ideas of ethical resistance are also useful in terms of theorising why, even in adverse environments, social work
practitioners might be able to exercise power in favour of their client’s needs and aspirations despite hostile organisational or national policy contexts (Bauman, 1993; Hoys, 2004; Lonne, Parton, Thomson, & Harries, 2008; Tronto, 1994). Each of these ethical lenses offer important resources for social work, which must hold some universal values in tension with a deep appreciation of case particularities, and more importantly, be able to include client’s perspectives of the good, proper and right course of action in their own case formulations. While space does not allow for a full explanation of these concepts, it is enough to point out that within a social constructionist paradigm, the focus should be on how social workers in practice combine a number of approaches as part of their sometimes-conflictual discursive framework for understanding and action.

In a study using exploratory interviews with social workers, Holland and Kilpatrick (1991) found that there were three basic dimensions of social worker ethical orientations. Those were orientated towards agency procedures or basic professional goals; towards client autonomy or protection; or towards compliance with external norms or internalised views. Proctor et al. (1993) found that when planning discharges of elderly people from hospital, that social workers struggled with conflicts between competing principles, in particular self-determination versus protection of the client’s interests. Clark (2000) proposes that much more research needs to be done on ethics in actual practice, particularly the conflict between these principles, as well as the more fundamental concerns of care vs. control. Within child protection, where the social worker holds a large amount of power, the authority derived from this must be used under strict conditions and in ways that ultimately act in the child’s best interests. Defining how this might work in practice however, is often complicated and situation-specific.

The messy world of real practice is often more about the personal relationship a worker is able to establish with a client, the client’s ability to participate in that relationship, and the specific circumstances of the case: “Often what counts most in the moral life is not consistent adherence to principles and rules, but reliable character, moral good sense and emotional responsiveness” (Beauchamp & Childress, 1994, p. 42). A further consideration is realistic appraisals of what might be possible
in terms of a client’s ability to cope with interventions, and resource constraints that profoundly influence an ‘ethical’ approach to decision outcomes.

This section has focused on the ways knowledge is constructed in practice. Based on a social constructionist paradigm, it has delved into other disciplines to formulate a broad examination of the processes of knowledge production. This has included an overview of social constructionism, a consideration of process knowledge and the rules it generates, cognitive psychology ideas including framing, biases, pattern matching and NDM, critical reflection, moral reasoning and ethics and values. Each of these shapes the ways knowledge about clients is theorised and constructed in practice.

**Child protection: best interests, good enough parenting and authority**

The review thus far has explored several key concepts within a constructionist paradigm that influence how knowledge is produced, and what some of the major influences on that production are. This knowledge production results in reasoning rationales that justify judgements and decisions. These ideas include social constructionism, discourse, process knowledge, critical reflection and reflexivity, moral reasoning and the impact of ethics and values. These impact predominantly on the process of knowledge production, but attention will now be turned to the content of knowledge production, thus, the next section covers literature regarding the major constructs influencing the child protection area, including children’s best interests, risk, safety and harm, and explores how they may be constructed in A/NZ national and organisational contexts.

**The Child Protection Context**

Within child protection practice, the context is heavily influenced by numerous discourses related to: notions of risk, safety, and harm; children’s rights and ‘best interests’; and the need for protection competing with the family as ‘inner sanctum’,
free from state intervention. A number of authors contend that this latter tension is exacerbated by an increasing emphasis on ‘child-centric’ practices that treat the child in an individualistic manner, disembedded from their ecological context (Broadhurst et al. 2010). Individualised accounts of children’s needs, rights or attachments can serve to construct the child’s ‘best interests’ as being somehow disembodied and unrelated to their wider context of family and social environment, which may in fact be the source of both macro level causes of harm, such as poverty, or the source of support, affection, identity and care for the child in addition to danger and risk (Broadhurst et al., 2009). Others point out the synergy between neo-liberal political economy ideals of family and individual responsibility and how this might conspire with ‘family maintenance’ ideals to encourage family responsibility and withdraw state support (Jackson & Morris, 1999; Lupton, 1998). The concept of child protection orientation assists in structuring types of responses. These include child protection, child welfare and child focused orientations (N. Gilbert et al., 2011).

Spratt (2008) in an article examining policy responses to child abuse across the UK, the US and Australia notes a paradigmatic difference between services aimed at broad based preventive efforts focusing on needs and support, often called a ‘child welfare’ orientation, compared with a ‘child protection orientation’ that provides specific child protection services characterised by a forensic approach such as identification, investigation, establishing culpability, risk assessment and punishment of individuals.

The history of child protection in many western countries began from a morally corrective model, changed to a disease model, focusing on the psychological precursors and consequences of abuse, to a lack of family support model, focusing on the responsibilities and needs of extended family. Western child protection then tends to have morphed into a risk-driven model requiring a legal, proceduralised bureaucratic response in response to several high profile child deaths (Connolly, 2004; Khoo, Hyvönen, & Nygren, 2002; Stanley, 2007; C. Taylor, 2009). Many of these competing tensions and influences are evident here in A/NZ within both law and practice. The CYP&TF Act 1989 enshrines both the child’s ‘best interests’ as the overriding principle, but also establishes clear family rights to participate in the decision-making process, most obviously through Family Group Conferences. This dual aim of child protection and maintaining children in their families of origin
creates a practice tension evident in many Western countries (Broadhurst et al., 2010; Parton, 1998).

While the pre-1989 landscape reflected a more intrusive approach, the introduction of the 1989 Act signalled a move towards including Maori (indigenous peoples of New Zealand) concepts of extended family; encouraging family rights, responsibilities and participation in decision-making; including children’s rights concepts of children’s views and best interests; and created a mechanism by which to confer power on NGOs to offer all levels of investigation and provision of services. This was further shaped here in A/NZ by Maori ideas regarding the proper definition and role of ‘whanau’ (extended family, defined in introduction), and a critique of the narrow definition of nuclear families in earlier legislation. Maori critique of the patronising and interventionist responses of authorities to whanau Maori also highlighted the role of institutional racism in contributing to the high number of Maori children and young people in foster care (Ministerial Advisory Committee on a Maori Perspective for the Department of Social Welfare, 1988). The legal changes heralded by the CYP&TF Act therefore officially included many child welfare orientation concepts, especially when combined with a differential response model that attempted to syphon off lower tariff cases to be dealt with by NGOs in a needs-oriented practice response (Child Youth & Family, 2009). It also expressly included reference to Maori concepts of whanau, hapu⁴ and iwi⁵, as well as emphasising families’ rights to contribute to decision-making. However, the continuing effect of high profile child murders, the electing of right wing governments with neo-liberal, individualistic ideals, and the influence of reactive, conservative approaches to risk management undermined, to some extent, the needs/welfare/support approach of the Act. The child welfare imperatives of the Act were sorely challenged by the influx of international risk assessment procedures and thinking (Connolly & Doolan, 2012). In 2006, a series of reforms to the state child protection agency sought to overcome the increasing gap between the legislation and practice driven by risk aversion. These changes sought to:

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⁴ Hapu refers to a sub-tribe: a connected group of whanau connected by genealogical ties. It also, as a verb, means ‘to be pregnant’.

⁵ Iwi means tribe: a group of people connected by virtue of their descent from a specific eponymous ancestor. It can also mean ‘bone’.

realign practice with legislative aims, incorporated an evidence-base with respect to good outcomes for children, and created pathway systems that increased responsiveness to children and their families. (Connolly & Doolan, 2012, www.practicecentre.cyf.govt.nz)

This reform resulted in practice in a combination of child welfare, child protection and child focused practice approaches. Many of the child welfare functions have been contracted out to NGOs working in this area, thus allowing NGOs with child and family service status to undertake a range of work including statutory investigation as well as child welfare, needs based support work with families. How this context may impact on constructions of children’s ‘best interests’ within decision-making processes is now explored.

**Children’s best interests**

The concept of children’s ‘best interests’ figures prominently in child protection discourses, and methods of interpreting just what this means is influenced by both constructions of children and childhood, child protection orientations and cultural or contextual interpretations made by the social worker (Fargion, 2012; Mason, 2005). In reaching decisions based on children’s best interests, social workers make a series of judgements about what constitutes these interests, with regards to ‘good enough’ parenting, how children’s ‘needs’ are defined, whether they are viewed as active agents or passive participants, the level of import accorded their own views and perceptions, and theoretical ideas such as attachment, resilience, and the importance or otherwise of family maintenance (Spratt, 2008). In turn, these concepts are influenced by the history of the country, and the national policy landscape or ‘orientation’ of child protection policy and practice (Gilbert et al., 2011; Khoo, 2002).

This country’s policy environment, as outlined above, contains aspects of all three main orientations – child welfare, child protection, and child centred, with the child protection and child focused orientations becoming increasingly dominant. The influence of discourses regarding children’s rights give increasing prominence to
‘child focused practice’, which promotes the salience of children’s views and wishes, while a focus on the role of attachment as a basis for healthy relationships can both strengthen and undermine the underlying premise that children should, where possible, be maintained in their families of origin. Whether attachment theories are used to undermine or promote family maintenance depends significantly on how children’s attachment behaviour is interpreted, particularly if they are viewed as securely or insecurely attached. So, while the directive for the child’s best interests to be the paramount consideration in decision-making comes directly from the CYP&TF Act 1989 and is underpinned by children’s rights principles, determining what this means in day to day practice is not always straightforward. Each of these discourses: children’s rights, attachment, good enough parenting and family maintenance, can be understood within a constructionist perspective as containing messages regarding the socially prescribed needs of children according to their national and cultural context. Often battling with a more individualised concept of children’s best interests, is the emphasis on family rights, the inclusion of family in decision-making and power accorded families to do this in the CYP&TF Act 1989.

Constructions of childhood also influence this landscape. Mason (2005) argues that “[t]he way we construct or understand childhood is closely related to state policies around interventions in some families for the protection of children” (p. 91). Mason (2005) asserts that constructions of childhood affect what are held as ideal adult-child relations, and are underpinned by developmental, adult-centric understandings. They tend to view children as lacking competence and developmentally incomplete. In recent years in international law especially, (in particular the United Nations Convention on the Rights of the Child) there has been an emphasis on children’s rights and children’s participation, with a concomitant challenge to view children as beings and social actors in their own right (James & Prout, 1990; Mason, 2005). However, there has also been a simultaneous rise in the expectation of the State’s duties to protect children and ensure they have adequate care (Cashmore, 2009). The expression of these duties contains some uncomfortable tensions as at times the concepts of children requiring protection, children having rights as agentic individuals, and family rights can conflict.
A number of these discourses are evident in the language of child protection agencies in this country. For example, Child Youth and Family Services, the statutory child protection agency, define ‘child focused practice’ as “...keeping the child’s perspectives and experiences at the forefront of all considerations”, and goes on to describe how this form of practice contains aspects relating to safety, attachment, family and environment (Child Youth & Family, 2012).

Thus, ‘children’s best interests’ reflects concepts regarding the rights of children, their need for protection, the orientation of the national policy context, and is related to theoretical ideas regarding children’s relational needs, most often conceptualised through attachment theory.

**Children’s best interests as defined by needs, attachments and rights**

Children’s best interests are therefore often constructed with reference to children’s needs, attachment theory and rights discourses. Woodhead (1997) discusses the connections between children’s best interests and children’s needs. As a term, children’s best interests often contains an array of assumptions based in psychological and social normative frameworks, such as children’s developmental stages or attachment theory. These can be viewed as “…merely a shorthand, an economical way of conveying the author’s conclusions about the requirements of childhood” (Woodhead, 1997, p. 65). For example, Woodhead (1997) states that:

> ‘Children’s needs’ is a powerful rhetorical device for constructing images of childhood, prescribing for care and education, and judging the quality of adult-child relationships. (p. 77)

This rhetoric establishes certain ways of viewing what the precursors are for something called the ‘healthy child’ and portrays these aspects as timeless, universal, and essential. In terms of the quality of adult-child interactions, ideas about ‘good enough’ parenting and attachment theory are powerful discourses drawn on to establish what may be in a child’s best interests, as both are implicit in accounts of
children’s needs. Woodhead (1997) states that children’s needs are best conceptualised as complex and context-specific, instead of universal and simplistic. For example, Woodhead (1997) notes that attachment was promoted by Bowlby as children having a predisposition to attach to one figure (monotropism), but this is the norm in Western societies only:

But for other cultures, other patterns are equally adaptive, and so in their terms, equally consistent with mental health. For example, on the basis of cross-cultural evidence, one reviewer concluded that infants generally seem able to from strong and secure relationships with up to five, possibly ten ‘caretakers’.

(Smith, 1979, in Woodhead, 1997, p. 79)

Complex formal theories (such as attachment) can also be translated into practice in their popular and simplified forms, or as mechanisms to shore up the everyday judgements of social workers that may be more related to middle class norms or moral judgements. Needs talk, that is, claims about what children ‘need’ to become proper adults or healthy children, implicitly depend on culturally specific value-judgements that implicitly state which patterns of early relationship are considered positive, what the aim of childhood’s trajectory should be, and what a ‘good society’ should look like (Woodhead, 1997, p. 73). Thus, it is desirable to disentangle empirical, universal generalisations from their cultural, political, value and evidence based production sources.

The categorisation of certain children’s behaviours as exemplifying certain categories which we have come to know as ‘attachment styles’ can also be examined from a constructionist perspective. This perspective is useful in that it causes us to examine the ways certain behaviours are interpreted in certain ways by people in a process that constitutes knowledge for action about them. It draws our attention to the inconsistencies often rife in the application of categories to certain people, how power affects the ways versions of the truth about children are created in a complex interplay between child, parent, social worker, the legal system, mental health system and social work managers. A constructionist approach encourages an examination of the
ambiguity present in many cases that must be glossed over in order to be able to act, and how constructions that draw on ‘attachment theory’ or children’s needs interrelate with other important material and discursive features of the practice environment.

Solomon (2002) also applies a constructionist approach to examining child welfare, stating that: “While various sources of meaning making in child welfare are used with the intention to help, in my experience they often have a complex of liberating and oppressive consequences for people’s lives” (p. 132 – 133). Solomon (2002) goes on to point out how attachment theory might be used as a method of understanding human experience, but also can be understood as a “privileged knowledge claim” (p. 138), intrinsically related to differing power relations and resulting in the access of some to the position of ‘child protection client’.

She goes on to point out how attachment theory supports particular class and race arrangements, as well as promoting taken for granted gendered divisions of labour and heterosexual family forms. Solomon (2002) relates the development of attachment theory to a history of white middle class women’s work history. She notes that attachment theory may presuppose that women have the power to “…provide children with primary protection, provision and guidance, (yet) women lack considerable power in negotiating their own protection, provision and guidance” (p. 141). She claims that the history of the theory with its white middle class origins, expect women to give up paid work and concentrate on fulfilling their children’s needs for security and stability. Solomon (2002) notes that a working class or African –American account of attachment may instead have:

underscored the significance of women’s work outside of the home as a means of providing and guiding children. It would have explained women’s labour market participation as a necessary aspect of mothers’ caring work, not a nuance or option that could be negotiated within a spectrum of potential benefits and losses to family members. (p. 142)

Attachment theory, and the needs it constructs, holds many useful concepts that assist social workers in making decisions that take account of children’s affectional bonds.
It provides a method of explaining the intense bonds that form between children and their caretakers and provides a way to theorise the emotional and psychological effects of these bonds. In this sense, attachment theory assists in the promotion of a child’s view of their situation, as it promotes the maintenance and support of emotional relationships that are integral to a child’s sense of self, ability to regulate emotions, form internal conceptualisations or maps (called internal working models) that act as a template for future relationships characterised by care and cognitive flexibility (or lack thereof) (Howe, 2005; Howe, Brandon, Hinings, & Schofield, 1999).

However, attachment theory can be applied dogmatically to promote an assumed universal good of children being maintained within their biological families, something many researchers have challenged (Davidson-Arad, 2010). This assumption is implied in many accounts of current practice. ‘Attachment’ as a theory that seeks to explain and categorise the nature of the relationships between parents and children holds increasing purchase in child protection contexts, however, how these relationships are constructed reminds us that, in Burr’s words: “Descriptions or constructions of the world therefore sustain some patterns of social action and exclude others” (2003, p. 48).

Thus, a more critical approach to attachment theory and children’s needs contributes much to the discussion of children’s best interests discourses. Critical structural issues can be obscured when ‘best interests’ discourses, shored up by attachment and ‘needs’ talk, are used to justify individualised decisions. While these are not completely dichotomous, the need to focus on the child as an individual and as part of a family and ecological system must be held simultaneously, however at times the demands and trajectories of logic based on these separate discourses can conflict.

The influence of children’s rights based approaches attempt to include the child as a rights-bearing subject in decision processes, and is most obviously expressed in social work practice via the concept of ‘child focused practice’. This has been in response to earlier critiques that children were excluded from decision-making processes. For example, Fattore and Turnbull (2005) note that children are seldom accorded ‘active subjectivity’ (p. 47), but instead are often seen:
as passive, as bearers of social reproduction (whether recipients of symbolic violence or positive socialisation), or as subjects upon which genealogically constructed discourses play themselves out. In other words, theories can construct children in a particular way ...for the purposes of theorizing, rather than understanding children as active social participants in their own right. (p. 47)

Fattorre and Turnbull contend that if formal theories inform our understanding of children’s experiences alone, then we rule children’s agency out and replicate the same biases in social institutions (p. 47). Instead, within a rights based discourse, children should be viewed as capable of actively participating in their environments. A recognition of their ability to hold and voice opinions, and define for themselves the meaning of their experiences, leads many to argue that childhood and adulthood should not be viewed as ‘ontologically discrete’ (Fattore & Turnbull, 2005, p. 47). Furthermore, when children’s competence is defined according to adults’ definitions, children are excluded, not due to fundamental natural differences between children and adults, but because adults control what is seen as competent activity. Children’s rights discourses argue that children should be considered as part of an intersubjective dialogue with adults, as actively constructing their world, rather than as the passive recipients of socialisation processes (Helm, 2011; Meltzoff & Moore, 1991). Thus children are seen as active participants in the here and now, not just ‘potential’ beings for future gain, either as productive citizens only once they have earning power, (a social investment approach) or competent beings once they have attained a particular developmental level.

What does all this mean in a child protection context? While the introduction of children’s rights to protection from harm, family continuity, and to contribute to decisions has been incorporated in child focused practice approaches, there are tensions around this view and a competing view that children, especially those who have been abused, have an additional level of fragility and vulnerability and therefore require even more protection than other children. This is especially obvious in the
current ‘White Paper on Vulnerable Children’ (NZ Government, 2012b). While this fragility may be discounted within a child’s rights perspective, there is also significant research focusing on the ‘normalisation’ of abuse within some families that may affect children’s view of their experience, and cause them to view it as less detrimental than they will as adults. Further, with rights come responsibilities, and when children are asked to contribute to decisions within the child protection context, as well as contribute to their own ongoing safety, there may be potential for them to be expected to take more responsibility for themselves, reflecting a confluence between a highly individualised, extreme children’s rights agenda and neo-liberal politics. Further, it may obscure family dynamics and the power differentials of children and adults within their family context. For example, a child’s voiced opinion can only be interpreted when the dynamics of their family relationships are understood.

Fattore and Turnbull (2005) comment on another issue impacting on child focused practice and child’s rights. They report on a study of child protection practice that found that in a NSW, Australia site that conflict between a ‘managerialist efficiency paradigm’ and attempts by workers to be child oriented was detrimental to social worker’s ability to fulfil children’s needs (2005, p. 55). A managerialist focus results in workers needing to translate the needs of children into forms acceptable to management in order for resources to be accessed for children – they must document and justify this behaviour in managerial terms to meet the organisation’s need for surveillance and control of workers. This hindered the implementation of truly child-focused practice.

**Portraying children, families and ‘good enough’ parenting**

In addition to concepts relating to needs, attachment theory and rights, constructions relating to family and parenting also pervade constructions of children’s ‘best interests’ in decision-making processes. The representation of children’s best interests is often related to the construction of their need for maintenance within either their biological family or a similar social structure. This construction has numerous links to the ways children and childhood can be viewed. For example, examination of the
NSW state child welfare department (Australia) identified these discourses used to manage the representation of clients:

There are good and bad parents and good and bad children; modes of care should whenever possible, be family like; issues such as poverty and family are addressed, in both policy and practice, separately from considerations about children’s entry to care; the state government is, and should properly constitute the authoritative or ‘expert’ voice in decision-making about children and their care. (Wilkinson, 2005, p. 59)

Mason argues that: “The normative, developmental approach to childhood conceptualises children as fused with the family. This has meant that children have been invisible, existing only as minors or dependents” (p. 93). Within this viewing, parents share responsibility with the state for raising them, given both have a shared interest in the reproduction of social values. Families who don’t accept their ‘responsibility’ are marked as ‘deviant’, despite the possible causes of family issues such as neglect being often linked to socio-political contexts as much as direct parental behaviour or omission (Stokes & Schmidt, 2011). This results in children removed being placed in ‘substitute families’ as the ideal place for children to gain ‘proper care’, and often functions to maintain children in ‘proper’ paths towards adulthood that make a number of normative assumptions about family type, form and function that can be construed as based on a culturally and class specific set of values, as well as a ‘universal child’ (Mason, 2005, p. 95).

As pointed out by numerous authors, judgements in child protection in regards to children’s best interests and their ‘need’ for family are also intimately bound up with evaluations of standards of parenting (Budd, Poindexter, Felix, & Naik-Polan, 2001; Donald & Jureidini, 2004; Farnfield, 2008; A. White, 2005; Woodcock, 2003). How ‘good enough’ parenting (a term first coined by Winnicott in 1965) is viewed has changed through time, with Victorian and 20th century accounts focusing on provision of physical care for young children, but as childhood itself was extended and psychological concepts introduced, the role of the parent, especially the mother, was
enlarged to include a wide ranging role that lasts for an extended period. The term ‘good enough’ was originally used by Winnicott to emphasise the idea that there is no ‘perfect’ parent, but that most parents are ‘good enough’ in their parenting behaviour. This good enough parent was defined thus: “the ordinary devoted mother...an example of the way in which the foundations of health are laid down by the ordinary mother in her ordinary loving care of her own baby” (Winnicott, 1964, p. 17). However, while this original meaning was supposedly related to ‘ordinary’ parenting, and relating to emotional bonds, it now faces complex definitional challenges. Firstly, it has come to be notoriously related to moral evaluations and charged with reinforcing white, middle class values (Scourfield, 2001; Swadener & Lubeck, 1995). It also tends to be used in child protection contexts to establish minimum standards of parenting, rather than the maximisation of child wellbeing (White, 2005). This is influenced by the fact that it must coexist in a legal environment that attempts to use it to define the standard for intervention, which, as all legal standards do, establishes the minimum required, below which the state should intervene. Moreover, the difficulties in establishing the norms of any particular community, which is really the only benchmark able to be used when establishing ‘good enough’ parenting, plague the defining of this term (A. White, 2005).

Generally, most definitions of good enough parenting include warmth, control, stimulation and adaptability in order to meet children’s needs (White, 2005). Barber and Defallbro (2000) in a New Zealand study, into the use of an assessment tool by child protection workers found that through drawing on instruments such as a basic care checklist, family assessment device, parenting checklist and parent child conflict tactics scale, that parents could be placed on two dimensions: nurturance and abusiveness. While the resulting taxonomy was used to try and move all clients into the non-abusive, nurturing zone, it was unclear how this was actually used in decision-making. Daniel (2000) examined the interrelationship between social worker’s beliefs about what was important in parenting behaviour and how these beliefs and perceptions influenced decision-making in a Scottish child protection setting. She found that while there were some patterns in meaning factors, that significant differences existed between social workers as to what constituted ‘good enough’ parenting. There were those who valued the overall emotional atmosphere of the parenting environment, those who viewed both emotional and physical aspects
and were unlikely to prioritise one form of abuse over another, and for the third group, the focus was primarily on retaining children’s attachments relationships, even in the face of relatively serious abuse. Woodcock’s (2003) study found four types of expectations that formed the basis of differentiating between good enough and not good enough parenting. These were: an ability to prevent harm to the child; the capacity to provide supervision appropriate to the child’s age/development; the ability to provide routinised and consistent physical care; emotional availability and responsiveness, particularly an understanding the emotional reasons behind children’s behaviour. Finally, Donald and Jureidini (2004) argue that good enough parenting in cases where child abuse has already occurred should be organised around the concept of parenting capacity. Parenting capacity is defined as “…the parent’s ability to empathically understand and give priority to their child’s needs” (p. 5). They contrast this approach with more traditional assessments of parenting that normally result in a non-hierarchical list of fairly easily measurable concrete factors. They explain further that parenting capacity should include a parent’s ability to respond to their particular child’s needs as well as be motivated to address their own issues which may detrimentally affect their parenting capacity.

How childhood is constructed, the role of the family, perceptions of ‘good enough’ parenting and children as well as how the relationship between the state and families is conceptualised all impact on how children’s best interests might come to be known and used in decision reasoning within child protection settings.

*Producing the ‘authoritative voice’ in relation to children’s best interests*

Of particular need in decision-making is to produce an ‘authoritative voice’, particularly within contested social domains. The production of children’s best interests in a discursive sense can be conceptualised in this manner. King (1997) claims that social workers have a range of competing demands from different constituencies – the state, parent and child clients, and their profession - and this results in competing aims and objectives of practice. An example of this is described above, whereby the profession may educate social workers to draw on client
strengths, but a child protection orientation demands more problem focused, risk averse actions. What a social worker defines as harm or abuse caused by an individual parent, a parent may define as lack of support or other environmental or family factors. King (1997) notes that in decision-making, these discursive conflicts mean workers must make ‘informed guesses’, and that however convincing and unequivocal an assessment of harm, and its causes, these can only ever be considered an ‘interpretation’ (King, 1997, p. 5). These interpretations are:

mediated through particular modes of reasoning whereby certain knowledgeable discourses have been represented (thus constituting objects of knowledge) and conferred particular identities and agencies on political and social actors and made identifiable the problem to be solved. (Wilkinson, 2005, p. 60)

The problem is then submitted to technical, legal and scientific ‘evidence’ that enable it to become an objective truth. In this process of objectification, social workers are required to produce ‘certainty’ in order to be able to act authoritatively, and to produce an authoritative voice thus defining the ‘neglected’ or ‘at risk’ child according to its own criteria. King (1997) calls this tendency for state systems to establish authority based on its own terms or criteria as ‘social autopoiesis’. The child’s world becomes defined only via the inclusion of those aspects of the child’s world that can be recognised within the state’s own system of meaning.

Authority and certainty is most clearly located and made ‘sure’ via constructing issues of neglected and at risk children as a legal issue, rather than as:

…a domestic, economic or social concern … Contestable precepts about what is good and bad for children, what is in their ‘best interests’ and what constitutes ‘neglect’ and ‘abuse’ have also been given the authority of the legal system’s lawful/unlawful coding and thus rendered immutable. (King, 1997, pp. 61 – 62)
Factors taken to automatically denote access to these categories are viewed as ‘amorphous’, and generally involve deliberations about the standard of parenting, children’s behaviour, the child’s home environment and family relationships. King describes these determinations/categorisations as ‘paradoxical’, and Wilkinson (1999; 2005) claims these form the basis upon which decisions to remove or return children are made. Decisions are justified by moral invocations of the best interests of the child and the needs of the child, or the safety of the child. Such constructions guarantee worker identity around the authoritative and certain voice it confers upon them.

King (1997) and Wilkinson (2005) therefore argue the law is used to reduce the dilemmas and moral paradoxes implicit in managing the child protection decision-making process. The law legitimates and creates realities about the nature of child abuse and what should be done about it. Thus the state department ‘needs talk’ related to children’s best interests and ‘at risk’ are terms used to control contestation through a hegemonic interpretation of ‘needs’ (Wilkinson, 2005). This hegemonic interpretation is achieved via “maintaining definitional categorizations, through the determination of vocabulary that depicted such ‘needs’ and then inscribed them in policy and legislation” (pp. 64 – 65). Cradock (2011) examines the role of medical evidence giving under conditions of uncertainty in relation to child deaths, in particular the Goudge Inquiry in Ontario. He examines the ways evidence may be considered ‘certain’, and how reflexive risk conditions mean that certainty must be produced even when the nature of the problem is not certain.

In conclusion to this section regarding the concept of children’s best interests, it can be stated that the concept is by no means easily defined or simply made manifest in practice. It is generally constituted in relation to a number of other highly malleable concepts regarding the construction of needs as universal objects, attachment theory and rights. These are all woven into children’s relative power within constructions of childhood, with many arguing for the inclusion of children as active subjects in theorising them and their lives. Constructing children’s best interests are imbued with ideas regarding appropriate, ‘healthy’ childhoods and what is the ‘good enough’ parenting required to bring about such desirable childhoods. Despite the fluidity and specificity of these concepts, they must be produced as certain, expert conclusions by
social workers pressured to present a measure of certainty through the use of an ‘authoritative voice’, especially within legal settings.

**Risk**

Similarly to children’s best interests, the contestability of constructions of risk is also often glossed over in an attempt to create certainty in decision-making. The concept of ‘risk’ features prominently in child protection decision-making, and has been framed as both a set of objective concrete factors as well as a constructed concept related to context and values. The latter formulation of risk has been interrelated with definitions of abuse, children’s best interests, political positions, the construction of moral identities and culpability, and the categorising of certain groups of people (for example, see Gillingham, 2008). The influence of the ‘risk’ society, most prominently theorised by Beck (1992), has been suggested as a major influence on how we come to view risk. Beck (1992) states that risks “only exist in terms of …knowledge about them. They can be changed, magnified, dramatised or minimised within knowledge, and to that extent they are particularly open to social definition and construction” (1992, p. 23). Risk within Beck’s view is intimately related to the encroachment of managerialist and technocratic approaches that attempt to quantify, categorise, and manage risks, as risks are viewed as ubiquitous and requiring control. Beck (1992) claims that knowledge of risks have proliferated due to technology, yet technology also provides imagined solutions to every problem, ill or need. In Beck’s risk society, there is a concomitant accumulation of risk, and risks are increasingly seen as the responsibility of individuals to take responsibility for guarding against. Thus, as society becomes increasingly individualised, so risks are seen as individual failings and responsibilities, rather than societal issues (Parton, 1998). In this respect, the rise of ‘risk – thinking’ dovetails with neoliberal politics in their joint focus on individual responsibility, life planning, and is itself the expressed politics of a risk-based society (Culpitt, 1998; Webb, 2006). Beck (1992) proposes that the ‘risk’ society is marked by lack of trust in expert knowledge or the modernist project, and that risks have become ‘democratised’, that is, everyone has become an anxious evaluator of risk, all
of the time. Anxiety regarding risk has led to a lack of faith in experts, with lay people preferring instead to research issues and make decisions for themselves.

Lupton (1999) examines the concept of risk. She notes that constructionist conceptualisations of risk fall into strong and weak constructionist categories, with the latter still accepting as ‘real’ the presence of objective risk factors, but examining the sociocultural ways of responding to said risks, while strong constructionists problematise the concept of objective accounts of risk factors. She points out that a construction of something as ‘risky’ is:

never value-free, but rather is always the product of a way of seeing. A risk, therefore, is not a static, objective phenomenon, but is constantly constructed and negotiated as part of the network of social interaction and the formation of meaning…rather than seeing risks as realities lying outside of society and culture, therefore they can be seen as assemblages of meanings, logics and beliefs cohering around material phenomena, giving these phenomena form and substance. (1999, p. 31)

She goes on to explain that the research task, therefore, should not attempt to observe more closely what risks people are exposed to, but instead should interrogate how meanings are attached to risk within particular paradigms. Dean (1999) also points out the social plasticity of risk when she argues that:

There is no such thing as risk in reality. Risk is a way – or rather, a set of different ways – of ordering reality, of rendering it into a calculable form. It is a way of representing events so they may be made governable in particular ways, with particular techniques, and for particular goals…A second proposition follows: the significance of risk does not lie with risk itself but with what risk gets attached to. (p. 131)
Understanding the contextual reliance of the construction of risk concepts assists in an understanding of the dissonance between different contexts people might operate in, and how this difference may affect how risk is conceptualised by the same social actors in different settings. Lupton (1999) suggests a number of questions to ask in the examination of risks, including:

What practices are used in institutions and by individuals for dealing with the subjects of risk discourses? How do new discourses on risk emerge, and what are the effects of this for risk knowledges and subjects of risk? (p. 35)

In the child protection context, these are useful questions to ask to examine how different ways of constructing risk might be implicitly or explicitly encouraged within organisational and practice contexts, and what the implications are for both practitioners and clients.

**Risk, social work and children**

Now that some theoretical groundwork on the sociology of risk has been outlined, this section discusses selected literature that applies risk concepts to social work and children. James (2002) on describing the ‘McDonaldisation of social work’, notes the links between a fascination with predicting and quantifying risk, and short term interventions such as task-centred and behavioural social work. He argues that this results in a loss of creativity on the part of social workers, and a reduction of their ability to be critically reflective of their own ways of making truth. Kemshall (Kemshall, 2002) explores how risk concepts are implemented in the social policy arena. She (Kemshall, 2010) explores changes in social policy over time, and the conflicts between different types of ‘risk rationalities’ (p. 1247). These conflicting rationalities are expressed in policies that constitute the social work client subject in response to risk as either a ‘rational actor’ or a ‘situated actor’. Rational actor approaches presume individuals are able to behave as ‘Homo Prudens’ (the prudential human), and will do so if only the correct risk information is provided. The rational actor approach is:
rooted in economic theory that sees risk choices as located in an economic rationality of cost and benefit, and that actors will only make sub-optimal choices if information is poor or incorrect…policy responses tended to focus on personal responsibility and choices…(and were) increasingly residual. (Kemshall, 2010, p. 1248)

However, this view of risk estimation and response was undermined by the failure of various public health campaigns, most notably the HIV/AIDS campaign that challenged the idea that people simply responded rationally to information. Instead, an analysis of the campaign showed that when people make decisions they behave as situated actors, and make decisions that are “negotiated, collective and contingent on contextually based rationalities and perceptions of risk” (Kemshall, 2010, p. 1249). This way of conceptualising the notion of risk emphasises the structural and personal constraints that shape decision-making within any given context, and in an echo of the ecological rationality literature, may challenge outsiders’ ideas of what is ‘rational’. She notes that risk rationalities are seldom translated directly into practice in the ‘pure forms’ outlined in policy - these are usually mediated through various ‘firewalls’ (Kemshall, 2010, p.1247). Gurney (2000a) proposes considering risk management in social work as existing on a continuum, ranging from control, to legitimate authority and then empowerment. The difficulty in child protection is that what may be considered empowering for a child may be completely controlling of a parent (Healy, 1999). Gurney (2000a) notes that it is crucial in risk management procedures to understand whose agenda is determining the focus of practice. She proposes that two of the core issues to consider are:

- the degree to which there is acceptance that risk exists in any society and that a degree of risk taking is normal

- the extent to which responsibility for risk is seen to be shared collectively as a consequences of social structures…. . (Gurney, 2000a, pp. 300 – 301)
She also explores risk taking, noting that:

> It refers to the belief that risk and the right to take risks is a normal part of everyday living. In social work, the concept of risk taking challenges those defensive practices which give priority to an agency’s concern to avoid being held accountable for any possible negative outcome, and which disregard the user’s right to take risks. (Gurney, 2000b, p. 303)

Stalker (2003) examines the differences between risk avoidance and risk—taking in social work policy and practice. She also proposes a model of risk for social work that places risk management on a continuum, “…marked by controlling attitudes at one end and more empowering approaches at the other” (p. 211). She connects each of these extremes with policies and practices aimed at either risk avoidance or risk taking. Macdonald and Macdonald (2010) explain that extreme risk averse behaviour is enacted by organisations as an attempt to lessen low-probability, high-cost outcomes, that is, protect against “extreme bads” (p. 1174) (in this case, child deaths). They contend that rather than focusing on attempting to control these events, that a more robust understanding of uncertainty is required. Using the example of child neglect, they illustrate that due to problems of definition and unpredictable outcomes, a decision to remove or leave a child with their biological parents cannot be considered through a lens of traditional risk management. They emphasise that a focus on risk “…detracts from a focus on those aspects of social phenomena that might prove more effective in safeguarding children from significant harm” (Macdonald & Macdonald, 2010, p. 1180).

Pollack (2008) examines the connections between labelling clients as ‘risky’ and the concerns of the neo-liberal welfare state. Drawing on Foucauldian ideas of the expression of power via chains of actors who act as translators between the state and its population, she explores the role of social workers as these translators in regards to criminalised women. She finds that ‘risk-thinking’ is a significant feature of social work responses to these women within a neo-liberal environment that is used to regulate such women. They are found wanting in terms of their own ability to self-
regulate or manage their own risks. The concept of ‘control professionals’ is drawn on to elucidate the roles professional discourses from a range of professions including social work, legal and psychological disciplines, are used to define the official ‘truth’ about women’s lives.

Jackson and Scott (1999) examine the ways risks to children are constructed. They point out that the generalised risks associated with the risk society (Beck) are considered even more malicious when they are directed at children. Jackson & Scott (1999) argue that not only do threats to children take on special salience, but also perceived risks from children who are supposed to be passive and safe for others: “Childhood is increasingly being constructed as a precious realm under siege from those who would rob children of their childhoods, and as being subverted from within by children who refuse to remain childlike” (p. 86). As childhood and children are especially ‘cherished’ (p. 86), thus they become the focus of heightened risk protection and assessment. Policing of childhood helps to maintain the construction of childhood as a special state that deserves particular protection, and assists in defining childhood: “….the specific risks from which children must be protected serve to define the characteristics of childhood and the ‘nature’ of children themselves” (Jackson & Scott, 1999, pp. 86 – 87).

Several writers have studied and discussed the results of discourses of ‘risk’ in social work practice. Stanford (2010) explores the ways social workers respond to the rhetoric of risk often promoted within neo-liberal societies that can shape social work in conservative and reactive ways: “In this context it is argued that risk, driven by the politics of fear, has re-oriented social work practice towards managing and securing against risk as opposed to genuine attempts to respond meaningfully to need” (p. 1065). However, she found instead that many social workers ‘speak back’ to the fears generated by risk thinking. She shows that some social workers, while being aware of this impetus towards risk aversion, strive to actively subvert the conservative impulse this generates by offering opportunities to clients. She goes on to explore the ways that practitioners in her study tried to act instead for the ‘other’, drawing on Bauman’s postmodern ethics of care ideas to theorise why her respondents, despite being enmeshed in the conservative impetus of both the risk society and the individualised
focus of neo-liberal politics, were still able to act as advocates for clients who were either viewed as ‘risky’ or ‘at risk’ (Bauman, 1993; Stanford, 2011).

**Risk and Safety – organising constructs in child protection**

This section turns now to discuss more specifically the incorporation of concepts regarding risk in child protection social work. How these concepts interrelate with constructions of abuse is outlined here, as abuse and risk are often linked in interpretive constructions. The rise of safety oriented approaches as methods of responding more constructively to the challenges of working with families deemed risky is discussed.

One of the most ubiquitous organising constructs of child protection in these times is the idea of risk: how it can be identified, managed and lessened. Houston and Griffiths (2000) liken the dominance of the concept within child protection to Kelly’s idea of a ‘first order’ construct, one within which all other constructs become processed or organised (Houston & Griffiths, 2000; Kelly, 1955). How does this conceptualisation of risk impact on child protection decision-making? Firstly, it provides grounds for the legitimacy of social regulation that child protection is based on. Webb (2001) describes such regulation as “…regimes of risk management carried out by expert mediating systems on behalf of the state or some other institution” (p. 40). Social workers are those mediators, and are constantly pulled between the expert status determined by their position as a regulator/mediator, and social work values of egalitarianism and partnership. Due to this position, social workers are increasingly expected to be expert managers of risk (Alaszewski, Harrison, & Manthrope, 1998; Webb, 2006). McCallum & Eades (2001) note that within a legalistic and economic-rationalist framework, the focus of child protection work is on substantiation of allegations of abuse or neglect, rather than engagement and ongoing work with families. Likewise, within such a system the role of the social worker becomes de-skilled – their professional judgement is eroded and supplanted by regulatory quantifiers of risk such as statistical checklists and what has been called ‘actuarial’ practice. In turn, this has led to a decline in the level and depth of social work relationship with clients (Webb, 2006; Howe, 1996; Parton, 1998, 2009, 2011). Implicit in this is a reluctance within social work to depart from what Webb calls
‘empiricism’ (or what I might call ‘positivism’) because both rest on the notion of the calculability of risk inherent in modernism. Technical approaches to risk identification also act to shore up the professional identities of social workers in late modernity where challenges to the expert-lay gap might provide a threat to such identities (Beck, 1992). Beck (1992) argues that in a ‘risk society’, a reliance on scientific results as a legitimiser of what counts as truth is increasingly necessary, but less sufficient in terms of their utility for dealing with the subjective realities of practice (Webb, 2006). Stanley’s research (2005, 2007) examines how social workers in a child protection agency in A/NZ dealt with risk in their practice. Through qualitative methods, he found that they tended to utilise discourses of risk strategically to legitimate difficult decisions they had already made (2007). Within a high pressured practice context under the public eye, risk discourses perform regulatory functions, most prominently those relating to audit and monitoring, and may be used by social workers to reinforce their role as professionals dealing with high risk cases (Stanley, 2007). Stanford (2010, 2011) examines the role of risk thinking in creating identity categories for clients. The notion of risk pressures workers to categorise clients into dichotomously opposed binaries that ignore the complexities of human relationships and functioning. Stanford (2010) explains that ‘risk’, when operating discursively in this manner, creates:

…legions of polarised identities that cumulate around notions of risk – dangerousness and vulnerability, independence and dependence, responsibility and irresponsibility, trustworthiness and untrustworthiness, culpability and innocence. (Stanford, 2010, p. 1066)

Jack (1997) outlines the related discourses of ‘abuse as a disease’ model. He argues that the construction of abuse as a disease has several consequences, one of which is the reliance on risk assessment strategies aimed at identifying ‘high risk’ cases. He argues that such a focus emphasises individual pathology, defines a wide range of behaviours as ‘abusive’, and imposes a forensic system of evidence collection that adversely affects interactions with children and families caught up in the process. This leads to a ‘defensive orientation’ in practice, based on the fear of ‘getting it wrong’.
Within such a context, families raising their children in contexts of deprivation, poverty and marginalisation are seen as inherently ‘risky’ and likely to be subject to surveillance and censure for child-care practices that may not fit middle class norms, but nevertheless whose definition as ‘abusive’ is extremely contentious. Jack (1997) argues that the use of risk assessment models tend to reinforce such inequalities and seek primarily to apportion blame.

Other authors also consider the intersections of definitions of abuse with constructions of risk. Daniel and Bowes, (2011) for example, examine constructions of abuse and harm over the lifespan. They describe how risk of harm or abuse is subject to very different constructions over the lifespan, and that differing constructions direct state responses in particular ways that lie along the care/control continuum. Johnson (2012; 2010) although discussing adult abuse, has many useful insights into constructions of abuse and how they relate to risk and intervention. Drawing on a study of practitioners’ conceptualisations of abuse, they found that “…concerns described by professionals as alleged ‘abuse’ and concerns that they judged to require an ‘adult protection’ response did not always coincide” (p. 834). They point out that the concept of abuse is intrinsically related to notions of vulnerability and implicit connotations of a power imbalance between victim and perpetrator. All these concepts: vulnerability, power differentials, victim and perpetrator, and the meanings generated within relationship types all influence constructions of risk (F. Johnson, 2012). Johnson (2012) concludes by stating that ‘harm’ as a concept may be more accurate in describing those concerns that progressed to defining an adult as ‘in need of protection’, but points out that what determines whether concerns are constructed in this way or not is still unclear. This has many parallels with child protection practice, where abuse as a term describes a behaviour rather than its effects, and thus implicitly keeps the focus on the abuser rather than the child.

Parton (1998) argues that the ‘re-focusing’ of children’s services in Britain has led to the privileging of the assessment and management of risk over meeting children’s needs or protecting them from harm. Part of this re-focusing project involves monitoring a range of factors that are supposedly predictive of abuse and this takes the place of an actual personal relationship with clients. As he notes, while risk is one such aspect that “… gives the impression of calculability and objectivity, it is
inherently contingent and open to differing and sometimes conflicting interpretations” (Parton, 1998, p. 6). Gillingham (2010; 2008) examined the use of the Structured Decision-Making tool in Australia. He found that social workers using the tool used the risks it produced to enact a ‘blame ideology’ towards clients, and often was manipulated to give the score that equated with the decision a social worker had already made. Attempts to measure risks objectively therefore can obscure the meaning making processes and power dynamics occurring constantly in social work, and focuses on culpability rather than ongoing relational work with clients.

Broadhurst et al (2010) examine the ways both formal and informal ‘logics of risk’ operate in child protection services. They argue that while social workers are compelled to operate within bureaucratic systems of risk management and audit, (formal logics of risk) that social workers still rely on informal logics of risk to attend to the relationship-based, contingent aspects of managing risk in social work practice. Structured, formal risk assessment tools have been introduced in many countries including Canada, US and Australia as a method of improving ‘unassisted’ professional judgement, and in response to the need for professional accountability and resource constraints (p. 1048). Broadhurst et al. (2010) argue that “… privileging metrics and administrative power leaves the informal and relational aspects of practice are under-emphasised and under theorised” (p. 1046). Nevertheless, their findings indicate social workers still attend to the demands of both formal and informal logics of risk in their practice.

Serious attempts to quantify risks and the reaction against such quantification based on the work of Parton, Gillingham, Jack, Broadhurst et al., and others as above, for example, reflects in part the broader paradigmatic differences of constructionist and objectivist approaches, also played out in the literature with regards to actuarial versus professional discretion decision-making models. Actuarial approaches tend to use large scale quantifiable risk factors as an integral part of making decisions about an individual’s future riskiness, while professional discretion approaches rely more on practice wisdom and practitioner-led approaches to respond more specifically to the case context (Baird & Wagner, 2000; Munro, 2010; Schwalbe, 2008; Selonsky & Wagner, 2005). Many actuarial approaches have been shown to be slightly more accurate at actually predicting future reports of abuse, however the way they function
within practice is not always desirable, (see above) nor are problems in methodology examined. For example, with confirmation of the accuracy of risk prediction relying on future notifications to the child protection authority, the fact that where there has been a finding of abuse often means those families are subject to increased surveillance. Further, the poor and people of colour are often subject to heightened surveillance, thus if abuse is found for these populations, this will increase the statistical correlations between class, race and abuse, (and increase its salience as a risk factor) but the lack of surveillance of other sectors of society goes unexamined (Roberts, 2002). The risk measure is ‘validated’, yet the self-confirming nature of the mechanisms of surveillance is unstated as a research limitation.

Beyond these methodological concerns, Munro has dealt with the issue of actuarial/professional risk assessment models succinctly in relation to child protection work (Munro, 2002). She discusses the sometimes-bitter disputes in risk assessment approaches between those emphasising specific guidelines, procedures and risk measurement instruments (actuarial approaches) vs. those who prefer intuitive, relational approaches that value the worker’s interpersonal and professional judgement skills. Such arguments in turn rest on a dichotomy between the science and art, objective and subjective forms of knowledge, and analytical versus intuitive forms of reasoning (Munro, 2002). Munro (2002) argues both kinds of knowledge and reasoning are useful in the child protection process. She notes: “It is hard to imagine circumstances that pose a greater challenge to reasoning skills: limited knowledge, high emotions, time pressures and conflicting values” (p. 2). She contends that intuitive reasoning and relationship skills can be used within structured guidelines, and that intuitive skills might shape what information is selected for analysis. Both are necessary to manage the process of working with a family through the child protection process. Munro (2002) also points out that the cognitively based literature attempts to set out prescriptions for good reasoning based on mathematical logic, while the other sets out to describe in a more naturalistic fashion the successful and unsuccessful components of reasoning styles. Munro (2010) explores in more detail how combining actuarial and professional discretion approaches to risk evaluation hold promise for the development of practice, however, serious criticisms as above outline the weaknesses of actuarial approaches that tend towards the identification of
deficit, be past oriented, and blame clients implicitly via a focus on culpability and investigation. It appears that the different focus of each approach may make comparability difficult, with one focusing entirely on the ability to predict future risk to children, while the other considers the relational impact of the type of assessment used.

**Safety first?**

So, if traditional conceptualisations of risk tend towards defensive, risk-averse practices that blame individuals, then how should the profession respond? Webb (2006) contends that:

[i]f there is to be the possibility of a re-constructed ethics that stands against dominant political rule …then we need to conceive of social work as creatively animating and not merely being determined by dominant modern discourses. (p. 25)

A number of researchers and practitioners have attempted such ‘creative animations’ in response to the dominance of risk discourses. In reflecting on a large study of children exposed to domestic violence, Fantuzzo et al. (1997) note that:

The uncelebrated reality that more people are ‘making it’ than ‘not making it’ in these environments is overshadowed by research methods that are more proficient in tracking failure and risk than success and potential. (p. 122)

Meanwhile, Swadener & Lubeck (1995) make a significant attempt to deconstruct the discourse of ‘at risk’ as it is applied to some families, instead preferring the term ‘at promise’. The ‘creative animation’ attempts of others more specifically in the child protection arena seek to combine the necessary management of risk in child protection with more empowering and child focused practices. This swing reflects a concerted effort to find out more about why some people are ‘making it’ and thus provide more pragmatic ends for social work practice. This change in direction is of direct relevance
to the A/NZ context. Connolly (2004) points out how risk aversion rose to dominance in the A/NZ child protection system throughout the 1990s, but is now, arguably, ameliorated with other ideas, including strengths perspectives, child focused practice and safety oriented approaches (Child, Youth & Family, 2012; Saleebey, 2006; Turnell & Edwards, 1999). However, this is likely to reverse given the current plans to cut welfare and employ risk assessment tools to identify ‘high risk’ groups and individuals in the general population (NZ Government, 2012a, 2012b).

Christie and Mittler (1999) explore the connections between risk society concepts and notions of partnership within child protection. They explore how professional and client understandings of risk impact on the ways practitioners engage in relationships with both parent and child clients. While professionals may develop amongst themselves a shared understanding of how risk is to be framed based on certain privileged aspects of child-rearing, these are usually in ways that emphasise individual, rather than collective risks to children, and encourage decision-making based on the worst possible potential outcomes (the risk of ‘extreme bads’). Parents and children may not share these understandings, nor are these understandings fully cognisant of the social world inhabited by clients on a daily basis, and thus this disconnect may result in client disempowerment. However, Christie and Mittler (1999) suggest cautiously that the inclusion of parents and children in ‘core groups’, that is, the groups of professionals and clients who are responsible for operationalising the plans made in case conferences, can provide opportunities to subvert dominant discourses of risk.

Turnell and Edwards (1999) also take seriously the inclusion of clients in the process of decision-making in a practice approach described as ‘safety oriented’. Their ‘Signs of Safety’ approach, developed in conjunction with 150 frontline Australian practitioners, has currently been implemented in thirty-two jurisdictions and eleven countries (Turnell, 2008, 2012). They sought to challenge the ubiquitousness of risk in the child protection system, arguing that a narrow focus on risk causes a risk averse approach that results in poor quality relationships with clients and a conservative, overly controlling approach (Ferguson, 2001; Parton, 2000; Stanley, 2007; Turnell, 2004). Within practice that focuses only on risk, and the factors statistically
constructed as creating risk, such as past abuse, drug and alcohol abuse, mental illness, poverty, or family histories of violence is like:

mapping only the darkest valleys and gloomiest hollows of a particular territory…it is vital to obtain information regarding past, existing and potential safety, competencies, and strengths. This balancing of information regarding family functioning allows the worker to achieve a comprehensive assessment of risk in child protection cases. (Turnell & Edwards, 1999, p. 101)

They go on to point out that providing a balanced picture that includes a search for safety conferring factors enhances the worker’s ability to find the options likely to enhance family functioning and can form the basis for re-establishing safety for the child. Premised on the imperative question: “How can child protection professionals actually build partnerships with parents where there is suspected or substantiated child abuse or neglect?”, their approach combines aspects of risk management within a relationship focused model (Turnell, 2012).

Turnell and Edwards’ (1999) ‘ Signs of Safety’ rests on several basic principles that seek to identify protective aspects of the family situation, clearly state risks, and build a relationship with families that in and of itself contributes to safety by promoting trust, collaboration, honesty and respect. It is underpinned by ethical principles, for example, number one is: “Clients are people worth doing business with” (1999, p. 42). Clients are included in the formulating and recording of both concerns and safety factors, and practitioners are forced by parental presence to state risks in a clear statement of everyday language. This makes it understandable to the clients, (both parents and children), makes clear what aspects of parental behaviour are a ‘bottom-line’ and must change, and what other aspects of change are voluntary. Concerns are stated in specific, concrete language that avoids interpretive labels and does not suggest causality. Their approach claims to help create safety for children because it directs practitioners to move beyond an investigation of behaviour or events, to focus on building as equal relationship as is possible with a family. Implicit in the approach
is recognition of the impossibility of performing risk assessments separately from forming relationships with clients. Encouraging buy-in through the inclusion of client’s own ideas regarding the causes and solutions of their problems aims to promote family responsibility and self-determination, lessen the inherent power differential, and create a space for families to evidence improvement in parental capacity over time. Risk management is often attempted through safety plans that create mechanisms of surveillance, supports, and the alerting of others if family situations deteriorate. Turnell and Edwards (1999) thus make explicit the connections between value-based approaches, assessing risk, productive, future-focused safety for the child, and the impact of process and discourse on relationships with clients and the production of knowledge about them. They suggest pragmatic ways of managing risk without removal, (yet accept in some cases removal is necessary) and provide ways for practitioners to state and evaluate the level of risk while also actively searching for safety and strengths in the family situation. In regards to theories of risk, it can be argued that the approach attempts to utilise the lack of faith in experts promoted by Beck’s ‘risk’ society, and take a more uncertain view of risk and its ability to be controlled through sharing power with families.

The underlying philosophical concepts of the Signs of Safety approach are borrowed from social constructionist ideas found in solution-focused (SF) and brief therapy practices (Turnell & Edwards, 1999). Founded by de Shazer and others in the US, solution-focused approaches are directly related to social constructionist concepts, claiming that as social problems are sustained by social processes, therefore essentialist psychological theories are not needed to solve them. Solution focused and safety-oriented approaches rest on the general premises of social constructionist therapeutic approaches that contend that if language constructs reality, rather than reality being an objectively existing entity, then the ways people interpret and describe our social experience are powerful: they create our lived experience (Berg & Kelly, 2000; de Shazer, 1991; Milner & O'Byrne, 2002b; M. White & Epston, 1990). SF approaches are action oriented, in that they encourage people to try and ‘do something differently’ and see if it works, rather than become enmeshed in exploring past history for clues to current behaviour. It cautions practitioners to resist imposing their own ‘expert theory’ on the problems of clients, exhorts them to retain a curious, ‘not knowing’ stance in relation to client’s problems, and encourages the client to
express their ‘local knowledge’ with regards to developing workable solutions to their own problems (Milner & O’Byrne, 2009, 2002a, 2002b). SF approaches claim that it is unnecessary to understand a problem’s cause in order to change it. De Shazer (1991) draws heavily on the philosophical bedrock of Wittgenstein and Derrida to emphasise the role of the naming of problems in their sustenance, and the power of language to define reality and direct human behaviour. Further, SF approaches propose that dominant narratives are constituted from available powerful discourses – but these may not be helpful to us. Dominant narratives tend to construct problems as if they are global, stable, permanent and internal (Miller, 2006; O'Connell, 2003), and leave out times when the problem was absent or less powerful.

However, total faith in the ‘local knowledge’ of clients is not possible in child protection work, where the judgement of the social worker at times must override the expressed views of both parent and child clients. Turnell & Edwards, (1999) have made a significant attempt to adapt elements of SF into a contextualised model of child protection practice that takes account of the necessity of the power differential between social workers and clients (Healy, 1999). Models such as the Signs of Safety approach are cognisant of a major element of child protection practice often missing in accounts less attached to practice: risk assessment is not a one-off event, and after risk is initially assessed, the worker then must engage productively with the family in a project of family change. Therefore, the manner in which the assessment is carried out, and the constructions used to establish its aims and parameters are crucial in achieving a relationship within which the worker and clients are able to move ahead in a collaborative, respectful and productive fashion (Healy, Darlington, & Feeney, 2011; Howe, 2010).

This construction of the worker-client relationship around notions of respect and collaboration has many impacts on judgement and decision-making – in terms of both the process and outcome. In terms of outcomes, the ways information is presented by the family, the way it is perceived and what use is made of it within the child protection system are all fundamentally altered by including constructions of safety as well as risk in the assessment process (Turnell, 1998, 2004). In terms of process, a focus on co-constructing safety may help to create a positive working relationship with the family that increases safety for the child and provides a realistic surveillance
mechanism. In terms of cognitive processes, a focus on safety assists workers to resist the confirmation bias that might seek only to confirm a negative anchor hypothesis about the family. Likewise, a focus on safety influences the areas of attention and search. If attention is focused on aspects of family functioning that brings safety, this changes the ways search and attentive focus to what might be considered salient facts in the case (Kahneman et al., 1982; March, 1994; Sheppard, 2003).

While acknowledging the complex social, political and economic contributors to child abuse, they argue that for the child protection workers at the coal face of child protection work, the development of practice tools is required now, without waiting for such utopian change (Turnell & Edwards, 1999). In such practice environments, they argue that the kinds of knowledge that social workers require is that directly related to the kind of relationship that needs to be established, founded on respect, an ability to see the family’s perspective and focusing and building on strengths. They contend that the assessment and interviewing task of the social workers is in fact a site of possible change and intervention. They point out the interactional nature of traditional risk discourses with ongoing risk evaluations, highlighting the cyclical influence of focusing on deficits, family defensiveness, a label of clients as ‘resistant’, and the difficulties of parents viewed as ‘abusive’ to ever attain an evaluation of competent again (Turnell & Edwards, 1999).

In conclusion to this section on risk and safety, as Foucault states, discourses are structures of knowledge that are borne out of particular historical times and locations. They are heavily defined by the sociohistorical context, and through imbalances of power, some opinions or ‘regimes of truth’ gain more authority than others (Foucault, 1978). In addition to sociohistorical contexts, national and organisational contexts also heavily determine the types, nature and function of risk discourses utilised in practice settings, to produce ‘logics of risk’, that is, lenses through which risk concepts come to be understood (Broadhurst et al., 2010; Fargion, 2012). The concept of risk is therefore one such regime of truth that is grappled over in the reasoning rationales of social work decisions, and include a range of conflicting discourses ranging from strict quantification approaches to professional discretion, to those that include constructions of safety as well as risk in an attempt to take account of the intensely relational contexts of social work practice. The management of risk remains
a significant task within child protection context where harm to children is significant and in many cases irredeemable.

**Interpretive issues in judgement: cognitive processes, certainty, definitions of abuse and structural factors**

One of the most striking features of the child welfare system is that its power to dismantle families exists alongside its efforts to preserve them. (Reich, 2005, p. 10)

Juggling this tension remains an outstanding conflict within the child protection social work field. As this review turns to consider studies that examine judgement and decision processes within child protection contexts, many of the above concepts relating to risk, safety, and children’s bests interests, and tensions around family preservation versus child protection proliferate. This section covers those studies more specifically relating to factors affecting judgement and decisions in child protection contexts. Those factors include cognitive processes, moral and performative aspects, child factors, definitions of abuse, and structural issues.

**Cognitive processes and moral interpretations**

Munro (1999) examines the influence of cognitive bias on decisions. She found these were present in a study of child protection social workers, who tended to base their assessments on a narrow range of evidence, that is, that which was most readily available to them. They tended to be biased towards more memorable data, particularly those events that were “…vivid, concrete, arousing emotion and either the first or last information received…A major problem was that professionals were slow to revise their judgements despite a mounting body of evidence against them” (p. 745). Such problems of attention form an important constraint on information to be used in decision processes. She concludes that therefore errors of reasoning are not random, but are the predictable results of people simplifying the complex reasoning processes involved. Social workers should therefore be made aware of possible errors.
Munro attempts to reconcile the actuarial and professional discretion impasse by recognising the intuitive nature of decisions, but exhorts practitioners to develop ways of establishing rigor in the reasoning process (see Munro, 2002, above in ‘Risk and Safety’ section).

Other studies also seek to uncover errors of cognitive reasoning in child protection cases. Howitt (1992) identifies three principles that cause child abuse to be mistakenly identified. Firstly, ‘templating’, where social workers match clients against a ‘social template’. This tends to be a socially available prototype against which the client is matched (Parton et al., 1997). Finding known templates is also a feature of naturalistic decision-making, and theories of attention and search, where in an effort to respond to the constraints of time, people tend to ‘pattern match’ between similar situations to decide how to respond to them, and stop searching for new information once an acceptable matching pattern has been found (Lipshitz et al., 2001; Schraagen et al., 2008). Secondly, ‘justificatory theorising’, where the worker uses theory to justify and lend legitimacy to the decision made. The example Howitt (1992) uses is ‘contrition theory’, where an abuser is deemed able to be ‘worked with’ if they accept responsibility and acknowledge the ‘full implications’ of their actions (p. 82). This acceptance of guilt and a willingness to accept the social services agency’s interpretation of events has been noted elsewhere as one of the often unspoken conditions for the creation of a ‘good’ client, and is often linked to the notion of being ‘on board’ with the worker’s or agency’s assessment of the situation (Juhila, 2003). This particular kind of client is found in Holland’s study of the interactions between social workers and clients in British comprehensive assessment process:

…commitment and motivation appear to be judged by the parent’s willingness to co-operate with the social work agency, willingness to accept concerns about themselves as laid out by the agency … Parents must provide explanations for the behaviour and situation that are plausible and insightful to the social worker…A parent who is articulate, plausible and co-operative possesses the attributes that lead to a successful and positive assessment relationship. (S. Holland, 2000, p. 153)
Thorpe (1994) similarly found that hostility and suspicion in the client increased the likelihood of intervention by statutory authorities, whereas an open and contrite attitude reduced the chances of intervention. This difference was found to occur regardless of the nature of the evidence of actual harm to the child (D. Thorpe, 1994). Howitt’s third error in prediction is called ‘ratcheting’, where a case tends to move in only one direction once the threshold for entry into the system has been reached. Once a child or family has been categorised in a particular way, it is difficult to escape the confines of that category, or, as the old child protection saying goes, the criteria for entry are never as high as the criteria for exit (Parton et al., 1997). This finding confirms Turnell and Edwards (1999) comments above, where those parents found ‘abusive’ could never be considered as capable again.

Munro examines both ‘avoidable and unavoidable mistakes’ in child protection work (Munro, 1996). In framing her discussion, she points out the extremely complex context social workers work in, arguing that some ‘mistakes’ are inevitable due to this complexity and the limits of knowledge about a case. Drawing on the psychological literature, she finds that all humans suffer from the general weaknesses of intuitive reasoning (Kahneman et al., 1982), preferring to maintain beliefs that are “…remarkable resilient in the face of empirical challenges that seem logically devastating” (Kahneman et al., 1990, p. 144). In the face of such cognitive deficits, social workers must check all relevant information carefully, and acknowledge that a ‘right’ decision cannot be made in an absolute sense, only a ‘best’ one given the available information (Webb, 2001).

Parton et al (1997) discuss the outcome of an English Department of health inquiry into child deaths, a classic immediate response to such tragic events (DoH, 1991; Parton et al., 1997; Pinkerton, 2002). This inquiry identified a number of features that were seen as key in the misinterpretation of information in relation to the formation of judgements in the life of the case. Social workers were found to be too trusting and uncritical; not able to distinguish fact from opinion; not able to recognise salient information in the midst of a huge cache of information; and could not see the ‘big picture’. This inquiry concludes that it is not possible to predict who will be an abuser, as the “…potential for abuse is widespread and often triggered by the
particular conjunction of circumstances which is unpredictable” (p. 63). In an A/NZ appraisal of child death inquiries it was found that the percentage of cases known to CYFS is dramatically lower than in other countries – only 20% of child homicides in the period 1996 – 2000 were known to child protection authorities here, compared with American, Australian and English reviews that ranged from 25% to nearly 80% (Doolan, 1994). Secondly, in discussing our own inquiries into child deaths, Connolly and Doolan (2007) note that such inquiries tend to promote a ‘culture of blame’, create a managerial system that is risk-averse, and seek to replace professional judgement as much as possible with tools, procedures, protocols and guidelines in order to minimise risks (Munro, 2005). Connolly and Doolan (2007) hint at the need to understand child deaths as a more complex interaction between organisational, family, worker and wider (macro) systems. Part of understanding the way these systems influence each other can be found in examining the ways each is known, defined by, and interpreted by the others, and how they work together to create or contest shared meanings.

Buckley (2000a) found in a large qualitative study that the actual practice of social workers, and the basis of their decisions, was frequently different from that of the ‘official discourse’. They often made decisions based on factors such as the perceived reliability of the referrer, the ‘reputation’ of the family involved, or the ability of the parent to fit into middle class expectations of behaviour and personality. She states that cultural relativism meant that some children were afforded a lower level of care than others. A clear focus on apparent risks to the child in borderline cases was overridden by bureaucratic concerns to ‘cover the back’ of the agency. This was done with little regard to the wider context of family deprivation or ability to bring about change that focused on the welfare of the children. The social workers in her study themselves felt disillusioned with the demands of supposedly being able to make judgements based on ‘fact’, despite considerable uncertainty as to what should count as ‘fact’, and how such ‘facts’ should be interpreted. One of her participants succinctly highlights this issue by stating “…you know what I mean: you are going out on all these nebulous things that can’t be resolved one way or another. You go out and somebody tells you something...how can you possibly know whether you believe them or not?” (Buckley, 2000a, p. 20). Buckley discusses this further by noting that the formal discourses around child protection often proceed as if the work has a high
level of certainty, and associated risks are easily identifiable and calculable. The presumption is that all stakeholders concerned passively and unproblematically receive and convey information, and that all circumstances are predictable, manageable and easily resolved within the range of possible bureaucratically-based responses.

Cross (2008) found that in decisions to substantiate reports of abuse, most cases generally were based on judgements about harm, risk and evidence. While social workers were asked to make a scaled judgement as to the level of perceived harm of risk factors, the processes they used to decide for example, what constituted ‘high’ risk or ‘moderate’ harm was not captured in this study. Several results of this large (n = 4,515) study were unexpected. For example, it was found that not only estimations of harm or risk increased the chances of substantiation, but also variables related to child age and gender. The authors speculated that this might be due to caseworkers viewing evidence of maltreatment as more or less harmful for particular children, in this case, girls aged between six and ten. They conclude that this requires more research into caseworker’s thinking and a wider range of ‘judgement constructs’ (p. 12). They also found that considerations of service provision affected substantiation decisions. In some states where services were reserved for substantiated cases, this criterion excluded some families where despite significant levels of harm and risk, there was no substantiation of abuse. They conclude that agencies should “….assess carefully what judgements their investigators are making that influence the substantiation decision” (p. 14). Thus, resource issues, gender and age may all influence decisions that should, ostensibly, be made only in relation to evaluations of harm or risk.

Jones, (1996) examined the progression of cases through the child protection system, with particular reference to decisions made at various ‘filter points’. He concluded that according to accepted risk factors, social workers were adequately discriminating between ‘child protection’ and ‘child welfare’ cases. However, in this study an obvious limitation (apart from the taken for granted nature of the risk factors themselves), was that deciding if a prediction of risk was correctly categorised or not (this was decided based on future referrals to the child protection service) cannot be adequately made without knowledge of what might have happened without
intervention of any kind. Of course, this would be unethical to research, thus the accepted risk factors are the only way the correctness of a particular decision can be made. But is this an adequate methodological proxy?

Drury-Hudson (1997) examined the use of theoretical, empirical and procedural knowledge by workers in child protection decision-making. Using vignettes, she examined the reasoning processes of novice and expert social workers. She found that novices lacked a clear understanding of the factors associated with maltreatment, and that they tended to be unable to weigh up the factors with appropriate regard for seriousness or implications for risk. Mandel, (1994) in a study of responses by students and experienced practitioners to a brief case vignette, found that students were more likely to make unwarranted assumptions, and less likely to seek further information than experienced practitioners. Those who made unwarranted assumptions from either group were less likely to seek more information or generate alternative hypotheses. Those who made fewer assumptions were less likely to agree with the intervention of removing the child. Some respondents misrepresented the information given in the vignette to make it more compelling or sure:

By stating, ‘there is no food’, all perceived ambiguity is removed. If there is no food then the child simply cannot eat, and thus is at serious risk. It is easy to see how investigators could arrive at an unwarranted conclusion simply by forcing the information they receive into “black or white” terms. (Mandel, et al, 1994, p. 1059)

Thus, the process of reaching judgements is far from straightforward, but is affected by a range of cognitive and interpretive processes often only tangentially related to official policy guidelines, actual harm to the child or stated procedures. Decision-making relies on a range of processes that are used to manage competing discourses, uncertainty, moral evaluations and categorisations.
**Constructing abuse and harm**

Constructing abuse and harm is a major interpretive feat, and its accomplishment refracts throughout the entire decision process. It is implicit in judgements relating to children’s best interests, risk and safety, and good enough parenting. Due to this overlap, many studies that touch on constructions of abuse and harm have already been covered. However, a few of the problems around abuse construction, and studies not previously covered that grapple with this topic will be examined here.

What criteria are understood to define ‘child abuse’ remains subject to the vagaries of context, and often rely on moral indicators as much as the experience of the child. Whether child abuse is understood as a unilateral act of violence from parents towards children, as the result of negative dynamics in the adult-child relationship, as evidenced by ‘injury’, rather than action, or an act perpetrated by a person we define as an ‘adult’ against a person we define as a ‘child’ are all matters of interpretation, or rather the consequence of the ways abuse is constructed as an ontological object (Parton, 1999b; Schull, 1999). As Schull notes (1999) there are no concrete definitions of abuse because they are discursively created rather than ontologically ‘real’. Others confirm the constructed nature of all kinds of ‘abuse’, noting its reliance on specific medical constructs or legal criteria specific to location and time (D’Cruz, 2004; De Swaan, 1988; Parton, 1999b). However, others point out the effects of behaviours commonly understood as abusive within many National contexts, and their connections to experiences of trauma in children that result in physical, psychological and behavioural negative consequences (see (Gateway, 2008)). The lack of uniformity of experience of abuse as damaging to all is argued by some (Milner, 2004; Parton, 1999a). Daniel and Bowes (2011) compare the differing constructions of abuse across the lifespan, arguing there are many gaps and inconsistencies between the ways we understand abuse for different ages. They point out that a perception of children as ‘vulnerable’ affects the ways abuse is understood in relation to them. Munro (2007) discusses the variability of abuse constructions, and draws on the National Research Report to examine the various factors affecting abuse definition as illustrating a:

- lack of social consensus over what forms of parenting are dangerous or unacceptable; uncertainty about whether to define maltreatment based on adult characteristics, adult behaviour,
child outcome, environmental context or some combination; conflict over whether standards of endangerment or harm should be used in constructing definitions; and confusion as to whether similar definitions should be used for scientific, legal and clinical purposes. (National Research Council, 1993, p. 30)

These definitional problems are more fully discussed in numerous articles, for examples see: (Herrenkohl, 2005; Runyan et al., 2005; Scott Heller, Larrieu, D’Imperio, & Boris, 1999). Munro (2007) outlines common definitions around physical, emotional, sexual abuse and neglect, pointing out that while difficult to define, most definitions include a combination of adult behaviour, child outcomes, and the balance between these two aspects depends on the type of abuse. For example, while neglect definitions rely heavily on children’s perceptions, sexual abuse definitions focus almost entirely on adult behaviour (Munro, 2007). She notes that the difficulties of defining abuse in practice revolve around thresholds for intervention, cultural differences in parenting, the ambiguity of the evidence, differences in culpability (as in what can be reasonably expected to be within the control of the parent), and actual harm versus potential harm (Munro, 2007). Others point out the difficulties of defining abuse when heterogeneous types of abuse are aggregated together (Scott Heller et al., 1999).

Common understandings in the Western world tend to emphasise physical injury, psychological stress and the emotional/social damage of trauma associated with abuse and neglect, and any sexual contact between adults and children, as abuse. Johnson (2012) highlights tensions around the concept of abuse that, while focused on adults, contains some interesting critical points. She points out that abuse and harm are often interpreted differently between policy and practice, with findings of abuse not necessarily being translated into protective intervention in practice. She proposes that harm is perhaps more useful in terms of defining when intervention should occur.
**Structural factors in child protection decision-making**

Finally, the ways structural issues are interpreted in child protection decisions and judgements are discussed. Moraes et al. (2006), in a large quantitative study (n = 7672 investigations from 51 service areas across Canada) examined the effect of the presence of poverty on social workers’ decisions in cases of physical assault. They found that poverty only affected 3.9% of the variation in ongoing intervention from child protection services, and 2.5% of the variables in substantiation of physical abuse. However, one factor that was used as part of the poverty measure was substandard housing, and this did have a small effect on intervention and substantiation outcomes, however the authors argue this reflects unsafe housing, rather than poverty per se in a large percentage of cases. The context of this study is important: it came in the wake of a Supreme Court of Canada challenge to the exception still present in Canadian law that allows “reasonable” force to be used in the discipline of children. Some opponents to changing the law argued that if all physical discipline was classed as assault, then more families living in poverty would be criminalised and targeted for state intervention. This was based on a tacit assumption that people living in poverty were more likely to use physical forms of discipline. Thus, the study was framed to investigate whether the rate of substantiation was higher for those living in poverty, that is, if “…family poverty increased the likelihood of intervention in physical punishment cases reported to child welfare authorities” (Moraes et al., 2006, p. 158). Thus, the political context within which this study was framed is significant, as the findings that show the lack of inclusion of the presence of family poverty as influential in decision-making was viewed as positive. It was considered positive because it challenged a view of overly judgemental and interventionist state child welfare workers, and suggested instead that the main consideration in child abuse investigations was child safety rather than the imposition of middle class values. The authors (Moraes, et. al., 2006) bolster this view by pointing out how few investigations led to substantiation, and the large proportion of families that were referred on to supportive, community based services, rather than subject to ongoing child protection intervention.

Conversely, in a study by Stokes and Schmidt (2011) the omission of poverty as a contributing factor was viewed very differently. They also found in a factorial survey
study measuring respondents’ vignette responses (n = 327), that race and poverty did not affect social worker’s decision-making processes. However, this was viewed negatively in this instance by the researchers. Firstly, they point out that while poverty and race were not directly influential, other poverty related factors such as substandard housing, domestic violence and substance use did affect decision-making (also similarly to the Moraes et al. (2006) study that showed substandard housing had an effect). They infer from these findings that the “reductionistic and individualistic perspective” implicit in child protection work does not account adequately for context, and instead:

The increasingly technocratic discourse in child protection blames individual parents and holds them responsible for not protecting their child from vulnerability, regardless of any historical and structural impediments they may face in attaining resources. (Stokes & Schmidt, 2011, p. 1105)

Following Cradock (2004), they go on to argue that the use of individualised risk assessment tools commonly used in many child protection jurisdictions narrow the range and scope of child protection intervention, thus constructing child protection as essentially unrelated to the broader concerns of material and needs-based provision (Stokes & Schmidt, 2011). Christie and Mittler (1999) suggest practitioners should use more discourses of strengths and social needs to describe the word of both adult and child clients. They contend that conceptualising ‘needs’ as the primary focus of intervention as opposed to ‘risks’ changes the focus and scope of practice to account for structural impacts on the abilities of families to care adequately for their children (Christie & Mittler, 1999).

Thus, from these studies it can be seen how different researchers depending on their theoretical and ethical assumptions interpret similar findings very differently. They illustrate the uncomfortable position of child protection social workers who are left in a ‘damned if you do, damned if you don’t’ position, where the more fundamental question appears to be what is the proper function and role of child protection social workers? They are stuck between a discourse of individual child safety and family
‘functioning’ easily subsumed within neo-liberal governmental politics, and a ‘critical analysis’ discourse of structural analyses where the source of family difficulties lies with the lack of state provision. Overall, this section has covered some of the main issues of processes of decision-making and the consideration of structural factors in judgements regarding children’s care.

**Relationship**

Thus far, this literature review has explored a philosophical basis, the content, and process, of how workers draw on a variety of constructions to interpret client problems and determine intervention pathways. However, a final aspect for exploration is how these meanings come to be created through relationships, and how theoretical ideas that conceptualise the interrelationship between knowledge, power, and relationships can be developed.

A number of writers have emphasised the intensely relational, negotiated aspects of decision-making processes (Buckley, 2000; 2003; Healy, 1999; 2011). They propose that the relationship between social workers and clients is dynamically interrelated with the production of knowledge and exercise of power over the life of a case (Burr, 2003, Taylor & White, 2000; Bundy-Fazioli, 2009; Healy et al., 2011; Hall, 2003; 2006). Numerous studies have examined relational attitudes that, in turn, have a direct impact on judgements made throughout the case, as they position clients and workers in particular ways in relation to one another, and frame the production of knowledge about the client and their situation in ways that impact on the judgements made regarding children’s care. Thus, relationships between workers and clients occur in the context of disputable meanings and aims. The meanings given to events or behaviours are the outcome of a contingent, negotiated process that is both reliant on, and the product of, this relationship, rather than the simple application of bodies of knowledge to objective evidence (D'Cruz, 2004; Parton, 1999b). Further, as constructionist approaches emphasise, the forming of relationships is a social, mutual activity, influenced by the roles, meanings and positions of both worker and client in the child protection process, and how these are enacted through language and
dialogue (Hall et al., 2003; Houston & Griffiths, 2000). Within this constructionist conceptualisation, it becomes important to ask: how do these negotiations proceed and what discourses and practices influence them? Furthermore, if negotiated meanings between people create practice decisions, then the relationship between social workers and clients is not only important in a therapeutic sense, but as a site of knowledge production upon which the case trajectory relies.

**Relationships in social work**

While some child protection studies have already been covered above in regards to other more dominant concepts (such as risk), several that focus more explicitly on the role of the practitioner-client relationship and how it contributes to issues of judgement and decisions will now be discussed. Rogerian/humanist ideals of social work relationships are challenged by the child protection process – the involuntary nature of the relationship, the differences in perception this is likely to produce, the power imbalance, the ethical overriding of parent’s self-determination in favour of the children’s, and a focus on identifying ‘risk’ all provide a difficult context for the development of relationships characterised by partnership, participation, collaboration or empowerment (Healy & Darlington, 2009; Houston & Griffiths, 2000; Stanley, 2007). Discourses of risk are drawn on by social workers to legitimate the decisions they make, but this limits participatory relationships with clients where a forensic approach to establishing the presence of ‘objective’ risk factors may create differing agenda. Families may hold very different understandings of the meaning of intervention (Stanley, 2007, Ferguson, 2004). Bell (1999) notes that despite the consumer and rights-based approaches implicit in recent child protection legislation, that the ways abuse is investigated still provides a fundamental challenge to a worker’s ability to form participative and collaborative relationships with clients. She found that the demand to classify risk, rather than assess need meant the workers were often left with an impossible, irreconcilable task.

Thorpe (2007) found that where social workers did not do as they stated they were going to do, or return common courtesies, that this tended to damage trust in the worker-client relationship (Healy, Darlington, & Feeney, 2011). Budd (2001) found that social workers performing mental health assessments of parents being
investigated for child abuse tended to concentrate on the weaknesses of parents at the expense of focusing on caregiving competence and skill; stated general, rather than specific purposes; and often did not describe or focus on the parent-child relationship. As they point out, these assessments form the basis of service planning and case decisions. Healy et al. (2011) found that overall a number of studies of social worker-client relationships have found that:

…key issues running through a number of these studies are that interactions tend to be adversarial, with parents being placed in a position of having to respond to the case that has been made.

(Healy et al., 2011, p. 282) (italics mine)

Conversely, Spratt (2004) found that although social workers were torn between new imperatives to form supportive, child welfare based relationships with parents, and the older emphasis on risk informed by a child protection orientation paradigm, that social workers were able to form successful relationships with clients that involved considerable skill in juggling these contradictory purposes of practice. Spratt and Callan (2004) found that while a minority of clients felt the worker was just there for the purposes of surveillance and did not respect their views, that most were appreciated due to being perceived as honest, respectful, trustworthy, were easy to talk to, and concerned for the welfare of both adults and children in the family. These authors use the idea of covert surveillance/high engagement, overt surveillance/low engagement to describe their findings. Within a context where risk is managed both in stated child welfare and child protection cases, those cases where workers quickly addressed risk concerns then moved on to address any perceived parenting inadequacies were viewed as containing covert surveillance and high family engagement, while a minority of those studied were better described as having overt surveillance/low engagement. In these latter cases, social workers only focus was on monitoring risks of harm with minimal effort going into actually building engaging, participatory relationships with the family. Thus, the nature of the relationship impacted upon the methods of engagement and, implicitly, the type of information sought and recorded about the family. These studies hint at the interrelationship
between the meaning making processes, the ethical nature of underpinning discourses, and relational processes.

In a study of social work practices very similar to this one, Saint Jacques et al (2006) note the need, given the increasing emphasis in Western countries on family maintenance and returning children after short stays in care, that the skills of relationship building are of heightened importance for social workers in this difficult field. They also note the lack of research into how workers actually work to achieve these relationships. They found in a focus group study of thirty-eight workers in Canada that the broad attitudes of flexibility, openness and sensitivity to the client’s life experiences were those most felt by workers to be influential on securing parental involvement throughout the process. In the initial contact phase, they felt it was important to explain their role carefully, in particular making clear their dual care and control role. Involving parents has been found to decrease the length of time children spend in foster-care, and aids in facilitating the return of children to their parents after care ceases (Richardson, Galaway, Hudson, Nutter, & Barth, 1995).

Bundy-Fazioli et al. (2009) found in a study of power between social workers and child protection clients, that both workers and parents at times felt powerless in the child protection process, but that clients appreciated workers who used negotiated and reciprocal forms of power, rather than imposed their hierarchical power on them. They also note that the use of power in the former ways are more likely to result in productive work that finds solutions to the issues at hand, and were experienced by their participants as requiring open discussion, negotiation and emotional closeness. Other studies propose that collaborative relationships are most likely where people are constructed as having some areas of competence/strength, in addition to recognising harm (R. Jack, 2005; Saleebey, 2006; Turnell, 2008).

Maiter et al. (2006) found in a study of recipients of child protection services, that they appreciated those workers who were caring, genuine, empathetic, non-judgemental, accepting, and who went out of their way to be helpful. They propose that even considering the power imbalance inherent in the child protection worker-client relationship, these qualities can help to maintain and repair damaged relationships. Lundy (2004) points out that social workers’ attempts to increase
client’s power in the worker-client relationship is of the utmost importance. She lists essential practices to this end such as:

- using first names;
- demystifying the social work role by employing simple language and avoiding jargon and diagnostic/medical terminology;
- ensuring that clients see what is written about them and hear what is said about them; and
- protecting confidentiality. (Lundy, 2004, p. 66)

Trotter, (2002, 2004) in a large study of child protection social workers and clients in Victoria, Australia, found that role clarification and the ability of social workers to form collaborative relationships were factors in promoting positive outcomes. Positive outcomes were defined as: the worker’s perception of the family’s progress, the client’s perception of satisfaction with the service they received, whether the young person had come into care, and case closures. Those workers who were most able to work with the client’s, as opposed to the worker’s, definitions of what the problems entailed were more likely to work successfully with the clients. Trotter (2002) also provides a useful list of qualities needed to maintain a relationship between clients and child protection workers, including careful and regular discussions about their role: “...the purpose of intervention; the dual role of the worker as an investigator and helper; the nature of the worker’s authority and how it can be used; what is negotiable and what is not; and the limits of confidentiality” (p. 39). While this study was not specifically about decision-making, it is clear that the skills associated with positive outcomes were closely linked to major decisions taken about the clients’ lives. Even twenty years ago, Kinney et al. (1991) instructed practitioners working in family preservation to focus on forming an alliance with clients by way of eliciting their understandings of the problem, allay the client’s fears of being judged, discussing positives, finding out times where the client may have overcome similar problems, relate to them as a person, and allow them control over things such as the location of meetings so as to allow them some control over the process. These methods were proposed as way to build a crucial working alliance. Dore and Alexander (1996) propose that the helping alliance and relational context of practice is a crucial factor in determining outcomes with some clients of Family Preservation services, and more
research is needed on what kinds of families this is most effective for. Cleaver et al., (2007) in a study of families receiving numerous services in regards to issues of child protection, domestic violence and substance misuse found that families wanted a worker they felt was ‘on their side’ and had their interests, as well as those of their children, at heart. They valued those workers who were able to provide practical support with resources, and emotional support in the form of friendship, reassurance, and explaining the process carefully to them. An earlier study by Cleaver (1995) found that better outcomes for children were associated with higher levels of congruence between family and worker perspectives of the situation.

Howe (2010) examines how the parent-worker relationship impacts on the safety of children. He proposes that increased emotional distance between social workers and parents results in poor quality relationships that increase the levels of stress for both workers and parents. The presence of this stress negatively affects the ability of both adults to keep the children in mind as the focus of the intervention, and this ultimately reduces the level of safety for children. Finally, Fargion (2012) examines the ways in which national child protection orientations and social work cultures impact on the cultural constructions used by social workers to conceive of the aims and functions of practice. She then relates these constructions to social worker’s ability to form collaborative relationships with clients. She argues, most pertinently for the present study, that the ways social workers conceive of social work is firstly, informed by their context of either a child protection or child welfare orientation, and secondly, by a cultural style that emphasises rationality or reflective practice cultures. She argues these contexts have an influence on their ability to form functional partnerships with clients, and will either “…facilitate or discourage a synergic approach to the tasks of protecting children and helping their parents” (p. 1).

So, in conclusion, the child protection decision-making domain provides a particular context characterised by ideas relating to children’s best interests, abuse, harm, risk, family maintenance, attachment and the need for permanency for children. Relationships between social workers and clients function as sites for the negotiation of the meanings attached to each of these concepts during the course of practice. While social work values emphasise the importance of strengths based, empowering, participatory social work practice, these ideals are contestable and complex in a child
protection context. These complexities of power, meaning and relationship can be explored through the ideas of positioning, codes, and theoretical ideas around power and participation in the child protection arena.

**Positioning and power**

The ways clients’ behaviours are interpreted and the kinds of relationships social workers are able to form with them are intimately interrelated: each affects the other. The kinds of constructions applied to client’s behaviour affect the positions social workers, the generally more powerful actor in the dyad, can offer them in language, which in turn influences how they respond, or are able to respond. Participants in all social practices are offered positions through the discourses used to constitute them (Davies & Harre, 1999; Healy et al., 2011). As Burr (Burr, 2003) notes, in the process of this positioning, participants are constantly monitoring the definition of the situation:

> Participants understanding of ‘what kind of interaction this is’ will radically affect their perception of what kind of subject positions are available to them and whether they wish to claim or resist those positions. (p. 114)

This process is fundamentally affected by the power relations present in the interaction, where often one person is more powerful than the other and therefore can use discourse to discount or otherwise diminish the other person’s perspective. This positioning goes on ‘behind the scenes’ in all everyday interactions, and affects the nature of the subjectivities or identities able to be maintained, or resisted in any given situation.

While the positions social workers offer clients are often formulated as either ‘oppressive’ or ‘participatory’, there are often shades of grey. Healy (1999) outlines the nature of participatory practices required for child protection social work relationships. She argues that paternalism and participation are often paired in a dichotomous manner in the social work literature that belies the specific contextual
demands of child protection work. She points out that poststructuralist understandings of power allow us to identify ways in which workers can use power and exercise judgement in a range of negotiated ways with clients, and the necessity of such power in order to protect children who are the most powerless in the whole situation. Following Van Krieken (1992) she contends that the focus of study should not necessarily be on vilifying the use of power as if it were a ‘thing’ being imposed in a top down repressive manner, but rather accept that power is an inherent and sometimes useful aspect of the child protection relationship. She suggests that studying the forms, uses, contexts and continuums of power, and the ways in which both workers and clients exercise power within their relationship provides a better way of analysing the realities of practice relationships in this area:

The problem with the oppositional construction of participation and paternalism is that is makes it difficult to acknowledge the complexities, particularly in relation to power, that are inherent in child protection work. These dualisms leave little conceptual space in which to acknowledge those elements…particularly the productive and necessary use of statutory power, that are outside the typical definitions of participation but must be grappled with if participatory models of relevance to the field are to be developed. (Healy, 1999, p. 902)

Further, the creation of meaning through relationship, and the positioning within that relationship, are also influenced by practices. For example, where social workers and clients together write the case report, or where clients are allowed to see what is being written about them during interviews, these practices influence the production of knowledge about them by allowing them opportunities to exert influence over the ways case notes, plans and goals are constructed, positions them as co-contributors, and affects the way the social worker constructs knowledge in response to their direct and observing ‘audience’ (Lynch, 1998). This way of practising thus influences the construction of meaning within the social work context. Thus, practices aimed at empowerment also shape decisions.
**Bernstein’s codes, postmodern power/knowledge**

Another path to theorising the connections between discourse, positioning, power, relationships and judgements as they are operationalised in child protection social work is through the use of Bernstein’s codes. Rodger (1991), reminds us that words do not have meaning on their own, “…but rather their meaning is derived from ideological and institutional practices external to language, which give it shape and a location, pointing to a particular meaning or set of meanings” (Rodger, 1991, p. 77). Bernstein (1977) proposed that we interpret and position others in social interaction through the use of 'codes' that point to these meanings: anterior categories with associated discursive rules. Rodger (1991) contends that in social work these codes operate as lenses to construct the sources of people's problems and determine the level of inclusion of client's 'commonsense' knowledge or 'local theory' in decision-making. Rodger (1991) states that social workers tend to use two main codes: correctional or appreciative. In social work these 'codes' impact on social worker-client relationships in ways that either support or hinder social work's purported empowerment objectives. Others have discussed similar tensions with particular regard for the child protection context, arguing that both participation (appreciative code) and paternalism (correctional) are relevant and necessary within this particular site of practice, and that strict dichotomies between the two are unhelpful when analysing child protection social work (Bell, 1999; Healy, 1999; Stanford, 2010).

Rodger (1991) provides further analytical ideas with his proposition that the discourses used to position both workers and clients in interaction draw on these ‘codes’ according to the relative power of each in the practice relationship. Thus, relationships are fundamentally connected to the meanings we attribute to client behaviour. Rodger (1991) defines a code as:

an implicit principle which is acquired gradually and tacitly … which assists social actors to react to, select and organise relevant meanings in a given context. The code regulates the social actor’s perception of relevancy, speech, actions and reactions, in short, their discourse, and regulates the contexts in
which that discourse can be fully expressed and realized.

(Rodger, 1991, p. 70)

Where a correctional code is applied, power is concentrated in the hands of the professional, who views their role as that of correcting deviant behaviour as an agent of the state. Problems are viewed as residing within the individual, and the kinds of issues and knowledge deemed salient will be determined by the worker who uses ideas from “...professional ethics, statutory powers, knowledge of law, psychology and sociology rather than the ‘commonsense’ solutions offered by the client” (Rodger, 1991, p. 72). Relationships, when this code is in use, are characterised by an explicit hierarchy of power. The worker determines the focus and methods of intervention, and the sequence of events and timeframes for tasks. The focus is on reinforcing paternalistic dynamics “synonymous with enforcement and compulsion” (Calder 1995, p. 751). An example of this code’s use in social work can be found in the work of Lindow (2000). Lindow (2000) describes the idea of ‘clientism’, whereby just by being a client of social services, service users’ own explanations of their lives are viewed as substandard to those of social workers. The social worker’s judgements are considered the ‘expert’ and their construction of the problem or method of resolving it gains ascendency as the correct conclusion, while the possibilities in the service user’s explanations and offered solutions are marginalised.

Conversely, in an ‘appreciative code’, the causes of problems are framed as consequences of social, rather than individual issues, and boundaries between the kinds of knowledge considered as relevant will be weak. The professional knowledge of the worker is not privileged over the views and beliefs of the client. Acceptable goals are negotiated, rather than dictated. Thus, the idea of codes contributes to “… making visible, important, but differentiated, aspects of the connection between discourse and power relationships” (Rodger, 1991, p. 72). Foucault and the poststructuralist concepts mentioned above makes this connection more complex, however, in introducing concepts regarding governmentality and microcontexts to the discussion (Foucault, 1978, 1980; Sawicki, 1991). Patterns of power may begin in central structures, but they are constantly translated through chains of actors, and these actors exist in micro contexts where power may not be reproduced in expected ways. The powerful, for
example, social workers, may be in surveillance or controlling role, yet may exercise discretion or lend power to other actors, who may also take power where possible. Likewise, the actors compete for control over knowledge production, likewise emphasising the interconnectedness of power and knowledge. The discourses of any particular context, and whoever is using them, establish who will be most powerful in that context, although this may be contested. Power is not only repressive, but can also be used productively – some notions of ‘empowerment’, or rather, stories about who is disempowered, leave little acknowledgement or space for those so defined to exercise power and resistance. An acknowledgement of the potential power of service users can lead social workers to “recognise and support the capacities of service users to exercise power, rather than to focus on their relative powerlessness from a structural perspective” (Healy, 2000, p. 203). Healy notes that power is therefore, within a Foucauldian perspective (Foucault, 1979b), not just the result of top down approaches, but is expressed in diverse ways in specific contexts:

Rather than seeing power relations as merely an effect of macro structures, such as capitalism or patriarchy, post theorists recognise the micro-contexts of social work practice as sites where power is also produced. This recognition of local production of power is particularly important in challenging the tendency towards structural determinism in some modern critical social work theories. (Healy, 2005, p. 204)

Gilbert and Powell (2010) draw on Foucault to explore the use of surveillance and discretion in professional expertise. They argue that both concepts assist us to understand the complex position of social workers and clients in relation to power, where social workers may well be engaged in surveillance as part of the state’s control of the population within neo-liberal societies, however, their discretionary powers alert us to the ways power may be used in microcontexts to provide “…opportunities for resistance from the ‘bottom up’” (2010, p. 3).

So, relationship building can be considered as relating to empowerment and participation at the micro level – especially if it is characterised by a more
appreciative ‘code’, evidenced by parental participation and as much power sharing as is possible, including allowing clients to contribute to the building of knowledge about them. This value-driven aspect of building a particular kind of relationship with clients is closely linked to workers’ own value base, and the moral aims of social work to increase people’s ability to self-determine, reach their full potential and be empowered through the social work process to do so. However, this rather idealised version of social work is heavily determined by organisational cultures (Saint-Jacques et al., 2006), and the nature of the child protection context, where the assumption of participation as necessarily ‘good’ is questionable (Healy, 1999). Bernstein’s codes and Foucauldian ideas provide useful possibilities for theorising power, relationships and discourse and their complex roles in producing knowledge for judgements and decisions.

**Conclusion**

This literature review is structured around the most prominent strands of research into the nature of knowledge production in social contexts, ranging from the broad philosophical underpinnings of social constructionism, to the specific discourses in child protection social work that inform the reasoning rationales underpinning the decision-making process. While there are undoubtedly a number of areas brushed over lightly (for example, the cognitive psychology literature on heuristics and biases, framing, attention and search and naturalistic decision-making (Gigerenzer, 1996; Klein & Hoffman, 2008; Lipshitz et al., 2001; March, 1994; Schraagen et al., 2008; Zsambok, 1997), the influence of legal and resource considerations, children’s views, and the impact of discourses regarding gender and ethnicity (D. Brown, 2006; Holloway, 1994; Krane & Davies, 2000; Scourfield, 2001), nevertheless this review makes a substantial effort to avoid the ‘corralling’ effect of overly narrow research processes that over-emphasise a single factor at the expense of others. This decision reflects a commitment to grounded, practice-based inquiry that includes as many of the most dominant discourses at play in a given context within the confines of a doctoral project.

After giving a strong rationale for the broad ranging development of this literature review, this review began with an explanation of social constructionism, including its
strengths and limitations. The review then linked social constructionism with the production of decisions as situated discursive processes interrelated with subject positions, as well as stating the research topic and contextualising it within a critical best practice framework. The literature review moved on to explore critical reflection, practice wisdom and process knowledge as theoretical ideas that assist a development of ideas regarding how social workers create theory through the discursive and practice approaches available to them in their sites of practice. An inclusion of the ways moral, ethical and value positions affect this process is imperative.

An examination of concepts likely to be included in reasoning rationales in this practice context followed, namely discourses relating to children’s best interests, and ideas relating to the construction of children, childhood, and the place of family in children’s lives. The review then turned to concepts relating to risk and safety, as these figure so prominently in studies of judgement in regards to children within child protection settings. Following this section, studies of decision-making in child protection, if not already covered, were introduced, and ideas relating to decision-making processes and structural factors as they impact on decision discourses were discussed. Finally, the role of the social worker client relationship was explored, with particular regard to the ways that relationship impacts on the construction of knowledge, as the discourses used to explain client problems result in clients being offered certain positions that they respond to, depending on how much power they hold in this dialogic process. In this way discourse, relationships and power have a dynamic, interrelated cyclic effect on the production of knowledge about clients that decisions are based on. Some closing theoretical concepts were introduced as ways to understand this interrelationship. The concept of ‘codes’ from Bernstein, and Foucault’s power/knowledge and surveillance/discretion concepts all offer hope as ways to theorise these interwoven aspects of decision-making and judgement. Many of these ideas will be developed in the remainder of the thesis. This groundwork has resulted in the development of more specific and detailed research questions. These are:

In child protection social work, what discourses are used by social workers and clients to construct reasoning rationales for decisions and judgements in social worker defined ‘pleasing cases’?
- What criteria, implicit or explicit, do social workers use to define a ‘pleasing case’, and what does this suggest about how they conceive of good or best practice?
- What do these discourses used to create reasoning rationales tell us about how social workers and clients understand concepts about the aims of practice, theoretical approaches to interpersonal practice, family functioning, psychological /sociological understandings of behaviour, risk and safety, childhood and children’s best interests, the social work role, cultural issues and power?
- What are the sources and consequences of these constructions?
- What is the relationship between the discourses used by social workers and clients, and the type of relationship between social workers and clients?
- How do these discourses influence practices used to elicit and construct information about clients?
Chapter two: Methodology

Introduction

In this chapter I discuss the methodological ideas that have informed my research design, and describe the research process I undertook. I begin by connecting a concept of ‘best practice’ to the research questions, outlining broadly a social constructionist approach based on a postmodern foundation. I then describe the underpinning philosophies of social constructivism and pragmatism, before discussing the research tools I used which include critical incidents and appreciative inquiry. This chapter then outlines processes of access and data collection. This study presented a number of ethical concerns, which I discuss before describing the data. I then outline in more detail the theoretical ideas that support my interviewing style and data collection choices. This chapter continues by describing and linking conceptually my two approaches to analysis: thematic and case study, before finally concluding with a discussion of the relative trustworthiness and limitations of the study.

‘Best practice’ in a postmodern world – a constructionist approach

Wilhelm Dilthey, the philosopher, argued that:

knowledge in the human sciences is greatly different from that in the physical sciences, the second being impersonal explanations of how things work, the first being what humans think and feel as to how things work. (Stake, 2010, p. 154)

This study aims to describe the meaning making processes leading to judgements in child protection decision-making as a way of accessing “what human beings think and feel as to how things work” within that context (Stake 2010, p. 5). The study aims to describe both process and content. In terms of process, it describes the social, negotiated nature of reasoning rationales as the product of dialogic processes between social workers and clients. In terms of content, it examines themes relating to the ways all parties construct issues, events and behaviours. Further, it relates these constructions to the discursive and material environments generated by the personal,
organisational and social contexts. It also examines the interrelationship between these reasoning processes and the kind of relationship developed between social workers and clients. A further ‘twist’ to the research question is that it attempts to describe how these processes occur in ‘best practice’ examples, as judged by the social worker involved, with a view to useful knowledge generation. Each of these aspects of the research question requires careful attention to methodology so as these rather broad aims can be realised.

The purpose of these aims is to expand our knowledge about how reasoning rationales that inform decisions and judgements are constructed in a specific site of child protection practice, and make some comment about how these sense-making processes relate to social work practice within the child protection context, particularly within the relational context of social workers and clients (Ferguson, 2001). This ‘best practice’ focus does not remove the ability to be critical or analytical, but does assist in maintaining a focus on how social workers and clients negotiate shared meanings, reach pivotal decisions and therefore provide useful, practice-based knowledge about how to achieve productive decisions and relationships (K. Jones, Cooper, & Ferguson, 2008a). ‘Best Practice’ is often synonymous with the movement towards ‘evidence based practice’ as discussed in the literature review, but this study recognises that there are a number of ways of defining the term, and proposes that one important way is as defined by workers and clients, as opposed to outcomes measured by quasi-experimental means. Ferguson (2008) notes that critical best practice draws instead on ‘practice-based evidence’ that remains strongly connected to everyday practice realities and is generated through qualitative methods. He states that Critical Best Practice approaches aim to:

promote positive learning about social work by setting out examples of best practice; that is, outlining and analyzing instances where it is argued that what social workers did was done well, with all the benefits that can accrue from this for service users. (Ferguson, 2008, p. 15)
This has considerable links to the pragmatist view described below and in the literature review, as it allows workers to describe a case they considered went well. It encourages them to describe the reasoning processes utilised that contributed to the positive outcome, as well as allow analysis and deconstruction of the implicit criteria used to determine a ‘positive outcome’, thus developing theory from practice (Flyvberg, 2001). Social Constructionism and critical best practice also have considerable theoretical links. A social constructionist approach to sense-making and theory can also be clearly related to critical best practice as a framework (Jones, 2008; Ferguson, 2001; 2003; 2008). Within the critical best practice paradigm, the benchmark for good decisions is described as including these features:

- includes users’ perspectives
- contains elements of social constructionism, critical theory, understandings of power, and a focus on what is being done well
- does not undermine the family’s perspective
- creates safety for the child
- is cognisant of the need for future work to be done with the family after the decision is made
- begins with respect
- acknowledges the social situatedness of each party, and the effects of these positions on the interactions possible
- is sensitive to cultural values and understandings
- is open to various ideas about what is ‘good enough’ parenting
- is a shared process as much as possible, constrained only by the child’s safety
- must include an openness to ‘transformative dialogues’.

(Ferguson, 2008, p. 16)
Clearly many of these elements emphasise the situated, relational aspects of decision-making that rely on meaning making processes.

Thus, the methodological tasks of this study are: to access the process and content of practice decisions through identification of themes within reasoning processes; to elucidate relationships between those themes, for example, how certain constructions may contribute to certain kinds of judgements and relationships; and to critically analyse these themes in relation to wider discourses, practices and resources embedded in the context of service delivery. So, the study investigates primarily how social workers interpret and assign meaning to client behaviour, then draw on available discourses and the categories they have created, to decide what action to take. Further, it describes how these processes of meaning-making are viewed and influenced by clients in the child protection social work process, are actively negotiated and constituted between parties, and shaped by practice and material concerns. This study utilises constructionist thinking in viewing decisions as not simply the processing of relevant information by an individual in a simple linear, rational manner via cognitive processing. Instead it views knowledge as something created through social interactions that are heavily shaped by culturally defined discourses and the social positioning of the subject within them (Burr, 2003; Hosking, 2008).

A research methodology to cover these questions recognises that social workers and clients are involved in actively constructing social work in their everyday practice (Payne, 2005). In this sense what they do is what social work is, and therefore their accounts, combined with an appreciation and understanding of their context, give insight into the content of their assumptions, values, and theoretical perspectives, and how these might impact on practice (Payne, 2005).

A further guiding assumption of the research is that social workers in practice hold specific expertise that can be drawn on in practice development. Researching the ways social workers go about their everyday work gleans the practice wisdom accumulated by practitioners, and helps keep the academic study of social work grounded in everyday practice realities. It also helps extend the empirical study of
‘best practice’ according to social workers and clients; draws attention to and thus further solidifies social worker’s best practice, and in doing so assists practitioners to reflect on and develop their own practice (Bushe, 2005; Fook, 2002b; Hosking, 2008; K. Jones et al., 2008a). To do all of this within a critical best practice framework was an ambitious and perhaps foolish enterprise, however, while it may sound complicated, the logical outcome was in fact rather straightforward. As Fook (Fook, 2002b) notes, we should make the methodology fit the research task, rather than be narrowly constrained by dogmatic methodological puritanism.

Fook (2002) goes on to note that we should take an inclusive approach when deciding how best to theorise from practice, including positivist, qualitative and deconstructive methods. This does not mean ‘anything goes’, but that methods can be used that best fit the problem:

> How do we best approach the theorizing of our complex practice, when the choices seem framed in relatively rigid and paradigmatic terms? What kinds of ways of understanding theory, practice and research will cultivate best practice in uncertain contexts? (Fook, 2002, p. 80)

Firstly, in terms of theoretical underpinnings, this study is guided by postmodern approaches that critique the ways academic theorists become powerful producers of knowledge, with little regard for the ‘everyday’ theorising undertaken by social workers and clients. Leonard points out that: “Professions are socially legitimated by their knowledge claims” (Leonard, 1997, p. 97). Postmodernism challenges these knowledge claims, asserting that the knowledge of service users and practitioners is just as legitimate as that of researchers, based on an acceptance of multiple and contextual truths. Sheppard (1995) notes that: “A major set of questions which postmodern thinking poses for social work is what constitutes legitimate social work knowledge or theory, how is it best generated, and by whom?” (p. 82).

While a number of studies have found that practitioners use little formal theory in everyday practice, this study instead seeks to find out what kinds of ‘theory’ are being
used, based on a broad definition of theory as anything a practitioner uses to interpret the world before her and decide how to act upon it (Sheppard, 1995). In this sense, all action is theory–driven, and the best way to find out about it is to ask the relevant social actors and seek to understand why they act, and under what conditions their actions are intelligible. As Latour (1999) notes:

> Actors know what they do and we have to learn from them not only what they do but how and why they do it. It is us, the social scientists, who lack knowledge of what they do, not they who are missing the explanation of why they are unwittingly manipulated by forces exterior to themselves. (p. 19)

Thus, this study includes the perspectives of workers and clients as a method of subverting older ‘top down’ approaches in order to lend legitimacy to the constructions of all social actors within the given phenomenon. This is a deliberate attempt to encourage a more empowering production of theory and analysis that includes those usually less powerful in the knowledge building process (Humphries, 2009). This can be considered as one way in which the research aligns with the social justice project of both social work and social work research (D'Cruz et al., 2007). So, the study rests fundamentally on postmodernism and draws on a critical best practice framework that affects the epistemological and methodological choices made.

**Interpretive sociology, social constructionist research, grounded theory and pragmatism– conceptual links**

This research is based broadly in interpretive sociology, in particular a social constructionist paradigm, with a strong pragmatic bent. Within an interpretive paradigm, the research focus is “interested in documenting the processes by which social reality is constructed, managed and sustained” (Holstein & Gubrium, 2005, p. 483). This view is concerned with understanding actors’ perspectives, and a degree of subjectivity, on both the participant’s and researcher’s part, is accepted as inevitable. Methods are taken as just one way to gain a particular, constructed perspective on an
issue, rather than uncover a ‘truth’. Thus, within this study, the methods used accessed a variety of perspectives on the process of child protection practice decision-making, and is somewhat eclectic in its methodology in order to meet the pragmatic aims of the research – to describe the processes of knowledge construction in cases considered by workers ‘best practice’, and how this process interacts with and impacts upon the decisions, trajectory and relationships within practice. It aims to create “…meaningful knowledge to guide useful practice. Basically, constructivist inquiry provides a mechanism for producing both rigorous and relevant information for social work interventions” (Rodwell, 1998, p. 3).

Interpretivist paradigms accept that the research process involves intuitive aspects as well as rational, and that as researchers we are active co-creators of knowledge. Research can be a personal, subjective process that aims to produce knowledge that is meaningful to the communities it is embedded within (Rodwell, 1998). Stake (Stake, 2010) also notes that qualitative, interpretive research is “…interpretive, experiential, situational and personalistic” (p. 14). In this research, the process of engaging with the agency relied upon the ability to create collaborative relationships between myself, the agency, the workers and clients. This personal, relational aspect is discussed further below. Furthermore, within Social Constructivist research, the context bound nature of knowledge, or Stake’s ‘situational’, is acknowledged, and the implications for transferability explored. Thus, there is no attempt to generate ‘universal laws’, but contexts can be described and explored in all their uniqueness as one constructed reality within which certain notions are relied upon to guide action – and are experienced as either useful or useless, helpful or destructive by the participants in that specific context. Stake (2010) contends that for this reason qualitative, interpretive methods are those best able to capture professional knowledge, as the primary characteristic of professional knowledge is the situation –specific nature of how professionals utilise particular theories or rules. For this reason studies of professional knowledge are more suited to ‘microstudies’ that can adequately address the specific influences within a community of interest. This therefore can encompass case study approaches that attempt to study the interplay between context and practice (1998). Clearly this is of relevance to this study.
Witkin (2001) also works with these ideas, pointing out that an ‘outcome’ in practice is not an objective, easily determinable, measured and reproduced result, but rather, outcomes are much more complex. The production of knowledge and practices are “considered mutual activities between professionals and people who use their services” (p. 295). He goes on to point out that credible evidence is that considered rigorous according to a particular culturally specific paradigm. What is considered acceptable as evidence is governed by the powerholders of the time, as the acceptability of evidence is determined by those whose ideological and assumptive positions are deemed correct. In this case, the hierarchisation of randomised controlled trials, then other quantitative quasi-experimental methods, then positivist qualitative methods, then other qualitative approaches. This general hierarchy acts to de-legitimise those studies that tend to focus on the meanings, interpretations, practices, relationships and experiences of social service workers and their clients (Witkin, 2001).

**A word on constructivism/constructionism**

In this thesis, the terms constructionism and constructivism are used fairly interchangeably. While there are some distinctions between the two, both:

…emphasise human agency and assert that reality is socially and psychologically constructed. Both hold an interactional view of human behaviour and a connectedness between the individual and the social environment. (Rodwell, 1998, p. 19)

Rodwell (1998) goes on to note further similarities, such as a joint commitment to reflexivity in meaning making processes, and a rejection of the notion of an objective reality that can be apprehended through sensory perception. Both rely on the premise that neither cognitive nor social structures can be objectively known due to the role of language and discourse in their creation. However, while constructivism emphasises the role of cognitive schemas and their genesis and connection to the social environment, constructionists tend to emphasise the cultural, historical and social contexts as fundamental factors in creating meanings (Rodwell, 1998). She concludes
with the idea that “…it would probably be best to view constructivism and constructionism as a fuzzy set of frameworks with mainly indistinct boundaries” (p. 20). Thus they will be used in the main, interchangeably, within this thesis.

**Causality in constructivist approaches**

The context-bound nature of knowledge and the constructivist paradigm guiding it has particular implications for notions of causality. Causal linkages, in the positivist sense, are seen as:

impossible to identify in the interpretive perspective. An action may be explainable in terms of multiple interacting factors, events and processes that shape it and are part of it…all entities are in a state of mutual influence and shaping, so it is impossible to distinguish causes from effects. This enmeshment suggests that cause is impossible to identify; the most that is possible is to establish plausible inferences about the pattern of the shaping that occurs in any given case. (Rodwell, 1998, p. 17)

Stake (2010) proposes searches for changing conditions as opposed to ‘causes’, as human behaviour is often too complex to ascribe to neat causal factors. Instead phenomena should be considered as “…intricately related to many coincidental actions and that understanding them requires a wide sweep of contexts: temporal and spatial, historical, political, economic, cultural, social and personal” (p. 31). Likewise, in grounded theory approaches, the aim is to develop questions regarding, generally, not only why people think, feel and act in the way they do, but “…under what conditions do they think, feel and act that way? What are the consequences of the beliefs, feelings and actions?” (Charmaz, 1990, p. 1165).

In this study, concepts regarding causality, context and conditions are highly relevant. As a study of professional practice it fits with Stake’s constructivist ideas regarding how best to study knowledge construction and use in a situated context. In this
process, the conditions and contexts of practice must be carefully described in order for the direct data of interviews to be adequately understood. Furthermore, where the aim is to elucidate ‘best’ or ‘good’ practice, it may be tempting to ascribe causality in a manner that is too simplistic or not logically possible from the data collected. However, it does allow for a naturalistic (some would argue, realistic) description of the broad range of influences to be considered as influential when interpreting results.

Acceptance of multiple views

Social Constructionist research accepts that each position gives us a view, always partial and selective, of the situation under study (Fook, 2002b). Social Constructivist research seeks to understand the subjective meanings people attribute to things and events, accepting and exploring the range of complex and multiple meanings possibly attributable to any one phenomenon (Charmaz, 1990; Creswell, 2007). Constructivist research relies on participants’ views of the given issue, and focuses on the social and historical development of meanings within a process negotiated through social interaction (Creswell, 2007). It accepts the multiplicity of viewings of a situation, and while it uses thematic means to collate and analyse data, it avoids more reductionist approaches as it accepts that there will often be multiple stakeholders who are all sense makers in a given situation, and their differing perspectives should all be represented in some way so as some powerful voices do not act to silence less powerful others. The aim of inquiry is therefore to develop a unique and contextual body of knowledge, specific to the research participants in their specific time and place. The goal is to understand the “….emergent nature of the social worlds at the subjective, experiential level…the research showcases the meaning people give to their own situations” (Rodwell, 1998, p. 17).

This focus on specific contingent subjectivity does not preclude generalisability of the findings, but does ensure careful attention to context when doing so, with some results more easily and logically generalisable than others. For example, child protection work within a faith-based NGO in A/NZ is going to differ to child protection work conducted within the main state agency, or child protection social work in another country. While social workers’ responses relating to the broad national legal context may be generalisable (and even this may be contested), other discourses such as those
relating to their organisational ethos, specific practice tools and reactions of clients may differ significantly.

**Data collection principles**

Social constructivist research tends to produce theories or meaning patterns predominantly through inductive methods. Data collection methods are broad and open ended, and tend to focus on the processes of meaning making in a given context (Creswell, 2007; Rodwell, 1998). It often does not begin with theory, although it can be informed by literature in the field under study. However, the kinds of questions asked of participants are usually broad and seek to create a space within which participants can construct their own naturalistic accounts of the phenomenon with as much contextual detail as possible. This allows the researcher to gain an in-depth understanding of the issue at hand, rather than ‘slot it in’ to existing theory or question format (Creswell, 2007). The study of the ‘everydayness’ of practice and the implicit or ‘tacit’ knowledge contained within it is important in both social constructivist and social work practice research (Fook, Ryan, & Hawkins, 2000; Lincoln & Guba, 1985).

**Grounded theory**

Charmaz (2003, 2005, 2008) extends the study of social meaning-making in naturalistic settings with as little theoretical preconceptions as possible in her discussions of what she calls a social constructionist approach to grounded theory. Grounded theory also emphasises the need to consider context and social interaction when attempting to describe and analyse any particular phenomenon (Glaser & Strauss, 1967). While there has been much wrangling over what constitutes ‘real’ grounded theory, Charmaz reflects a number of writers where she accepts that it has become more a “constellation of methods rather than an orthodox unitary approach” (Charmaz, 2008, p. 161).

This approach moves beyond understanding the participant’s personal constructed reality to an acceptance of the ways both researcher and participant interact to coconstruct a particular version of the respondent’s worldview, and emphasises the
performatively contingent aspects of this activity. This co-construction of reality, fundamental to social constructionism, also informs the emphasis in this study not only between researcher and participant, but also between participants. That is, the dialogic production of knowledge that decisions and judgement rest on is examined as formed between the social worker, the client, and other stakeholders such as managers.

Constructionist grounded theory such as that proposed by Charmaz (1990, 2003, 2005, 2008) contends that grounded theory provides a valuable tool for considering research design when the purpose is to understand all the aspects of a particular social action (decision-making) within a specific context (child protection social work), rather than a premature focus on a single aspect of the content of that process (Charmaz, 1990). For example, narrowing in too early on risk identification, ethics in decision-making, or personal characteristics, or a narrow focus on solely discourse, material factors, practices, or technologies in exploratory studies such as this may be overly deterministic in prescribing the direction and results of the study. Constructivist, grounded approaches allow for a broad inclusion, initially at least, of all the influences on a phenomenon, limited only by the research methods and the researcher’s interpretive capabilities. For this reason, Glaser (1998) argues for the literature review to be completed either during or after the data has been collected, and using in to inform the process of theme and theory development. Also for this reason, an attitude towards data that ‘all is data’ is fundamental to grounded theory approaches, and allows for the inclusion of interviews, observations, documents, conversations, media sources, in short, anything relevant to a phenomenon, to be considered as data when generating concepts and themes.

Data collection tends to identify and then elicit the views of as many possible key stakeholders in a particular context, and includes those stakeholders as much as possible in the process of identifying the research questions and exploring methods. Grounded theory and constructivist approaches, like many other kinds of qualitative research, engage participants in an ongoing cyclical process of feeding back tentative initial findings, gaining stakeholders’ views, and then engaging in either more data collection or further analysis with collaborative input from the participants (Glaser & Strauss, 1967; Rodwell, 1998). This is often referred to as the ‘hermeneutic circle’,.
and is common in a number of other qualitative approaches where data analysis and data collection can be simultaneous (Padgett, 1998; Strauss & Corbin, 1998). In grounded approaches, for example, data analysis begins at the same time as data collection, with each informing and refining the other as the study proceeds (Charmaz, 1990; Tuckett, 2005).

In order to fully understand the context, documents and everyday observations must also be considered as data. Silverman notes that understanding the organisational context through its documentation helps to provide an “understanding of language and other sign systems” (Silverman, 2000, p. 90). Reading policy guidelines, practice tool materials and philosophical statements regarding the organisation assists with this process.

**Links between constructivist research approaches, grounded theory and social work**

Social Constructivist research utilises a number of social work skills and values. It emphasises the use of the self as an important human instrument, and through seeking collaboration with research participants, embodies social work values of empowerment and problem solving (Gilgun, 1994; Rodwell, 1998). It utilises a number of principles congruent with social work theory such as: a recognition of the context-bounded nature of reality; the interactive nature of knowing and understanding; egalitarianism; the dialogic nature of knowing; tacit knowledge; and the tentative and emergent nature of knowledge and goals of the research. Social constructivist research also draws on a number of practice assumptions associated with social work, such as the need for consensus in reconstructions in order for any resulting change to be lasting; the contextual nature of pragmatic responses; and that multiple perspectives are needed from all stakeholders for sense-making to be meaningful (Rodwell, 1998, pp. 8 - 10).

Gilgun (1994) examines the usefulness of grounded theory in the development of knowledge in three areas of social work practice: assessment, intervention and evaluation In this, she builds on the work of Glaser and Strauss, whose original work
sought to describe a method of research that had as few pre-conceived ideas as possible, and sought to work both inductively and deductively from their research data (Glaser & Strauss, 1967). The purposes of grounded theory usually reach beyond the aims of just description, even ‘thick’ description, and are critical of some ethnographic approaches because of this (Adler & Adler, 1987). Grounded theory approaches instead seek to link findings to previous research and theory, construct definitions, formulate hypotheses, and describe patterns and interrelationships. Gilgun (1994) makes a pertinent observation; that grounded theory, as it is immersed in the natural world of multiple and complex meanings, fits like a hand into glove with the realities of social work practice: “[t]his is the world of practitioners: complicated, untidy, sometimes confusing, and often intrusive and sometimes assaultive of the consciousness and cognitive and emotional space of those who practice social work” (Gilgun, 1994, p. 115).

She also points out that it allows for pattern theory that is context specific. This differs from ‘hierarchical theory’ (that gained from large quantitative studies) as this usually involves a small number of variables highly abstracted from their context. Within that paradigm, less common patterns are viewed as errors or outliers, and these are often ignored in order to make grand statements given to inviting stereotypes and absolutist statements severed from their contextual community of meaning. Therefore grounded theory is highly idiographic, focused on “…understanding situations and testing to see whether findings in one or several situations can illuminate and be relevant to their situation…the findings make no claim to be generalisable to all members of a class” (Gilgun, 1994, p. 122). Thus, it can be concluded that there are a number of similar concepts used to guide constructivist, grounded theory approaches that are especially pertinent for researching the practice world of social work.

The impact of constructivism on how data are viewed

Social Constructivist research draws attention to the method of data collection as important in terms of understanding how people ‘perform’ and position themselves differently in different settings, for example, within an interview as opposed to in writing case records (Burr, 2003; Rodwell, 1998). People use language to a variety of ends, they ‘do’ things with it, and an understanding of this must inform an analysis of
reports of social work practice as well as the process of research (Austin, 1962; C. Taylor & White, 2000). Like other forms of constructionism, a focus on language draws our attention to the functions of language and the ways language is used to draw on certain acceptable discourses to both produce and constrain any given truth, and mobilise rules of exclusion, often with regards for moral or value positions (Butler, 1998).

However, Social Constructivist research takes a highly contextual view of the study of discourse beyond the text, interview or observation, as discourses, meanings, interpretations and practices can only ever be intelligible if the everyday context in which they are situated is also explained in some detail (Creswell, 2007; Denzin & Lincoln, 2005; Hall & White, 2005; Rodger, 1991). As Rodger points out in research that focuses on the generation of meaning in client-worker relationships: “A methodology which focuses attention on language unlocated in the social context which shapes it is inadequate. Language should be located within the field of discursive practices which generate meaning in professional/client relationships” (Rodger, 1991, p. 65). Fook (2002b) notes, for example, in theme development, that this cannot occur in a vacuum, “…but ultimately in relation to current thinking and discourse around a phenomenon” (p.90). In this way, Social Constructivist approaches can be used to provide a depth of analysis that firstly describes the themes of practice reasoning in some detail, then analyses them in relation to the broader context. In this way, the analysis examines the ways knowledge as a social product is created in the practice environments (Charmaz, 2005; Fook, 2002b). Constructivist research promotes a reflective approach to the ways we as researchers are also active co-constructors of knowledge both between ourselves and our research participants in data production, and in the data analysis process (Charmaz, 2005). Acknowledging this encourages the researcher to state clearly the processes of data gathering and analysis, considering the impact of these on the content of data obtained (Creswell, 2007). Finally, Social Constructivist research (like most qualitative research) recognises the researcher’s own background and the position this gives her in relation to the topic.
Pragmatism

In addition to the broad social constructionist paradigm, this research could also be described as pragmatic, despite its exclusive reliance on qualitative methods (Creswell, 2007). Some authors identify pragmatism as a trait of social constructivist research, and link this to the aims of social work to produce knowledge that is relevant and useful in practice development (Rodwell, 1998). This applies in this study because the research seeks not only to describe the meaning making processes of practice, but identify those that could be considered as ‘best practice’ or ‘worker and client defined good practice’. Further, it intends to explore the interaction between ways of assigning meaning and their consequences for the worker-client relationships and decision content. This focus on ‘what works’ and the possible applications of the outcomes of the study also guide the selection of methods used (Creswell, 2007). Pragmatists, like Social Constructivist researchers, agree that research occurs within a social, historical and political context (Creswell, 2007). They are less concerned than Social Constructivist researchers with relativist vs objectivist views of reality – truth is what works at the time. They concur with Rorty that questions about what counts as reality are less relevant than the utilitarian consequences of research (Rorty, 1980), and because of this they are ‘free’ to choose research methods that achieve their stated aim, rather than constrained by a particular philosophical worldview (Creswell, 2007; Rorty, 1980). This pragmatic approach can be seen in this study as a number of research methods – critical incidents, case studies, document study, and observations – are used to adequately answer the question as to how workers and clients make sense of events and negotiate meanings and decisions in the child protection practice process.

Accessing practice worlds

This section explains how the broad philosophies explained above informed the choice of data methods and collection tools used to access the practice world of workers and clients.
**Practice context – reading, observation, interaction**

Firstly, within a constructivist paradigm, the practice context had to be understood in order to understand the sources of discourses and establish their meaning in this specific social location. In order to achieve this, a review of the child protection context including legal parameters within A/NZ was undertaken. This included research into existing literature, current legislation, and the complex child welfare systems that incorporate both statutory and NGO organisations in this country. Governed by the CYP&TF Act 1989, both Child, Youth & Family and NGOs carry legal powers to intervene in family life, however, NGOs are often also contracted to the Ministry of Social development and Child Youth & Family to provide supportive family services as well. This background is incorporated into the literature review and was used to assist in analysing and interpreting the participant accounts and site observations. As per Glaser’s ideas on literature reviews (2008), the literature review’s philosophical ideas and basic research questions were generated before data collection began, but much of the more specific literature developed alongside and after data collection, thus contributing to the data collection and analysis processes.

A document review of the organisational policies of the organisation selected for the study (Open Home Foundation NZ) was also completed. This contributed to an understanding of the espoused underpinnings of their practice philosophy and practice tools used. The document review helped establish an understanding of their broad faith–based character, the use of strengths approaches, the Signs of Safety approach, and their Maori model of practice. The three managers from Open Home Foundation who negotiated access with me (discussed more below under ‘access’) were met with and conversations whereby the ways the agency was funded, their contracting requirements, their espoused philosophical position, their practice tools and their general approach to practice were further outlined. Site visits extended this knowledge, making plain the interaction between central formal structures, guidelines and policies, and practice at diverse sites. Fieldnotes and memos were used to document access to this broad contextual environment. These were referred to within the data analysis process.
**Critical Incident Approach**

In order to meet the aims of critical best practice and social constructivist approaches, an adapted critical incident approach was chosen, as other child protection practice researchers have done (Palmer, 2003; Stanley, 2005). The aim was to elicit data that could be analysed both inductively, that is, to building themes or patterns from a naturalistic account, but also deductively, as the ongoing literature and policy reading highlighted particular issues likely to impact on decision-making, such as risk, relationships, ethics, morals, emotion, and specific practice tools, in particular the Signs of Safety approach used within the agency. With this in mind, I adapted the analysis process to these ends.

The critical incident technique is a useful tool to elicit a concrete, naturalistic account of a case, as is important in Social Constructivist and practice based research (Fook, 2002b). Whilst not called a critical incident approach, other approaches used in decision-making research, in particular those associated with the naturalistic decision-making (NDM) tradition also use qualitative narrative accounts of specific cases to investigate how professionals make decisions in practice situations (Lipshitz et al., 2001; Zsambok, 1997). A critical incident technique aims to access practice experience in as natural a way as possible through less structured narratives, rather than relying on artificial prescriptive or categorisation measures (Flanagan, 1954; Norman, 1992). It aims to collect information about human behaviour in a way that will “…facilitate their potential usefulness in solving practical problems” (Flanagan, 1954, p. 328). Of course no method is able to access a ‘pure’ reflection of practice, but some methods are more likely to elicit the ‘tacit knowledges’ implicit in practice than others – thus a semi–structured interview based on the critical incident technique was chosen (Byrne, 2001; Fook, 2002b).

A Critical Incident approach gains a detailed description of a single case process, and is often used to gain practice examples from a range of disciplines in order to identify aspects of both good and bad practice. In the original technique, data can be collected by either interviews or direct observation, as well as check ‘factual data’ against the accounts (Norman, 1992). For example, in this study some reported ‘facts’ were taken as given, for example, the fact that the child currently was in care or remained at
home. Kemppainen (2000) describes three main criteria required for an incident to be described as ‘critical’: the incident describes the circumstances around the event; the incident description covers the interactions between workers and others involved in the case; and the behavioural outcomes that were the result of the event are clearly described.

These criteria were all elicited through the questioning approach I undertook, with some extension to directly address those that may have not been covered in the narrative of the case (described further below). However, the original technique has been both criticised and adapted in modern times as some researchers struggle with the objectivist assumptions inherent within it. For example, the criteria that the consequences of the incident are definite and can be known is problematic, as is that treatment of narrative data as reflecting facts with little discussion of the constructed nature of reported accounts (Byrne, 2001). This is a criticism to which traditional versions of other methods of theory building from qualitative data, such as traditional grounded theory, have also been subject (Charmaz, 2005).

In this study, social worker participants were asked to describe a case they felt ‘pleased with’, was ‘fairly complex’, and in which they had to make decisions (see appendix one). While this was followed by specific question probes, it represents a constructionist version of the critical incident account, where the ‘known outcome’ is that as reported by multiple participants, sometimes with accepted discrepancies between them. The selection of ‘good practice’ is related to a range of criteria as determined by social worker participants. The restriction to a single case, however, allows for linkages between different stakeholders to be made, as well as internal coherence over time for each narrative as the constructions, interpretations and actions taken are related back to a single family as they pass through the child protection process. This assists in making sense of the data obtained, as it is related to actual events that demand participants to describe in depth their reasoning in relation to a specific example. This provides helpful analytical contextualisation, rather than that that could be gained from either abstract questions about decision-making in general, or even that gained from a vignette. While vignettes were considered as another possible way to examine decisions, they were eventually rejected based on a commitment to making the practice examples as closely related to actual practice as
possible, whereas in vignette studies case information may be incomplete, leading or misleading, unconnected to important resource constraints, legal status issues, specific family situation situations/constraints, or changes over time.

**Appreciative Inquiry**

Appreciative Inquiry provides another methodological interviewing tool to steer the research towards the goal of eliciting critical best practice. Appreciative inquiry is a technique that began in the organisational and management field. It sought to move beyond the deficits of organisational consultancy and management that often focused on problems within an organisation and sought to ‘fix’ them. However, this method seemed to simply entrench those very problems it sought to remedy. So, based on the same theoretical basis as social constructionism and solution-focused theory, Appreciative Inquiry seeks to find out in organisations what is going well, how the times things were going well was achieved, and how workers can replicate that dynamic in their ongoing practice (Bushe, 2005; Cooperrider & Whitney, 2005). It is based on collaborative enquiry around interviews about practice and uses affirmative questioning processes. It aims to elicit accounts that co-construct a version of reality that affirms the best of what is already happening within an agency. It claims to be a “…relational process of inquiry, grounded in affirmation and appreciation” (Rahman, 2012). It has been used in social work supervision and management for some time, particularly in agencies that use solution-focused practices in other parts of their organisation, and is also strongly connected to constructionist practices such as solution-focused, narrative and the ‘Signs of Safety’ approach used in a number of child protection contexts (Child Youth & Family, 2009; Cojocaru, 2010; Hawkins & Shohet, 2006; Open Home Foundation NZ, 2005; Turnell, 2008).

Little has been written about its use in social work research, (apart from Bellinger – see below) rather than as an intervention or supervision tool, although it can be found in both the constructionist and action research literatures as one aspect of the new ‘positive programme’ in social sciences (Gergen, 2001; Ludema, Cooperrider, & Barrett, 2001). These writers argue that an organisation is like an “open book, which is continuously in the process of being re-authored…we can inquire into the nature of alienation or joy, stress or vitality, conflict or cooperation, and the topics we choose
and the questions we ask are fateful. They set the stage for what we later ‘find’ and ‘discover’ (Ludema et al., 2001, p. 189). They go on to argue that the research act holds ‘generative capacities’ that can help co-author a form of social life beyond the more traditional critical research that often sets up unhelpful dichotomies, erodes community, and creates social hierarchies (Gergen, 1994). Instead, through focusing on what people experience as helpful, joyful and life affirming, the best aspects of social life can be built on and solidified.

So how useful is it as a method of researching social work practice? There are several theoretical issues that require some discussion to this end: firstly, is appreciative inquiry into ‘what works’ an appropriate research tool when the goal is to uncover ‘best practice’? Or does Appreciative Inquiry produce a ‘pollyanna – ish’ naivete in researching practice that overlooks important deficits, power inequalities, multiple, conflicting views and structural problems? (Grant & Humphries, 2006). As with all research approaches, in what ways does it work to silence some voices while promoting others? How does it influence the kinds of knowledge produced? Does the process of establishing that knowledge, and the knowledge itself further the justice and emancipatory aims of social work? (Humphries, 2009) If we accept that all research rests on epistemological assumptions that are contestable and have certain consequences, what are those epistemological assumptions and what are their consequences? Can it be combined with other approaches in order to counter the possibility of overlooking critical issues? (Denzin & Lincoln, 2005). One writer explores this as a tool for social work research, emphasising its use as a method of contributing to reflexivity and professional autonomy against the growing tide of managerialist approaches that tend to focus on deficits (Bellinger & Elliott, 2011). They note its usefulness in “…defining, locating and promoting examples of good practice”, as well as its impacts on both the types of knowledge produced and the process by which it accomplishes it (Bellinger & Elliott, 2011, p. 708). They go on to note the congruence between appreciative inquiry and strengths orientations in social work practice, and the potential it has to “…allow good practice to be defined by stakeholder experience and embedded in programme culture” (Bellinger & Elliott, 2011, p. 710).
Both critical best practice and appreciative inquiry can be linked to the social constructionist movement (Bushe, 2005; Cooperrider & Whitney, 2005; Ferguson, 2008; Gergen, 2001). This theoretical basis emphasises the nature of reality as being discursively and ideologically produced, influenced by myriad and complex relationships of power. Critical best practice, social constructivist research and appreciative inquiry all accept that the research act in and of itself creates something new in the environment or issue under study, as the very act of asking a research question co-constructs a version of reality (Cooperrider & Whitney, 2005; K. Jones et al., 2008b; Rodwell, 1998). The act of inquiry and intervention are seen as intimately connected. That is, the kinds of questions asked are not only aimed at finding out about the issue at hand, but are taken as part of the dynamic between the researcher and participant in co-creating an account of practice. However, appreciative inquiry moves beyond this description of constructionist approaches in general to propose that if the act of questioning is co-constructing reality, then how should we use that act of questioning shows an awareness of its powerful role in the production of knowledge? What ethical issues does this raise for research? (Ludema et al., 2001). This imbues it with a sense of moral or ethical purpose. Thus, if the question asked is “Tell me about the problems associated with…”, the description of ‘the problems’ can conceivably strengthen and solidify those problems, as well as produce an account devoid of anything that might be considered functional. Conversely, the question “Tell me about what you find works for you in…. will not only elicit a different answer, but produce a more helpful version of reality. In appreciative inquiry, a description of positive outcomes will then be prompted with encouragement and a search for detail.

In this study, Appreciative Inquiry helped frame the initial question and influenced some of the follow up questions. It did not utilise a full-blown version of appreciative inquiry, nevertheless it influenced question choice and framing. It influenced the initial question that asked participants to describe a case they were ‘pleased with’. Within the semi-structured part of the interview when a participant described something they had achieved, or felt was a success in practice, I would make comment such as ‘Gee, that must have been really difficult! How did you do it?’ The use of appreciative inquiry also has links to pragmatism and constructionism via its acceptance of situated knowledges, and explicit inquiry into positive perceptions/constructions. If we are sceptical about all ‘truth claims’ of interviewees,
then what, exactly, should we be trying to discover? Should our efforts be directed at finding out not just what the participant’s truth is, but what was the most useful version of events, the most ‘pragmatic truth’, that is, that most useful in reaching their desired end in an ethical manner? (Pocock, 1995). Of course, our ‘stories’ are never free from either the acceptable discourses found in our sociocultural context, or completely divorced from an external concrete reality (Pocock, 1995). In this, we look for the ‘best story’, the one that most adequately fits our experiences and environment. In the act of research interviews, therefore, we must consider the ways our questions produce knowledge in a particular way, that is, information about how social workers and clients perceive, interpret, reason, form collaborative relationships and bring about personal change in the child protection process, but secondly, in recognising the dynamic exchange between researcher and participants, what is the most ethical way of questioning them so as their ‘best’ practice exemplars are elicited and enhanced?

If we accept that we are simultaneously inquiring and intervening (in the broad sociological meaning of the term, rather than the social work one) then in what ways should we direct our inquiry, and to whom, so as the resulting intervention and production of knowledge is most congruent with social work values? The issue for research becomes an ethical one: which way of approaching research is most likely to promote empowerment and the social change ideals held dear to social work as a profession? As constructionist writers have commented, any research position holds implicit ideas about the nature of the problem being researched, and inevitably conveys a value position (Humphries, 2009). Much child protection research, for example, framed as a way to find out ‘what went wrong’ in child death enquiries, delimits the research task in entirely negative terms, that is, what should not have happened, but provides little guidance as to what should have. Humphries (2009) notes that social work research is never a neutral activity. It is inevitably “imbued with values of researchers, institutions and governments, and its processes reflect those values” (Humphries, 2009, p. 308). She argues it is always political, reflecting what is considered normal, true, legitimate knowledge and who is a valid 'knower' (p. 308). Thus, if social work considers itself to be actively concerned with social justice, we have an obligation to include such a moral purpose within our research methodology so as oppressive structures are engaged with, challenged and changed.
Fook (2000) notes that when researching frontline practice, descriptions that are as concrete as possible are desirable, as this helps “minimise the perception that the worker’s practice is being evaluated against formal theoretical discourses” (p. 88). Appreciative inquiry also emphasises the need to ask for concrete detail, as it asks continually ‘how did you do that’, and uses a description of detail to illuminate practice actions. Appreciative inquiry would argue that this not only retains close links to the practice world, but assists the participant and researcher to strengthen their understanding of how particular actions and behaviours are linked to particular outcomes. This ‘noticing’ of the links helps both parties continue with actions that have positive outcomes, and has striking similarities to the work of Schon, who proposed that reflective practitioners are able to build theory from their everyday practice activities as part of a ‘learning cycle’ (Schon, 1983). Central to his theory (covered more fully in the lit review) is the notion that professionals often have a gap between their ‘espoused theory’ and their ‘theory in use’. He argues that by making more explicit the connections between the two, practitioners are able to adjust either kind of theory to make their approach more congruent and transparent.

In acknowledging the possibilities for knowledge creation from experience, these ideas directly challenge the “ruling epistemology, which tended to privilege knowledge created through a more ‘objective’ research process” (Fook & Askeland, 2006, p. 41). In this, Schon’s ideas underpin many attempts to build practice theory directly from practice experience through the development of ‘exemplary templars’ (Schon, 1991). As discussed more fully in the literature review, the production of knowledge through approaches like reflection and appreciative enquiry, resting as they do on a subverted cultural reasoning about ‘correct’ and effective methods of producing ‘evidence’, is likely to be read as subversive, lacking rigor, or naïve. However, they may be more useful in creating practice based knowledge that reflects more adequately the complexities of practice, elucidates tacit theory in use, and identifies useful concepts and practices that can contribute to practice development.

**Case Study approaches**

Case studies are underpinned by qualitative, interpretive, naturalistic and holistic perspectives (Creswell, 2007; Gomm, Hammersley, & Foster, 2000; Yin, 2004). Case
study approaches fit the idiographic, contextual focus of much social constructivist and 
postmodern research, as they allow an exploration of the context within which action 
and discourse are made intelligible (Creswell, 2007). Case studies typically focus on a 
single unit that is studied in depth. That unit may be an individual, a family, a 
community or an organisation (Stake, 1998). We study a case to learn entirely about 
its unique messages but also as an illustration of the wider themes we may be 
investigating. The addition of case studies strengthens the reliability of the research 
by including the perspectives of multiple stakeholders, and helps provide a depth of 
data grounded in a multiplicity of viewings of the situation (Strauss & Corbin, 1994). 
In ten cases in this study, at least one other stakeholder was able to interviewed in 
addition to the case social worker. While many of these were incomplete due to 
access problems (children too young, parents not available at suitable times, in prison, 
not currently involved in child’s life etc.), these collective case studies nevertheless 
provide theoretical refinement and insight into the more general themes identified in 
the social worker accounts. They are in this sense instrumental cases whose purpose is 
to develop a depth of insight into the meaning-making process of coming to decisions, 
as well as tracking changes over time as each case progresses (Stake, 1998). Case 
studies also provide important ‘deviant’ cases that can be examined closely as a way 
of comparing and refining theory and themes about practice. They can also be used to 
build theory about the issue at hand, illuminating the social processes involved, and 
have been used to investigate client attitudes towards workers (Beresford, Croft, & 
Adshead, 2008; Eisenhardt, 2002).

In this study, each case was examined as a unit within which there were multiple 
stakeholders including social workers, parents, children, foster-caregivers and 
managers, and as many of those actors as was possible were interviewed. This applied 
to ten cases (described further below), and included twenty-four interviews.
Research Design

Building collaborative research relationships alongside data collection

As described above, data collection in Social Constructivist, grounded research in general should entail gathering as many perspectives as possible and engagement with participants is crucial in the process of generating and analysing data (Rodwell, 1998). In this section I will explain the processes of collaboration and data collection used in this study in more detail, and how these processes reflect the philosophies, theories and tools described above.

The social worker and client interviews used in this study were a convenience sample drawn from a large NGO providing child protection services in A/NZ as a registered ‘child and family service’ (as per the relevant legislation – the CYP&TF Act 1989). This provides it with the necessary legal status and commensurate funding arrangements that allow it to engage in child protection social work activities such as assessing family need, referring for Family Group Conferences, applying to the Family Court for orders (both with and without parental consent) and providing foster-care services. The research was conducted between 2008 and 2010. However, building a collaborative research relationship with the organisation was not a straightforward task, and in child protection practice in particular, access to participants presents its own set of problems. As Sheppard (2004) notes: “[t]he process of gaining and maintaining access can have profound implications for the nature of the research you are able to do” (p. 164). A statutory child protection agency was approached first for access, but this was declined before a formal research proposal was even submitted. The reasons given were predominantly concern about any possible negative findings and how they may reflect badly on the organisation concerned in the public media. Even a ‘best practice’ research design was considered unacceptable (Field, 2008).

This highlights the tensions in the child protection context, where practice takes place under intense public scrutiny that can result in some organisations acting to limit potentially negative findings (or even perceived negative findings) regarding their
practice. This is the context within which all research in child protection operates in A/NZ, and is both an effect and contributor to the ‘risk’ society previously described (Webb, 2006). This general context limits what research is possible, and I had to consider to what extent I was prepared to limit my research methodology to account for it. Within a politically charged context, methodological concerns can scarcely escape being shaped by competing tensions. In this study, these tensions included: a desire to retain one’s academic authority and integrity, that is, to be allowed to critique and report one’s findings openly and honestly; a knowledge of how the research might be viewed and controlled by organisations themselves in terms of refusing or limiting access; consideration for the impacts of the research findings on the participants themselves: would the social workers be subject to censure or pressure from management or wider social/media expectations? Would clients be concerned about their future access to the service? How would potentially negative findings be managed? These were all ethical concerns that required consideration within the methodological process.

A major decision at the point of the first agency’s refusal was to access workers through other means, for example via the National Association for social workers. However, most statutory child protection workers would not have responded to this, given many are bound within their employment contracts to not partake in research that has not been approved by their organisational management. Those working in the NGO sector may not respond where there is no clear benefit to, or engagement with, their organisation. Furthermore, I knew I wanted to access clients as well and this would have been difficult to achieve via social workers accessed in this manner, as if workers were already breaching their employment contracts to take part in the research, they would not have been able to provide contact with their clients, even with client consent. For these reasons, I decided to approach another Child and Family service.

The NGO I approached, the Open Home Foundation NZ, I selected due to its position as one of the largest child and family services in the country, and its legal status as a child and family service (described above). It has offices in most main cities, and is the only child & family service nationally that exercises all of its statutory powers in relation to child protection practice throughout the country. It was also at least open to
the idea of a research study. I contacted the national CEO and then prepared a written research proposal (see appendix two). I was concerned from the beginning for the organisation to be treated as a collaborator, rather than just the object of study, as per social constructivist and social work research that aims to empower participants and produce meaningful findings for the context they are generated in (Humphries, 2009; Rodwell, 1998). Thus, the research aims and process were set out clearly but tentatively, with the formation of a reference group within the organisation an important first step in developing an ongoing research conversation throughout the research process (Strauss & Corbin, 1998). The proposal included an outline of potential risks to the organisation and how they would be managed. The purpose of this was to offer reassurance as to my intentions, by outlining my value position of dealing in as open, transparent and collaborative way as possible. I also included a brief biography. I felt this was important in establishing rapport, beginning trust, and acknowledging explicitly from the beginning the ways my personal background influences the way I view the purposes and methods of research, and conduct research.

I then travelled to the National Office and presented my ideas to the National Practice Manager, the National Cultural manager, and the organisation’s lawyer. This afforded me valuable feedback on the research questions and aims. This meeting began the ‘hermeneutic cycle’ of negotiation and essentially, began the process of data collection specific to the agency. Following this, I considerably re-shaped my research questions to move from a sole focus on constructions of meaning to include how relationships between workers and clients were affected by, and contributed to, the construction of meaning. It also began to alert me as to the inter-relationships between the organisation’s Christian ethos, and the two core practice tools used by the agency: the Signs of Safety (Turnell & Edwards, 1999) and Te Aho Takitoru, a Kaupapa Maori practice model for working with whanau Maori (Open Home Foundation NZ, 2005). Documents outlining the vision, practice tools and policies were provided to me. The ways these meetings influenced my ongoing development of the research questions and early development of codes is common to both constructivist and grounded approaches, where these emerging understandings of the context, and inclusion of many kinds of data, allow refining of the data collection process and analytical concept throughout (Charmaz, 1990).
I negotiated a Deed of Confidentiality at this point with their CEO and lawyer (see appendix three). I was concerned to have the academic freedom to publish anything I wanted to and was unwilling to concede a ‘power of veto’ to the organisation as is required by other child protection agencies allowing access to researchers. The CEO, while acknowledging his reservations about doing so, agreed to allow me this freedom, but on the proviso that he would have the opportunity to view a draft of work pre-publication, have some negotiated input into the analysis, and be able to control whether his organisation was identified in any way in resulting publications. This was acceptable to us both. I then applied for, and obtained ethics approval from the University of Otago’s Human Ethics committee (see appendices four and five). When I began to publish the findings, I asked the organisation directly if they wanted to be identified in publications. My perspective was that the choice was completely up to them: I was not wedded to either outcome as it was not important to the findings. However, I was aware that it would be somewhat difficult to maintain their anonymity if they wanted that in a country this small, particularly in the constructivist methodology where there is some description of the organisation as an important contributor to the discursive context. However, they decided that they were happy to be identified directly as part of their commitment to transparent practice, and thus were acknowledged in subsequent publications including this one.

**Sampling procedures**

Sampling was purposive as the agency was approached due to its work in child protection, and in terms of interview data, there were set criteria for the characteristics required of participants, and in terms of the kinds of cases accessed (Alston & Bowles, 1998). Sampling was also purposive in that the offices selected were chosen from within the same organisation to allow the organisational context of meaning making to be coherent. The sites chosen were from around the country to give a geographical range in order to access a range of demographic characteristics. Finally, office sites were selected by the National management as those not under any immediate crises such as staff changes, audits, or additional stress.

Social workers from seven different offices were invited to participate and most agreed. I travelled to each site, making field notes of observations at each office,
noting emergent themes and ongoing questions that arose as I went. I attended staff meetings, observed SoS consultations, and was able to engage in informal conversations with staff throughout the days I spent in each office (usually 2-3). The exceptions were two offices where I only went and interviewed a single person and left soon after due to time/travel constraints. After five offices, it was clear that I had only one Maori social worker, and so the final two offices visited were selected for their high numbers of Maori staff, and only Maori staff (the majority) in those offices were interviewed.

Interviews were not the only data source. Other sources of data used to capture the context of social worker accounts and allow a ‘thick description’ for the case studies included informal observations of team meetings and case consultations. Another source of data were documents pertaining to the structure of the agency: their practice guidelines, aims, theoretical underpinnings and practice approaches. Some case notes and Signs of Safety planning sheets were also observed. Field notes were recorded as each office was visited. Another source of data is knowledge of the wider child protection context in A/NZ including knowledge of current legislation and government funding priorities that impact on how practice is enacted.

Ongoing member checking via follow up questions emailed to each office, and conversations with the reference group throughout all can be considered as ‘data gathering’ within grounded and constructivist methodologies. These processes impacted on the interviews in that new questions were added, for example, a question was added very early in the process as to how impasses were overcome between social worker and families, as this was found to be a crucial aspect of eliciting succinct meaning conflicts, as well as how they were resolved in the relationship. Initial exploratory meetings with the agency managers also alerted me to the practice tools that led, for example, to a specific question being asked regarding the Signs of Safety approach, rather than just ‘risk’ in general. This alerted me to the fundamental discourses surrounding safety and risk construction within this specific child protection context, thus introducing them as ‘sensitising concepts’ for me to consider throughout the research (Blumer, 1986; Charmaz, 1990). The inclusions of questions directly relating to risk, safety, and relationships were part of the process of development of categories, and these were further developed through memo writing.
Memos provided a way of developing initial analytic ideas and considering the connections between simple codes.

**Interview procedure**

I met the social workers as a group in team meetings and explained the study to them. I explained that I was interested in investigating their reasoning processes when making decisions in child protection practice. Those interested were invited to participate. They were then interviewed using a semi-structured interview based on a ‘critical incident’ in order to elicit a concrete, naturalistic account of a case (Fook, 2002b). This free narrative was then followed up with specific question probes aimed at eliciting in more detail the information most likely to answer my general research question, as they focused on particular aspects relevant to decision-making, judgement reasoning, and how these were mediated through the worker-client relationship. Basic demographic data was gathered orally, then a series of open-ended questions were used as probes to guide the conversation (see appendix one).

Clients – that is, parents, foster-caregivers and where possible, young people, were initially approached by their social workers and asked if they were interested, then contacted directly by the researcher to explain the study further and invite participation. Some social workers did not want to approach their clients as they felt they did not want the intrusion of a researcher at that point in the practice process, or they had finished with clients and felt it was intrusive to ask them to participate now that they had finished practice with them. One worker was using the same case for his competency purposes and did not want his client exposed to two rounds of questioning regarding his practice (from the researcher and the competency panel). Another client was willing to participate but was not available on the days I was at that office. Those who chose to participate (relating to ten of the 22 social worker accounts) were asked why the decisions made about their families had occurred, their view of those decisions, and several questions about their view of the relationship they had with their worker (see appendix one). In this manner multiple views about the same situation were accessed. All interviews were transcribed verbatim. The client interviews were returned to them in hardcopy to check and amend. Social worker interviews were summarised into basic patterns and this generated a number of
questions and comments that were sent as feedback to all social worker participants via email. One office responded with further comments.

**Description of respondents**

Twenty-two social workers were interviewed, as well as fifteen other stakeholders from ten of the cases identified by workers.

In terms of the characteristics of the sample, of the twenty-two social workers interviewed, 86% were female. This group included seven in management or supervisory roles. The range of experience in social work was from one to twenty years, with a mean of 7.1 years (SD 5.5). Nineteen (86%) had professional qualifications in social work, and/or professional competency as determined by the National Association of Social Workers. They had a range of ethnic and national characteristics: thirteen were NZ European/Pakeha, five NZ Maori, one Pacific Islander, three were other European, and one Canadian metisse (one person gave two ethnic groups). In the heterogeneous group of other stakeholders interviewed, (n = 15), twelve were female and three were male. Eleven were NZ European/Pakeha and four were NZ Maori. This group included parents (n = 7) foster-caregivers (n = 5) and young people (n =3). Of the biological parents, six were women and one was a man. Of the foster caregivers, all were women, and of the young people, two were boys and one was a girl. Six out of twenty two cases discussed concerned children with at least one Maori parent.

The interviews collectively resulted in twenty-three cases discussed by social workers, (one discussed two separate cases) and ten case studies where at least one other stakeholder in addition to the social worker was interviewed. For example, in one case study the worker, mother, and young person were interviewed, creating one case study. The case studies were built up to create a ‘thick description’ of each case by eliciting the views and perspectives of as many relevant stakeholders to the case as possible. This added an element of triangulation, by allowing comparison of the social worker accounts to client accounts (Creswell, 2007).
Table 1: Characteristics of the Social Worker respondents

<table>
<thead>
<tr>
<th>Gender</th>
<th>N = 22</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Male</td>
<td>3</td>
<td>14%</td>
</tr>
<tr>
<td>Female</td>
<td>20</td>
<td>86%</td>
</tr>
<tr>
<td>Ethnicity</td>
<td>N = 22</td>
<td>%</td>
</tr>
<tr>
<td>NZ Maori</td>
<td>5</td>
<td>23%</td>
</tr>
<tr>
<td>NZ Pakeha</td>
<td>13</td>
<td>59%</td>
</tr>
<tr>
<td>Pacific Island</td>
<td>1</td>
<td>4%</td>
</tr>
<tr>
<td>European</td>
<td>3</td>
<td>14%</td>
</tr>
<tr>
<td>Other</td>
<td>1</td>
<td>4%</td>
</tr>
<tr>
<td>(Canadian metisse)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>23</td>
<td>104%</td>
</tr>
<tr>
<td>(PI/NZ Pakeha counted twice)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

| Professional qualifications | 19 | 86% |

Ethics

There were a myriad of ethical issues involved in this Study. Ethical approval was granted by the University of Otago Ethics committee, and confidentiality and consent procedures were included in the Deed of confidentiality with the organisation (Appendices three, four and five). It was explained to workers that their participation was not compulsory (as it had some mandate from the organisational management) and likewise clients were advised that their participation did not affect their current or future involvement with the agency. However, there were a number of ethical issues that became apparent as the study progressed. These were primarily around issues of
Access, consent, the position of myself as the researcher, confidentiality, and interviewing children and young people.

**Access**

Accessing the organisation via the national management structure, who then approached site managers, who then approached workers, who then approached clients, presented some ethical issues around consent and data shaping. I was concerned that his top-down approach might have led participants to feel either under investigation, or pressured by their employers to participate. I alleviated this to some extent by assuring workers and clients that they were free to take part or not, emphasising the voluntary nature of the research when I was on site, and employing an open interviewing style (discussed further below). However, these techniques cannot allay the inevitable set of power relations we are all embedded within in the research task. There is no ‘pure position’, all are shaped by the ways access is undertaken. Access issues around Maori social workers were also somewhat fraught. Despite including an extra two offices in order to access more Maori workers and ensure a representative sample, this excluded those workers from those two offices who were not Maori – so in some ways a method designed to include more Maori workers meant different sampling processes at different offices, that is, between the five where anyone who wanted to participate could, to two where only Maori workers could participate.

**Reflexivity, power and positioning: ethical concerns**

Reflexivity for research purposes has been described as the ability to

…engage in explicit self-aware meta-analysis…although not always referred to explicitly as reflexivity, the project of examining how the researcher and intersubjective elements impinge on, and even transform, research, has been an important part of the evolution of qualitative research (Finlay, 2002, p. 210).
An important aspect of this intersubjectivity is the expression of power as categories and identities are negotiated with each other in various ways through the process of conversing (Burr, 2003; Gergen, 1989). As Wray-Bliss (2003) notes, researchers even in qualitative and critical traditions rarely reflect upon the power relationships they find themselves entangled within. Foucault notes in one of his ‘methodological precautions’, that power is “employed and exercised through a net like organisation. Not only do individuals circulate between its threads; they are always in the position of simultaneously undergoing and exercising this power” (Foucault, 1976, p. 98). As we engage in conversations with research participants, we are constantly constituting ourselves and our roles in relation to one another in various ways. We position ourselves according to acceptable discourses within each given context, and managing this positioning with mindfulness of ethical and power issues is imperative (Burr, 2003).

While I attempted to lessen my power and encourage participants to use their own terms, words and explanations within interviews, the very method of my access of the organisation (see above) shaped at least initial responses to me in various ways, with some workers feeling under managerial or academic surveillance. This may have resulted in statements made to please or impress me, or not engage fully in the interview process. In short, it may have produced ‘demand characteristics’ where participants respond in ways as they imagine the researcher wants them to (Creswell, 2007). I attempted to overcome this with a semi-structured interview, and stressing my lack of knowledge of their practice tools and context. However, although I used an open questioning style, even opening the interview by asking, for example, questions about gender, ethnicity, and qualifications immediately positions myself as the legitimate researcher, and the participants as those ‘under study’ (Wray-Bliss, 2003). However, while it may prompt a feeling of scrutiny, I wondered if this also functioned as a way to reassure participants as to my legitimacy, and this allowed me to then ask questions that really are of a highly personal nature. The asking of them gives us both permission to traverse otherwise ‘private’ territories – for social workers, allowing them to discuss clients and their emotional reactions to them, and for clients, allowing them to discuss what for many is painful and shameful – losing their children into the care system. The beginning questions also symbolise a change in the nature of our conversations, with the ‘before’ being informal and casual, and the latter, ‘marked’ as
important, despite the fact that many other informal conversations were used to both establish rapport and explore issues ‘under the surface’ of the formal interviews. For example, expressing my own interest to a Maori worker about a te reo Maori TV program that interviews older rural people from her iwi had quite a dramatic effect on our later interview as I felt she was much more open to me than she otherwise would have been. Likewise informal conversations about what constitutes ‘good enough’ parenting with social workers were more often explored in informal, rather than in formal interviews and went on to form one of my initial codes. I wondered if workers felt more able to express uncertainties about such judgements in less formal settings, whereas in the context of the formal interview they may have felt, understandably, more need to brush over uncertainties and establish themselves as competent – although some much more than others.

In some ways the clients interviewed were ‘freer’ in the research process, as they had less allegiance to the organisation than the workers, and could say no to their social worker to participate in the research more easily than workers could to their employer. However, while they were less influenced by a need to position themselves as an adequate professional, or with regards to the agency, they were sometimes concerned to perform themselves as an adequate parent instead.

Further, I was aware of the need to both be perceived by the research participants and in the academic setting, as an adequate academic, and the various constraints within that. For example, competing pressures to produce either the ‘recalcitrant/resistant/oppressed subject’ popular in much critical social work research, the idealised subject that some of the ‘best practice’ literature aims for, or slip into positivist language as a method of promoting a ‘competent researcher’ identity. Wray-Bliss, for example, (2003) notes how he subtly shapes a participant’s response regarding her attitude to her work in a call centre that encourages her to construct herself as a reluctant/resistant worker as is fitting with his subject area of critical management studies. He notes how he encourages her to position herself as, for example, powerless within the industrial relations process, and the tendency to promote and privilege the comments that support this while those elucidating elements of choice or power go unnoticed. I found it useful to reflect on such ideas while interviewing and doing data analysis, with a view to re-presenting the
narratives of those concerned with an awareness of my own interpretive lens. In my case, the lens is structured by particular ideologies, including: a postmodern critical perspective sensitive to issues of power, gender, ethnicity, class; an awareness of the ‘micropolitics’ of how these issues may play out in specific sites in unexpected ways; juxtaposed somewhat contradictorily with an intense pragmatism that aims to move beyond endless deconstruction to useful knowledge generation and reconstruction.

Another unnerving tension for me is related to a deeper discomfort about realist and relativist epistemologies. That is, while noticing the ways people perform their narratives to me, structured at least in part by the unique context of the research encounter replete with unusual relationships specific to the research task, I also wanted to ‘believe’ their accounts as simple reflections of reality, especially when they were earnestly relating narratives that, for them, were either meaningful, successful, positive, or negative. After reflection on this I attempted a both/and response, that is, recognising the constructed nature of reality and the performative aspects of research interviews while at the same time honouring those realities that are pertinent to the actors within a particular context. As Ezzy (2002) states:

The more sophisticated postmodernists are not attempting to deny the existence of reality - they are attempting to demonstrate that interpretation is a complex process, and that there is no final or absolute Truth. (p. 16)

Furthermore, it is possible to maintain a critical perspective that can explore links to contextual factors as well as highlight ‘useful constructions’. This necessarily results in a particular attitude in interviewing and data gathering and analysis that will inevitably shape the interpretations. This level of reflection on the research process concerning issues of access and the actual interview process is required in order to make visible the subtleties of the research process.
Recollection

Another issue affecting the interview dynamic was that of recollection. As some cases stretched back over a number of years, social workers at times struggled to recall exact details of the case progression. Some dealt with this problem by having case files on hand during the interview, and this certainly assisted those recounting narratives of complex cases involving multiple family members and decisions. However, as my focus is on constructed realities and meaning rather than a need for absolute ‘truth’, many details were not of a great significance in the interview process, as I was most interested in their underlying reasoning in the case which was not so much a matter of recall as explanation.

Positionality in the researcher-participant relationship

A related reflexive issue was that of my position in relation to the research participants. One of the hallmarks of constructivist research is an acknowledgment of the “interrelated nature of the inquirer and the object of inquiry” (Rodwell & Woody, 1994, p. 316, with ref. to Lincoln and Guba, 1989). This paradigm accepts the mutual influence of researcher and research participant, and the constructed, value bound nature of the research process as researcher and participant co-construct a particular version of the truth within a specific context. Numerous researchers, in particular those within feminist traditions, have explored in depth the influence of whether the researcher is an insider or outsider in relation to their participants on the research process (Acker, 2000). Rodwell (1998) claims that the aim of constructivist research is to engage as much as possible in the Weberian concept of ‘verstehen’ (understanding) by trying to attain an emic, or insider, perspective, rather than aim to be an objective ‘outsider’. She goes on to state that:

Through the inquiry process, one attempts to enter the role of the individual under investigation in order to understand the individual’s inner experience related to his or her outward actions. Instead of remaining at a distance and ascribing meaning to external processes that can be observed, the researcher comes to knowledge building through an interpretive
understanding of the internal world of human affairs. (Rodwell, 1998, p. 26)

But is this pursuit of an ‘inside’ perspective possible or even, desirable? Part of the role of the qualitative researcher is at times, to gain an insider’s understanding, but at others, to ‘make strange’ the taken for granted assumptions of the research participants in order to examine their constructions of the social world they are in (Gee, 2010).

A related issue is that marginalised groups may have been represented by outsider ethnographers in ways that continue to essentialise and patronise their experiences. Acker (2000) notes that: “There is a tension between, on the one hand, the desire of and need for marginalized groups to come to voice, and, on the other, the inevitable role of the researcher in co-constructing such accounts” (p. 189). This perspective beings to problematise the notion of the possibility of developing ‘verstehen’ or coming to be an ‘insider’ – both positions hold potentials and pitfalls for the research process. Any researcher, even one defined as an insider, for example, holds a particular epistemic privilege as she is defined simply by being in the role of researcher as a ‘knower’ (Letherby & Bywaters, 2007). This privilege affects the ways research participants react to them, even if one is an insider, and the possibilities of what kind of accounts are able to be co-constructed within the research interview or observations gleaned as an observer in naturalistic settings.

As an academic with background practice experience in child protection and family support contexts, I was in some ways an ‘insider’. I understood the worker’s position as mediator between social demands for acceptable parenting practices, children’s vulnerability and exposure to harm, and the parent’s often poignant struggles to provide adequate parenting. As a mother, I also related to the experiences of parents interviewed, accepting that parenting is at times difficult, challenging and lonely for those forced to do so in isolated social contexts with limited support. Furthermore, as most participants, whether workers or clients, were women, there were many elements of shared experiences relating to the more general marginalisation of women and the caregiving roles they often undertake, both as social workers and mothers. However,
my current experience as an academic with no practice experience in the faith-based NGO where I conducted this research also exacerbated my sense of being an ‘outsider’. Many workers discussed their Christian faith which I do not share, and as I was still learning about the particular version of the strengths based/Signs of Safety/ and Te Aho Takitoru practice tools they use, I initially had less understanding of many of the practice ideas and language that were the topics of everyday conversation in the workplace. This highlighted to me the need to contextualise the research by finding out about the microcosm of the organisational world. This was done through formal and formal observations and spending several days at each site. Keeping field notes also helped maintain the ‘sharpness’ of critical thinking as the organisational context became more familiar to me (Acker, 2000). Thus, as in most research, there are elements of both insider and outsider status at different times and with different individuals.

From a constructionist perspective, the fluid nature of subjectivities and the ways we negotiate these subjectivities constantly in interaction with one another is taken as given. As Burr notes, the notion of ‘positionality’ to the constructionist is not about determining a concrete category for oneself, but about examining the process of negotiation of identities and subjectivities during the course of conversation. During this interaction, both parties use language to function in ways that support their preferred subjectivities with regards to the possible moral, cultural, professional and social discourse allowable in that context (Burr, 2003; Gee, 2010; Hall, 1997; Hall et al., 2006). With this in mind, the research process differed depending on the participant, as I was positioned in various ways in relation to them, and this cannot be simply ascribed to my previous experiences as either a social worker or an academic: at various times I also positioned myself and was positioned by others as a mother, foster-caregiver, ‘knower’ of things Māori, Pakeha, young, ignorant or an expert. My attempts to engage participants often relied on my attempts to find aspects of similarity between us, but I also attempted many times to emphasise that my participants were knowledgeable and I was not, thus encouraging them to explain events authoritatively and in detail. The constant member checking and feedback loops built into the research process also allowed for participants to be positioned as the expert knowers and were therefore able to correct me as feedback was invited.
Thus, the positioning of myself as an insider or outsider was regularly in a state of flux in this research project.

**Confidentiality**

Another important ethical issue was that of confidentiality. The main issues were: social workers discussing cases with me, and the case study approach. The former issue was fairly straightforward, as workers were assured that their client’s anonymity would be protected via the Deed of confidentiality and the University Ethics Committee process. Organisations share client information for a number of legitimate reasons and research is one of those in order for practice to be examined and the service improved. Pseudonyms were always used, and identifying detail was avoided in the reporting of cases. The case studies also posed a different difficulty around maintaining anonymity, as when published, the people involved in each case were highly likely to recognise their own case and the views of the other stakeholders. This was important as, for example, if a client said something critical of a worker, when published the worker may well be able to identify that client and vice versa. The possibility of this was spelled out to all participants both in the information sheet and verbally (see appendix five). This dynamic obviously may have impacted on what participants felt comfortable telling me, and thus could be construed negatively, especially if the ‘ideal participant’ is viewed as the independent individual one free from the social constraints of other’s views and opinions, especially when there is a power imbalance between the two parties. However, it could also be viewed as enabling a degree of accountability to one another that encouraged a relational, connected approach more akin to ‘real life’ situations where the nature of one’s social obligations and positioning shapes our responses constantly (Davies & Harre, 1999).

**Interviewing children and young people**

Interviewing children and young people presented another ethical issue. Research with children has moved in recent times towards participatory practice embodied in the ‘sociology of childhood’ movement that seeks to directly include children and young people in issues that affect them (Hill, 1997). Morrow and Richards (1996) note that research ethics usually have two main areas of interest: informed consent
and the protection of research participants, and that both these issues are complicated where children are concerned. Researchers note the conflicting discourses that impact on the way ethical concerns regarding children’s consent are framed. Some position children as incompetent, vulnerable and dependent (especially if in foster-care) and in need of protection from potentially harmful research questions, while others view children as competent and active social actors who exert agency over their lives, and have a right to have their views presented in the research context (Heptinstall, 2000; Morrow & Richards, 1996). James (1995), building on these ideas, developed four different perspectives that impact on the way children are conceptualised within ethical discussions. These are the ‘developing child’, the ‘tribal child’, the ‘adult child’, and the ‘social child’. Where children are viewed as a social child, they are considered to have “…their own distinctive abilities to understand and explain their world” (Thomas & O’Kane, 1998, p. 338). This latter perspective was the view I employed, as I considered children in the study to be capable, with support and due regard for their ages and experiences, of giving consent to participate. In light of this, I designed age appropriate information and consent forms, and interview outlines (see appendix five).

However, several issues require adaptation to the child protection context. In terms of consent, most ethics guidelines require the consent of parents – this is primarily due to parent’s responsibility for children in their care, and the socio-political positioning of children whereby adult’s duty to protect children is taken to override children’s right to participate in decisions to engage in research (Hood, Kelley, & Mayall, 1996). Thomas (1998) adopted a principle of consent that required active agreement on the part of children, and passive agreement on the part of their caretakers. Their second principle was that children’s consent could be withdrawn at any point, and the third was that children could choose how they participated in the research. Where children in care are concerned, these issues are even more complicated. Biological parents, social workers and foster-caregivers are all potential ‘gatekeepers’ that might block access to children, as they are more likely than other children to be viewed as vulnerable and in need of protection, and all may have power to do so given multiple guardianship statuses, whereby biological parents, the agency and foster-carers may all hold either guardianship or custody of children (Heptinstall, 2000).
This was certainly an issue in this study, where most children had complicated legal status as well as particular care arrangements that made deciding who to obtain parental consent from was difficult to ascertain. Families were initially approached on my behalf by social workers. While the selection bias in choosing these families is made clear in that the cases were those social workers felt ‘pleased with’, there were often other factors at play in terms of who could be approached, including placement stability and current relations within the family. Furthermore, while my general rule was that consent of at least one guardian sufficed, which one should take preference over another and why? For example, in one case, a sixteen-year old girl had been in care since she was two years old, with infrequent access with her biological mother, and none at all with her father, whose whereabouts was unknown. In that case, the consent of the agency (who held custody and was the state’s representative in terms of guardianship), the consent of her current foster-carer, who held custody only, and the consent of the young person herself (who, at age 16 could arguably give consent anyway), were taken as enough to ensure her protection. In a study by Heptinstall (2000) birth parents were generally approached by either the researcher or the social worker, except where the parent was considered by the social service to be unable to give consent, usually due to poor physical or mental health. In these cases, the social worker gave consent.

Generally in this study, who to ask for consent was guided by the particular circumstances of each child. While the consent of biological parents and additional guardians (the agency or foster-carers) were sought, one of these was considered enough to approach the child. Obviously this relies on the social worker approaching whoever is caring for the child first. This ‘layering’ of potential gatekeepers does place additional barriers to gaining access to children in care, and influences the selection of who, eventually, is interviewed. As biological parents become significantly marginalised in foster-care systems, it can be tempting to ensure their absolute inclusion in giving consent to research. However, where the focus is on eliciting children’s views, the rights of the child to participate and have their voice heard can conflict with concerns regarding parental empowerment. This conflict reflects the wider conceptual conflict within the child protection context of balancing parental and children’s rights.
Another issue regards the age at which a child might be considered competent to consent. While some guidelines use set ages as a criteria, others propose the less arbitrary criteria of ‘Gillick-competence’ where a competent child is one who:

achieves a sufficient understanding and intelligence to enable him or her to understand fully what is proposed…(and)…has sufficient discretion to enable him or her to make a wise choice in his or her own interests. (Morrow & Richards, 1996, p. 94)

Thomson (1992) also proposes that even quite young children can say whether they want to take part in something or not, and that competency to consent should not be limited to age, but rather to an understanding of the interrelationship of the child, their context, and the type of research being conducted. An overriding concern is to take seriously the researcher’s responsibility for the well being of child participants, especially when being interviewed regarding some of the most personal and potentially distressing aspects of their lives. Other researchers of children in care note the potential confidentiality quandaries where children may disclose abuse, or become distressed (Heptinstall, 2000).

Many of these issues were pertinent to this study. As an approach that attempted to include clients’ views, I was eager to include the views of those considered the primary ‘client’ in child protection, that is, the child. I took the ‘social child’ view and hence was guided by an approach that viewed children as relevant actors in the decisions that had been made about their lives, and that they should have a right to participate in investigating judgement reasoning. I took the view that children should, where possible be asked to participate as their views of why decisions were made and their relative contributions to those decisions, were important when considering all the actors in a given decision process. However, given the potential for distress and the geographical spread of my participants that limited time for rapport building, I decided I would not interview children under the age of eight. For those I did approach, I would be guided by social workers’ and parent’s views on their child’s ability to be asked to participate, although children themselves also impacted on this process. For example, one eight year old I had hoped to interview, and whose mother
gave consent, did not wish to be interviewed when I arrived at the home, as she was more interested in going swimming. While she confirmed in informal conversation that she was happy with the decision to return home to her mother, I did not consider this adequate consent as I had not had a chance to explain the study or consent issues with her, and so her views were not included in the data.

In terms of distress, at another home visit, I interviewed the mother and the paternal grandmother (who had custody of the two children). I was hoping to interview the older child (aged fourteen) in the company of her mother and grandmother, but as I asked her the first question about ‘the reasons for the decisions that have been made about your family’, she burst into tears and left the room. These issues reminded me of both the highly fraught nature of the study questions, and the importance of having a child-focused research process that allowed much more time for engagement and rapport building. In the case of the upset young person, she was comforted by her mother and I reassured her that she did not have to take part and that we would leave it there. I followed up with her social worker a few days later to ensure she was offered ongoing therapeutic support should she require it. Morrow and Richards (1996) note that whatever guidance is relied on, that researchers must always be able to respond sensitively to specific situations as they arise: this was one of those times. I considered the need for promoting her wellbeing, protecting her from potential harm associated with the research process and my knowledge that all members of her family had a close, supportive relationship with their social worker as situational specific reasons that overrode her right to absolute confidentiality, that is, allowed me to ask her social worker to follow up with her. Furthermore, I was not disclosing information she had told me, but simply conveyed to her social worker that she had become upset during the interview and may require some further support. In terms of the actual distress, by reassuring her, stopping the interview, and ensuring she had family support present all enabled the situation to be handled in an appropriately supportive manner. It is impossible in research to completely avoid emotional distress when researching sensitive topics, nor should emotional distress necessarily be considered harmful, however, the need to deal with such situations sensitively and with due regard for the participant’s ongoing wellbeing should be paramount and prepared for. At other times, practical considerations regarding children’s own agenda and needs intervened on my best attempts to engage them in the research process. At
another family visit, I hoped to interview the two older children – but one was out visiting relatives when I arrived, and another was sick in bed.

However, I was able to directly interview two young people, (aged sixteen and fifteen, both male, Pakeha) and gained a written response from one (female, aged sixteen, Maori). I was able to carefully explain the information and consent forms to them, and made sure they were comfortable, encouraging them to have a parent or a caregiver present if they wanted to, and visited them in their homes if they preferred.

So in conclusion, this study presented a number of challenges with regards to the ethics of working with child participants. These were generally approached from a paradigm that considered children as important and active contributors, weighed against the need to protect them from any possible harm given their personal histories and the study content. However, children in foster-care are not a homogenous group and levels of trauma, inclination to participate in research, and possible distress to them cannot be assumed, but must be carefully evaluated by those close to each child in order for an appropriate decision regarding participation to be made. In any event, issues of access were equally as influential on the research process and hampered many attempts to engage child participants.

So, overall this study presented several ethical issues including those relating to gaining access, reflexive issues concerned with power, the positionality of the researcher (in particular insider versus outsider status), confidentiality in a study interviewing multiple stakeholders, and the heightened and complex issues of consent and participation when interviewing children.

**Analysis**

The main form of analysis was a grounded thematic analysis of all participant interviews with reference to other contextual data (observations, documents, etc), and as a subsidiary to this, case studies were also analysed as instrumental examples of the themes and theories generated by the wider thematic analysis of all data. Within these
forms of analyses, a number of analytical traditions were drawn on, most notably thematic analysis, constructionist grounded theory, and case study analysis. These are all conceptualised within a social constructivist research paradigm.

**Thematic Analysis – with grounded sensibilities**

A grounded thematic analysis was undertaken of the social worker and client accounts, then the case studies were also analysed as discrete sets of data (Braun & Clarke, 2006; Floersch, Longhoefer, Kranke, & Townsend, 2010; Holliday, 2002; Stake, 2010). Floersch et al. (2010) argue that the integration of thematic analysis and grounded theory concepts can lead to more multidimensional understandings of qualitative data, while Braun and Clarke (2006) note the possibilities of using both inductive and deductive approaches to qualitative data analysis. Other studies have also used a ‘hybrid’ approach of both deductive and inductive coding as a way of applying both a priori codes and allowing other codes not previously identified to be gleaned from the data (Fereday & Muir-Cochrane, 2006). These inductive codes tend to be much simpler, not related to existing theory, and relate to much smaller excerpts of text. Some of these are linked together or to the deductive themes as relationships between them became apparent. Areas of particular salience or interest are then further coded, sometimes on a phrase-by-phrase basis. This building up of themes directly from the data through inductive coding has clear links to grounded theory approaches. Grounded theory, attributed to Glaser and Strauss sets out a method of building theory directly from the data (Glaser & Strauss, 1967). It is a useful analytical tool that may be used both in the thematic analysis and case study approaches employed by this study (Boyatzis, 1998; Eisenhardt, 2002). Furthermore, the constructionist version of grounded theory has been likened to what we might call Social Constructivist research or discourse analysis in current times, as it explores links between the data and its discursive context (Fook, 2002b). Some grounded theory theorists argue that grounded theory was never intended by its originators to be an objectivist approach that attempted to reflect ‘real life’, but instead can be used in ways that accept the relative and constructed nature of each perspective in a given situation. They argue that constructionist grounded theory allows an intense attention given to the context of the phenomenon under study, its connection to wider social discourses, and the manner in which data has been collected (Charmaz, 2005; Palmer,
As this was a study of practice in a real world context, this also reflects grounded theory ideas of seeking to explore how things work in a specific domain, with relatively open and inclusive research questions.

A number of researchers combine critical incidents with grounded theory approaches to analysis (Fook, 2002b; Palmer, 2003; Stanley, 2007). Given the divergence of grounded theory approaches, grounded theory is best characterised as a category of methods rather than a strict ‘how to’ of prescriptive instructions, however, central concerns of grounded theory are: to develop plausible relationships among concepts and sets of concepts; and develop conceptual depth related directly to the multiplicity of perspectives of social actors in any given situation (Strauss and Corbin, 1994). At their most complex, grounded theories “…connect a multiplicity of perspectives and patterns and processes of action and interaction that in turn are linked with carefully specified conditions and consequences” (Strauss and Corbin, 1994, p. 280). Grounded theory approaches should attend closely to the data at hand, develop theoretical analyses related to that data, and then compare their analyses with existing and relevant theory and literature (Charmaz, 1990, p. 1165).

**Analysis Process – inductive themes**

This section describes how the theoretical underpinnings of a grounded thematic analysis were employed in the current study. In this study, the searching for connections between the coded data and the wider context was a strategy used to make sense of the data and illuminate relationships between themes.

In this study, thematic analysis was undertaken in order to organise the data into initial themes, using mostly inductive codes generated from the data content. In this, grounded theory ideas are reflected in that an inductive process was used primarily. Initially all interviews were read and coded as sections of text into both broad and narrow themes (Braun & Clarke, 2006; Hall & White, 2005). These were developed from open coding, which label ‘chunks’ of data into initial categories. While some sections were coded line by line or phrase by phrase after this, not all were, and in some definitions of grounded theory, this exception may discount it from a full ‘grounded theory’ workup (Braun & Clarke, 2006). Initial codes were related to a
wide range of categories such as those relating to relationships, respect, power, and interpretations of children’s behaviour (Gilgun, 1994). These simple codes were broken down via a fine-grained coding of more detailed patterns and areas of linkages between categories (Denzin & Lincoln, 2005; Gilgun, 1994). For example, while the myriad of factors taken as indicators of abuse, harm or protection for the child, further reading broke these downs into more specific types that had different consequences and conditions for decision-making. Once initial themes had been identified, different groups within the data were also examined– for example in some themes client views as opposed to social worker views were coded separately so as to enable comparison. Likewise, case studies were also coded inductively.

**Analysis process – deductive themes**

In addition to the inductive thematisation described above, all transcribed interviews were coded for specific theoretical ideas I had gleaned from the research questions and some relevant theoretical literature (Fereday & Muir-Cochrane, 2006). These deductive codes tended to be broad, with numerous large sections of text coded into them (Creswell, 2007). For example, intervention reasoning, risk, and moral reasoning were large areas shaped, initially at least, by the existing literature. While all transcripts were coded using QSR International’s Nvivo software (QSRInternational, 2008), the case studies were coded manually.

Combining inductive, grounded theme development as well as some deductive theme development was a methodological choice that allowed an examination of themes relating to sociological phenomena identified in the literature, most notably risk, but also allowed an openness to those aspects of worker’s reasoning and practice that had not been previously theorised.

**Analysis process – links between themes**

Then, links between the themes, that is, how they interrelate with one another were examined. An example of this is where the theme of ‘defining harm/abuse’ was examined in relation to ‘ethic of respect for persons’, with a view to considering how the latter resulted in the former being constructed in concrete, specific terms, and in
everyday, non-judgemental language, with a view to the moral position of ‘respect for persons’. In turn, both these themes also related to the theme of how risk was constructed. This process therefore included a more fine grained examination of the conditions under which certain judgements or practices were undertaken, the kinds of events and behaviours likely to be constructed discursively in particular ways, how decisions in cases change over time, and the inclusion of categories that only became apparent after data analysis had begun, such as relationships. This process of examining thematic interrelationships further reflected grounded theory approaches (Floersch et al., 2010; Strauss & Corbin, 1998). This process included the development of selective, axial and theoretical codes.

Selective coding helps develop analyses in social constructivist and grounded research (Rodwell, 1998). Strauss (1998) state selective codes should define a central category and have analytic power, that is, explain conceptually a central organising construct. These codes are selected by the researcher based on a number of factors including the literature, the research question, the researcher’s own areas of interest and dominant or recurring patterns in the data. Rodwell (1998) defines this analytic function as an ability to “…determine the core categories around which all other categories are integrated in order to develop a clear analytic story line which is the precursor to a theory” (Rodwell, 1998, p. 154). They can relate to the literature, but this may only partially fit the data.

In this study, after an initial reading of the interviews, limited literature and discussions with the agency, the codes of ‘risk’, ‘children’s best interests’, the ‘interaction between relationship and knowledge construction’, and ‘moral concerns’, for example, became four of these central selective codes. In my study, these broad codes sometimes subsumed or integrated smaller ones, as their analytic power became obvious. Each of these selective codes were then connected with the ‘hierarchy of decision-making’ theme that revolved around the primacy of the importance of family maintenance, leading to further refinement and complexity of the theme development, and more importantly, how they related to one another. Strauss and Corbin note that where theory is developing, that “…findings should be presented as a series of interrelated concepts, not just a list of themes” (1998, p. 145).
Thus, how each of these selective codes influenced the decision-making hierarchy in different ways was explored through further manual coding and re-reading of the opencoded data. For example the broad, opencoded category of ‘intervention reasoning’ integrated a number of smaller codes including mental illness, violence, and lack of support, as well as differences between social worker and client views on these topics. These were further coded into themes of culpable and non-culpable moral constructions after careful re-reading, based on a consideration of the morally constitutive function of certain constructions through language (Austin, 1962; Burr, 2003; Sacks, 1992). This moral functioning of language was then also related back into notions of risk and children’s best interests, for example, the less morally culpable a parent, the less risky they were likely to be viewed, and thus, more likely to be considered able to engage in change, as honest, and able to be a ‘good enough’ parent. Thus their children’s ‘best interests’ were more likely to be constructed as able to meet while in their care. Thus, the connections between themes as determined by selective codes and common to grounded approaches was undertaken.

However, the opportunity for theoretical sampling, fundamental to grounded approaches was difficult (Rice & Ezzy, 1999). As initial themes were developed, they were presented back to the social worker participants and the reference group for feedback in the form of emailed ‘follow up’ questions. These questions attempted to explore some selective codes particularly around relationship and knowledge construction, and ideas regarding risk and safety, this was only responded to by one office. Due to geographical location, time and money constraints, offices were not physically revisited. However, the reference group also allowed for some theoretical sampling, as several group phone calls allowed me to ask further questions focusing on the evaluation of risk and safety and its inter-relationship with the client-worker relationship. An interim draft report to the agency allowed me to gather some further feedback from the agency managers regarding their views of the lack of structural explanations given for the causes of client problems. Thus, some elements of theoretical sampling were possible, but not to the extent I would have preferred. As the site visits progressed, this allowed for some element of a ‘constant comparative’ approach to be used to elucidate and follow up on themes as they became apparent (Strauss & Corbin, 1994, 1998).
Axial codes were developed to explain the conditions upon which different themes relied. Axial codes function to create linkages and relationships between themes. They illuminate a “…framework of conditions, context, action/interactional strategies, and consequences…” (Rodwell, 1998, p. 154). In this study, these were used to examine differences between themes, for example, the sorting of different kinds of cases, different types of presenting issues and different constructions of clients as helping explain differences in relation to the themes. For example, while most social workers were firmly committed to family maintenance if at all possible, what are the conditions under which they would consider rejecting this and removing children? Further, if original problems are constructed in non-culpable ways (either through mental illness or lack of support constructions) what impact does this have on the ongoing worker-client relationship and other constructions about the client? Theoretical and axial code ideas were developed through the use of fieldnotes and memos, which were written during the contact times with each office, as well as written as coding took place. Strauss and Corbin note the usefulness of memos to develop theory beyond superficial description, allowing comparison of different sites, concepts and ideas (Strauss & Corbin, 1998).

**Analysis process – links between themes and context**

Thus, analysis was undertaken in order to establish the themes through both inductive and deductive means, identify the theoretical linkages between them. Following this, links between these themes and the wider discursive, ideological, political and social contexts of both the organisation and society were examined. As with constructivist research in general, the multiple perspectives gained within each case, and the themes already generated, were contextualised by examining their interrelationships with the wider organisational, theoretical and social contexts (Strauss, 1994; Creswell, 2007; Strauss & Corbin, 1994; 1998; Fook, 2002b). For example, without understanding the faith based ethos of the organisation, a number of the worker statements about their underlying values of respect and care may have gone unnoticed or interpreted in a different manner. Without understanding the legal context of the CYP&TF Act 1989, the practice focus of keeping families together where possible, including families in decision-making, and aiming for family reunification becomes a matter of personal
worker choice, rather than springing from a particular statutorily defined philosophical context.

Boyatzis notes that thematic analysis and case study analysis can both use inductive and deductive approaches to theory creation (Boyatzis, 1998), utilising aspects of grounded theory and constructivist research in general to do so. In keeping with Social Constructivist research and numerous qualitative traditions, specifically grounded theory, analysis and data collection were not clearly demarcated in the research process (Charmaz, 1990; Creswell, 2007; Strauss & Corbin, 1994). This constant comparative technique was reflected in that I engaged in constant member checking via the reference group, informal conversations and observations, kept fieldnotes and memos, offered follow up group questions and provided the organisation with an interim report and final report for their comment and feedback: these all contributed to developing themes and interrelationships before data collection was finished, as well as shaping the questions asked over time (see appendix six). Finally, existing literature was used to draw on to theorise and contextualise the study’s findings overall.

So, this study utilises a constructionist version of a grounded theory approach that remains tentative about formulating ‘causative’ theories that may obscure the more complex nature of human interaction as outlined earlier. This type of grounded theory is more amenable to the broader Social Constructivist paradigm and fits the aims of the study more clearly, as it focuses on interaction, process, and the relative, contingent and contextual nature of knowledge. The use of both kinds of coding (inductive and deductive) in the production of themes therefore do not attempt to develop absolute theories regarding the conditions and outcomes of certain actions, rather they offers descriptive themes, tentative theoretical and conceptual interrelationships, a description of social context as an aid to interpretation, and an analysis of themes as they relate to theoretical ideas identified in the literature.

Memos, fieldnotes, writing and re-writing

Keeping memos, fieldnotes and engaging in writing further helps clarify analysis as a project progresses. Charmaz (1990) notes the usefulness of writing and re-writing in
order to raise terms and categories to concepts. She notes the dialectical nature of this process as it occurs, describing it as a process of co-construction between writer and data. This analytical process:

extends into writing and re-writing drafts for publication. The researcher gains further insights and creates more ideas about the data while writing. Hence, writing and re-writing actually become crucial phases of the analytic process...a researcher can identify arguments and problems, make assumptions explicit, and sharpen the concepts. (Charmaz, 1990, p. 1169)

In this study, as noted, both an interim draft report and final report were prepared for, and with, the agency. In addition to these research reports, three conference presentations, two research seminars, and two articles in peer-reviewed journals were published on different aspects of the data. One further article is not yet published but is in the review/resubmit process. This provided feedback from reviewers that was invaluable in refining the conceptual ideas expressed (Keddell, 2009a, 2009c, 2009d, 2010a, 2011a, 2011b). One conference presentation the Practice manager from the agency was able to attend, and another, one of the founders of the Signs of Safety approach, Andrew Turnell, was able to attend. Both contributed their ideas and feedback to the material presented.

**The development of the literature review**

However, these were general research questions and categories that became more complex and refined as the research went on. As several large themes relating to issues around how children’s best interests were being defined, this informed a much broader literature review around this topic. The initial literature review had contained only philosophical discussions around the nature of knowledge, the construction of practice knowledge through reflexivity, ideas about critical best practice, with some literature covered around sociocultural theories of risk, and various ways of considering decision-making and judgement. However, as the research progressed, this was constantly added to with more specific studies of knowledge production in
social work settings, the construction of moral identities in social work settings, power, risk and safety building approaches in child protection, solution-focused approaches, and material pertaining to the inter-relationship between discourse, power and the client-worker relationship. This completion of a more specific literature review following broad research questions is common in grounded theory approaches, where the completion of a literature review prior to data collection is viewed as creating biases that may cause important aspects of the data to be obscured (Glaser, 1998; Glaser & Strauss, 1967).

In conclusion, the thematic analysis used both inductive and deductive coding in a ‘hybrid’ approach to theme production. The overarching codes were selected based on their analytic power, that is, their ability to adequately explain the data, and these selective codes were analysed with the aid of ongoing and cyclical data collection and analysis with some research participants, as well as processes of writing and re-writing with regards to relevant literature.

**Case Study analysis**

Case study analyses added to the thematic analysis. That is, while the main themes were developed through analysis of all the participant accounts (and other context data), these themes were then examined in relation to individual case studies. For example, while ideas about safety construction were gleaned from all case narratives and observations, how these themes played out in each case was also examined. This allowed for comparing social worker and client views in the same case more directly, as well as following chronological case development from a range of perspectives. This added depth as it allowed analysis of for example, changes in the construction of meanings over time, and how this related to the worker-client relationship. Case study analysis involves describing the case context in some detail in order to ensure the temporal, social, organisational and personal elements of the case are apparent (Creswell, 2007). I was able to glean this from a range of sources including agency policy documents, and knowledge of the broader legal and social context of child protection work. Further important contextual information regarding the unique positioning of the NGO under study and the nature of its contractual arrangements was ascertained through conversations with the reference group. This was important
as the basis of their services and the ways they are funded affects the kind of practice and services they are able to offer clients.

The next part of case study analysis is the building of themes both within a particular case, and comparing them if possible to the other cases (Creswell, 2007). In this study I achieved this through grouping together all stakeholders in each case, and carefully reading them as a set, before coding for relevant themes manually. I also grouped similar kinds of cases together to establish patterns, for example, all the cases involving the reunification of children with their families provided an interesting collection of like cases. Through these I was able to examine and ‘test’ concepts relating to judgement and relationships. These included the simultaneous management of ‘risk’, establishing ‘safety’ for the returning children, working on parenting skills, maintaining collaborative relationships between workers, parents and children, parents’ concerns about their ability to parent in ways found to be adequate and the worker’s impending withdrawal of social support. Thus, I was able to create both within case and cross-case themes. Two ‘instrumental’ case studies of the reunification process were identified and studied in depth, as they are illustrative of the themes identified in other similar cases (Stake, 1998). This resulted in an article for publication that assisted me in the analytic process (Keddell, 2011b). I also noted those cases that were ‘deviant’ cases, this allowed for the inclusion of views discounted in other forms of research. I provided some interpretation of the case data, describing the implications for practice.

The case studies were also coded for ‘process’, that is, by asking the question what is changing over time in this case? What conditions, actions and consequences are changing over time? These questions were explored as it became clear that judgements, power dynamics and relationships change over the course of the case, and to characterise them as existing as fixed ‘things’ was misleading. This was important in the case study accounts as often, for example, the power dynamics between the worker and clients changed over time, and this resulted in changes to their constructions of each other, their attitudes, perceptions and actions. Coding for process has been described as:
a series of evolving sequences of action/interaction that occur over time and space, changing…in response to the situation or context…it may be orderly, interrupted, sequential, or coordinated – or, in some cases, a complete mess. (Strauss & Corbin, 1998, p. 165)

This process evaluation of the data can analyse process at both micro and macro levels.

All themes generated from the accounts of practice and case studies were then again, compared with pre-existing ideas or discourses (Strauss & Corbin, 1994). Fook (2002b) notes that this development of themes should never occur in a vacuum, “…but ultimately in relation to current thinking and discourse around a phenomenon” (p. 90). This was where, for example, considerable reading of current literature around risk, safety, children’s best interests and ethics was completed in order to compare findings with current broader thinking in the field. In this way, aspects of discourse analysis or social constructionist approaches can be used to provide a depth of analysis that firstly describes the themes of practice reasoning in some detail, then analyses them in relation to the broader context and their consequences in that context. In this way, the analysis examines the ways knowledge as a social product is created in both the practice and research environments (Charmaz, 2005; Fook, 2002b). As such, the analysis was guided by an understanding of the social world that examines the construction of reasoning rationales that result in decisions, in a mutual act of co-constitution, relying on the available discourses, symbols, practices and language within a given context to do so, as well as the consequences of these. This was the aim of analysis (Berger & Luckman, 1966; Burr, 2003; Charmaz, 2005; Gergen, 1989; G. W. Taylor & Ussher, 2001).
**Trustworthiness and authenticity: credibility, transferability, confirmability**

While earlier, positivist research traditions sought to establish validity and reliability, these concepts have been significantly challenged within qualitative traditions (Creswell, 2007; Lincoln & Guba, 1985). Lincoln and Guba (1985) instead prefer the terms trustworthiness and authenticity as ways of conceptualising the verifiability of qualitative research. Trustworthiness is a way of ensuring the rigor of the study, informing readers as to the credibility, dependability, confirmability and reliability of the data (Lincoln & Guba, 1985; Rodwell, 1998). Credibility relates to assurances that the ways the research process has been undertaken leads to believable results. Authenticity refers to the quality of the research process, as opposed to just the product. The ability to confirm the accuracy of data, rather than objectivity should be a key aspect of qualitative research.

Postmodern and Social Constructivist approaches also challenge the idea of transferability, questioning the ability to create generalisable knowledge that remains stable across contexts and is able to explain universal truths about the ways people and social structure interact (Creswell, 2007). These approaches consider the impact of context as not just an ‘influence’, but as fundamental to creating the conditions within which certain truths come to be constituted in particular ways. The ‘micropolitics’ of each context including the individuals and the varieties of power they hold make the production of generalisable theory difficult. This is referred to by Gilgun as the production of ideographic, that is, situation specific knowledge, as opposed to nomothetic, stable and generalisable knowledge (Gilgun, 1994).

Issues of generalisability are particularly concerning in this study, as the aim was to elucidate practice that might be of use to other practitioners in other settings: how is this possible if the context is so pivotal to the generation of meaning, or the success of practice? One solution is to ensure as detailed description of the context as possible, so that the context, as well as the reasoning themes found within it, can both be clearly understood by the reader. In this manner, the relative utility of the findings for others can be clearly understood as the production of both individuals and their
context. Thus knowledge of context is key in determining ‘transferability’ in constructivist and many other qualitative approaches (Creswell, 2007; Rodwell, 1998). The details provided by this contextualised information allow other researchers and practitioners to establish how similar or different a case might be to their own. This allows them to make informed decisions regarding the implications of the stated research findings for their own practice.

Lather (1991) also discusses these ideas. She proposes that new ways of finding validity should be developed, including moving from a ‘closed narrative’ of more traditional social science reports, to an ‘open’ one where omissions, points of uncertainty and specifics of context are made clear (Creswell, 2007). Lather (1991) goes on to identify four types of validity, including:

- triangulation (multiple data sources, methods and theoretical schemes),
- construct validity (recognising the constructs that exist rather than imposing theories/constructs on informants or the context),
- face validity as a “click of recognition” and catalytic validity that energises participants towards knowing reality to transform it. (Creswell, 2007, p. 199)

This study used the first three categories of validity by drawing on multiple data sources of different types of interviewees, reference groups, documents and observation; construct validity through including these data sources and remaining curious and restrained in applying formal theoretical constructs; and ‘face validity’ through discussion with participants and reference groups members after the formal interviews had finished. Catalytic validity remains to be seen.

**Establishing trustworthiness**

So how do we establish trustworthiness and its dimensions? Cresswell (2007) provides a useful list I will consider and apply to this study (Creswell, 2007, pp. 201 - 203). Firstly, prolonged engagement and persistent observation. In this study, engagement began in June 2008 and remains ongoing although the period of formal
data collection ended August 2010. I will attend the national conference of the
organisation to discuss this research in October 2012. This engagement, following
Social Constructivist research traditions, included multiple visits to site offices with a
focus on collaboration. Seven regional offices and the National office of the
organisation were visited. In the site offices, I met everyone in each office, and
staying in each office for periods of time lasting from a few hours to several days.
Each office was visited once in person but also contacted by email after the visit with
follow up questions, and the reference group established within the organisation was
contacted formally on three occasions in order to provide analytical feedback. I also
provided an interim report to the reference group of the organisation 18 months into
the project, and then they were able to provide comment and feedback on the
emerging themes and findings.

Triangulation of data was achieved as above in data collection from a number of
sources, and the reference group was of particular use in analytical triangulation in
terms of exploring emergent themes and research questions. One member of the
reference group, the National Practice Manager, was able to attend a conference
presentation I made on the research project and gave further valuable feedback
following that. I prepared an interim research report for the agency that they then gave
some further feedback about (as well as providing them with a final report) (Keddell,
2009a, 2009b, 2010b).

Peer review and debriefing occurred through several means. Firstly, my Phd
supervisors acted as ‘devil’s advocates’ in challenging and deconstructing my
theoretical ideas as the study progressed. As discussed above in the analysis section, I
also had the opportunity to give a number of conference presentations and submit
articles for extensive and valuable peer review. This feedback helped solidify and
organise my analytical thinking.

Negative case analysis is when negative or disconfirming evidence is taken into
account by revising initial hypotheses, but the formation of neat theory cannot always
be the outcome. Rodwell (1998) contends that in such cases, it is better to present the
disconfirming case in its own right, without trying to come up with an overall
hypothesis or theory to explain it. In this study, there were several ‘disconfirming
cases’: those where the perspectives of the worker and client did not align, one in particular where the client experience was overwhelmingly negative, and a small number of cases where workers had included discourses related to wider structural features to explain their client’s position (whereas most had not).

Clarifying researcher bias aids in making explicit the researcher’s own worldview and its sources as this is an important aspect of how data are likely to be interpreted. In all qualitative research, the position of the researcher and their effect on both the research framing and the data collection is an important consideration in explaining methodological choices and collection methods (Denzin & Lincoln, 2005). My position is amply described above, however, key aspects that may impact on trustworthiness are described below.

I was an outsider to the organisation I did the data collection with, and as I needed to gain national organisational approval first, this may have meant some workers felt the research was a way to monitor their practice. They may also have considered me, as an academic, an ‘expert’ they had to prove their knowledge to. These factors may have overly shaped the data they provided me with. However, I tried to dispel these notions in several ways: by emphasising my lack of current practice experience; noting their expertise in the tools used by their agency; and pointing out confidentiality and the voluntary nature of their participation. The semi-structured interview approach aided this. It helped to create an informal context that maximised participant comfort in what were at times emotionally fraught interviews, especially with clients discussing traumatic events such as their children being removed. In this I attempted as much as possible to cultivate an environment of openness, as a way to establish an appreciative and supportive environment (Hosking, 2008).

Another impact of the heightened context of child protection research and the need to gain research access I was also keenly aware of was the risk the organisation was taking in allowing me access, and the pressure this may put on me to find ‘positive’ outcomes. This was potentially exacerbated by my view of both workers and clients as being in many ways silent or marginalised voices in the child protection research and a desire to advocate for them. While advocacy is a legitimate aim of research, and we cannot avoid a particular ‘point of view’ or interpretive lens in the framing and
reporting of research, Stake (2010) warns that: “Advocacy may endanger research by getting in the way of scepticism” (p. 16). Thus, researcher reflexivity is an important aspect of the work and encourages an examination of how our own perspectives impact on what we might consider as ‘counting as data’, how to access it, and how to report it (Fook, 2002b). Several reflexive mechanisms were used, including member checking, supervision and peer review.

Member checking is when the researcher asks participants’ views of the credibility of the data and interpretations (Lincoln & Guba, 1985). This was achieved in several ways. Client participants (parents, foster-caregivers and young people) had their full transcripts returned to them to check. Social worker participants had a brief summary of all their responses made and used to shape a number of follow up questions that they were given an opportunity to respond to. This was less successful as only one office did so. However, emergent findings were also discussed with a reference group from within the organisation consisting of several members of the National management team, via phone conferencing, email, and via interim and final reports prepared for the agency for comment (Keddell, 2009b, 2010b).

Creating rich, thick description is also important in order to assist the reader to make judgements regarding the transferability of the study (Creswell, 2007). This was achieved by gaining extensive knowledge regarding the organisational context, reading policy documents, knowledge of their policies, procedures, informal practices and the culture of the organisation, gained from both formal and informal mechanisms (ie. Reading policy documents, discussing with management and workers). Finally, gathering data directly from a number of sources, visiting seven sites of the organisation, and including as data knowledge of the broader social context within which the organisation exists all contributed to the ‘thick description’ required (Geertz, 1973).

**Strengths and limitations**

This study had a number of strengths and limitations that I will summarise. Some aspects of the methodology could be considered both a strength and a limitation and these will also be discussed.
**Strengths**

The collaborative relationship between researcher and agency, and the prolonged engagement with the agency were strengths of the study, as these provided not only a level of depth to the data accessed, but also enabled sharing the data analysis and the production of research considered useful by the agency. This is attested to via the invitation to return and do more research in partnership with the agency. The considerable contact allowed for member checking of the data and the development of a hermeneutic circle in the research process.

Interviewing clients as well as practitioners added a range of views to the data, and provided valuable information on areas of congruence and conflict between rationales given for decisions, as well as illuminating aspects of power and the social worker/client relationship. These were important foci of the study, and this method was able to access these valuable elements.

Inviting workers to give a naturalistic account of a case was also a strength of the study, as this qualitative approach allowed some level of access to the tacit assumptions and the underlying constructions used by workers in their reasoning processes. As this was a major aim of the study, this method of data collection was well matched to this purpose. The ability to access seven offices of the same organisation was also a strength, as this allowed for a more meaningful corpus of data around a single organisational entity and culture. This allowed some degree of coherence in contextualisation of the data, as a part of the purpose was to find linkages between the participants’ accounts and their wider organisational culture. It also allowed useful data for the specific agency, as across-agency data would have been less specific. Asking for an account workers were ‘pleased with’ provided a method of accessing what workers considered positive outcomes across a range of cases, thus accessing worker’s perceptions of good practice. This can be a valuable source of insight and practice development.

**Limitations**

One major limitation to the generation of thick description was the relatively few children or young people I was able to interview for practical reasons more than
anything else, including not being contactable, my limited time in each city, and lack of time to build up adequate rapport with younger potential participants. Likewise, there were biological parents who were not interviewed, usually due to their absence from the child’s life, but also due to their hostility towards the agency, or other lack of availability including being in prison, experiencing serious mental illness, or the worker wanting to protect them from the intrusion of a researcher. This seriously limited some case studies from being able to offer a relatively complete inclusion of all relevant stakeholders.

A further limitation may have been the challenges of recollection and memory for social workers asked to narrate long cases. Another is the potential for social workers, especially within the child protection context, to give a highly sanitised and ‘positive’ version of practice. I have addressed these issues above in the ‘reflexivity’ section.

The selection of a case that workers felt ‘pleased with’ could also be considered as a limitation – this could be considered limiting as it may be viewed as producing a bias of ‘easy cases’ and complicit clients. However, this was a conscious attempt to see if there were over-arching themes within cases that workers considered to be good practice, and the actual cases selected often contained complex issues, ranging from moderate to high levels of serious abuse, and often contained conflict between the worker and client.

Accessing the participants in a ‘top-down’ manner could be a limitation, as by beginning the access process with the top of the organisational hierarchy affected which offices were selected to participate, possibly affected what workers told me, and the selection of cases by workers, not clients, ultimately drove which cases were discussed.

**Conclusion**
This chapter outlines the methodological choices, and their theoretical underpinnings, drawn on for this project. Based on the broad foundations of interpretive research traditions, this study drew on social constructivist and pragmatic methodologies with a view to examining judgements within a critical best practice framework. In order to
achieve this, aspects of constructionist grounded theory, critical incidents, appreciative inquiry and case study approaches were all drawn on in order to gain qualitative, naturalistic, multiple accounts of practice regarding child protection social work cases. This use of multiple types of congruent methods is common in qualitative, practice-based research, and aids triangulation (Fook, 2002; Cresswell, 2007). The study aims to investigate the process of practice, in particular how social workers and clients construct the reasons for decisions, come to judgement, and how these interrelate with the relational context of practice. It seeks to describe in detail and analyse how these reasoning processes, and the ways they position both worker and clients in relation to one another, draw on discourses available within a particular social, organisational context. Thus, the data gained were interviews, documents, fieldnotes, extended contact with the organisation across eight geographical sites, legal and organisational policy analysis and use of a reference group to create a hermeneutic circle of feedback and development of the themes, data collection and analysis. The results were thematically analysed and analysed as cases. Numerous ethical issues were encountered in this project that required careful consideration, including issues pertaining to access, research with children and the position of the researcher. It contained a number of limitations including access pathways and accessing child participants. Overall, the research process met its aim to investigate reasoning processes in a particular site of meaning making.
Chapter three: Family maintenance and its allies - children’s best interests and problem causes

Introduction

This chapter introduces the findings of the study, and provides some initial discussion of the first three themes. It begins by giving an overview of the types of decisions made in the social worker accounts and their basic reasons, before moving on to identify the first three major themes generated by an analysis of all participant accounts and other contextual data. Excerpts from case study results (those accounts analysed as case studies where more than just the social worker were interviewed) are included where relevant to themes generated from the whole data, that is, all accounts and broader context data (observations, document reading etc). Space does not allow for a full presentation of all ‘case study’ cases, however, the excerpts from the fullest cases, or those that are instrumental or especially illuminating of a particular theme are included where relevant. Three case studies drawn on heavily in this way are described in more detail near the beginning of this chapter. Theoretical analysis will be reserved for the analysis chapter.

The introductory general description outlines the types of decisions made in the cases selected by social workers, explores what the selection of such cases suggests about the social worker participants’ views of what constitutes ‘good practice’, and introduces the cases and participants. Following this, deeper themes are introduced. The first explores the concept of family maintenance. It describes the general dominance of this discourse pervading decision reasoning: that biological families should be preserved if at all possible. This discourse provides the bedrock for many others, and as such is fundamental to the interpretation of others that follow. How this general rule influences decision categories, as well as how exceptions to it can be generated will be highlighted.

The next theme describes how children’s ‘best interests’ are constructed around ideas relating to children’s ‘needs’, most prominently the connections between psychological needs and attachment theory. Needs concepts are often nested within the next most dominant concept used to construct children’s best interests: children’
rights. These can be constructed around rights to participation in decision-making, rights to protection and rights to family and identity. Both needs and rights are related to the definition and significance of family, and with the obvious potential for conflict between these concepts, in some cases interpreting these discursive drivers for the purposes of decision-making is difficult. The role of the concept of children’s best interests as a way to reach agreement, build collaboration, or persuade parents to agree to courses of action is also explored here. The emphasis on children’s rights discourses and the practices they result in, in particular ‘child focused practice’ are described. The consequences of this for decision-making processes are considered.

The ways social workers explained the original causes of client problems are then presented. The most prominent concepts used to describe clients’ original or historic problems revolve around constructions of mental illness, intergenerational cycles of abuse, and lack of social/family supports. The contention that these discourses function to alleviate culpability, and categorise parents as struggling to cope, rather than morally deviant, is introduced. The original causes of problems for whanau Maori (Maori families) were often constructed as missing extended whanau links that could provide a source of whanau support, knowledge of tikanga Maori and identity for Maori children. These concepts were especially used by Maori social workers to conceptualise original problems.

During both results chapters, themes are discussed in ways that draw attention to: the interpretive processes social workers engage in while creating case narratives; the practices that interrelate with these interpretive processes; the inconsistencies, conflicting discourses, and competing demands made on the study participants by their context; how power affects the ways versions of truth about children are created in a complex interplay between a variety of people and systems; how constructions of children’s ‘best interests’ interrelate with other important material and discursive features of the practice environment; and how the social worker, as a mediator or broker of knowledge, exerts their own values in order to produce knowledge/make claims about clients. Social workers elicit information though social practices, the nature of which affects the construction of that information into decision reasoning.

6 The correct ways of doing things according to Maori cultural rules and norms.
The meanings assigned to it are then negotiated with clients, and social workers mediate the nature of those meanings between the client and the organisational and legal context. D’Cruz and Gillingham (2009) examine the ways social workers, in translating theory into practice, act as “positioned subjects and mediators of practical meanings and formal concepts” (p. 239). The ways various social actors negotiate shared meanings influences the trajectory of practice, including judgements, actions, practices, the ongoing relationship between social worker and client, and access to resources over the life of a case.

**General description of cases, decisions and their reasons**

This section begins by describing the data in general terms before focusing on thematising the results. This initial description outlines the kinds of decisions made in the cases presented by the social worker participants, and describes what the general issues or reasons for decisions were. As in any discussion of cases in social work, the presenting issues are complex and to even begin to describe them necessitates some kind of interpretive process. Furthermore, where cases involve multiple children and adults, and change over time, these factors lend further complication to presentation of an adequate picture of the cases. The purpose therefore, is to present firstly a naïve ‘realist’ account of the cases in order to give the reader some general information, then to interrogate these accounts with a more detailed and nuanced thematic analysis.

**Types of decisions and basic reasons**

Table two below shows the type of decisions social workers made, the original, historic causes of clients’ problems as identified by the social workers and clients (where interviewed), and the basic reasons for the current decision. The latter reasoning may be pertinent, for example, when the child has been in care for many years already, and the case account given may be regarding the most current decision to change caregiver. In these cases the original reasons for the child coming into care are provided in order to provide background information. As much as possible the terms used are those used by participants, but these reasoning generally reflect social worker views. The reasons are the same in the category ‘to remove children from their
biological parents’ as those issues persisted over time and were both historical and ongoing concerns – hence the decision to remove.
Table 2: Type of decisions made and problem causes – original and current

<table>
<thead>
<tr>
<th>Type of current decision</th>
<th>N</th>
<th>Causes of original problem</th>
<th>Reason for current decision (where different from original problem)</th>
</tr>
</thead>
<tbody>
<tr>
<td>To return children from long term care (more than 2 yrs) to their natural parents</td>
<td>3</td>
<td>Mother’s abuse, depression, not able to meet child’s needs as baby/toddler, attachment</td>
<td>Improvement in mental health, stable relationship, engagement in tertiary education, child wanting to go home, problematic behaviour in foster-care, mother’s honesty with worker</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Possible sexual abuse, not protecting older children already in care, neglect</td>
<td>Safety plan in place, mother’s motivation, counselling, improvement in parenting style</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Drug dependency, parental conflict, anger/physical abuse</td>
<td>Ceasing drug dependency, anger management strategies, parenting education courses, parental honesty and engagement</td>
</tr>
<tr>
<td>To return a child from short term care (less than 2 yrs) to their natural parents</td>
<td>6</td>
<td>Depression, suicidal and homicidal thoughts, lack of family support, financial pressures</td>
<td>Increase in energy and improvement in mental health, wanting to work on relationship with child, mentor, counselling, child wanting to go home, close monitoring of mental health</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Father leaving, mother’s depression</td>
<td>Mother’s mental health improving, given ultimatum to have them back, reluctant but</td>
</tr>
<tr>
<td>Event</td>
<td>Description</td>
<td></td>
<td></td>
</tr>
<tr>
<td>-------</td>
<td>-------------</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mother’s mental health, depression, accusations of sexual abuse</td>
<td>Father open and honest, new partner, allegations of sexual abuse unfounded</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Father’s abusive/violent behaviour, mother’s mental health (bipolar)</td>
<td>Parents separating, mother motivated.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>No family support, depression of mother, violent partner relationship, asking for respite, physical abuse</td>
<td>Identification of family supports, separation from partner, safety plan, support from partner’s whānau</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mother’s sexual abuse, PTSD, depression, dominating partner, possible abuse from partner to child</td>
<td>Improvement in mental health, engagement in range of support services, separation from partner, honesty with worker</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

2. To change a child’s caregiver placement

- Extreme neglect
  - Teenager’s difficult behaviour, foster-caregivers viewing of her as ‘just like her mother’, child’s risky behaviour against FP’s values

- Mother separated from biological family, in foster-care, disconnected from ‘roots’, lack of wider whanau connections
  - Mother going to prison, not trusting either her own or partner’s extended family due to drug and alcohol abuse
<table>
<thead>
<tr>
<th>1</th>
<th><strong>To allow a child to remain with their parents or caregivers following ‘smacking’ incident</strong></th>
<th>Neglect, malnourishment (original)</th>
<th>Overall positive parenting, child’s perception, child’s progress in the placement, harm associated with removal, caregivers honesty and attitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td><strong>To decide which parent a child should live with following parental separation</strong></td>
<td>Mother’s mental health, depression, accusations of sexual abuse against father</td>
<td>Father open and honest, new partner, allegations of sexual abuse unfounded.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Mother’s mental health, conflict between the parents, non-harmful, conflict (mother violent to father), lessened, mother’s mental health slightly improved, beliefs, (controlling) family dynamics</td>
<td>Father’s beliefs viewed as non-harmful, conflict lessened, mother’s mental health slightly improved, family dynamics</td>
</tr>
<tr>
<td>3</td>
<td><strong>To remove children from their biological family</strong></td>
<td>Drug and alcohol addiction, intergenerational addiction and poverty (one of two children with kin)</td>
<td>Drug and alcohol addiction, intergenerational addiction and poverty (one of two children with kin)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Drug addiction, mental health, constant litigation between biological mother and aunt</td>
<td>Drug addiction, mental health, constant litigation between biological mother and aunt</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Lack of engagement with midwifery services, drug use in pregnancy, post partum depression with earlier pregnancy (with kin)</td>
<td>Lack of engagement with midwifery services, drug use in pregnancy, post partum depression with earlier pregnancy (with kin)</td>
</tr>
<tr>
<td>To leave children with biological family and work with the family to ensure safety</td>
<td>5</td>
<td>Blended family, step-mother’s unrealistic expectations, physical abuse</td>
<td>Father engaged with service, safety plan in place</td>
</tr>
<tr>
<td>---</td>
<td>---</td>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Solo motherhood, stressed, difficult child, (ADHD), violence to sibling, attachment issues, physical abuse.</td>
<td>Child lives with grandparents with extensive access with mother, safety plan in place</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Father’s history of extreme abuse and foster-care, intergenerational abuse, PTSD, ‘like a child himself’ crying baby agitating young father, threats to hurt baby.</td>
<td>Parents engaged well with service, father in counselling, safety plan/contract in place.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Mother hospitalisation, on-off partner relationship, fraught parental relationship, hospital queried violence, began as respite, wider family = drug and alcohol problems.</td>
<td>In-depth parental assessment found no partner violence, improvement in mother’s health, exit from hospital.</td>
</tr>
<tr>
<td>Changing access arrangements for children already in care</td>
<td>1</td>
<td>Neglect/malnourishment (original)</td>
<td>Too frequent access was upsetting children, threatening placement stability, so access was decreased.</td>
</tr>
<tr>
<td>TOTAL:</td>
<td>24</td>
<td></td>
<td>*</td>
</tr>
</tbody>
</table>
(* While 22 social workers were interviewed, one gave accounts relating to two cases, while two of them discussed the same case (the social worker and the manager), so the total number of cases discussed remains 22. However, two cases in the above table were placed in two categories, for example, one case was deciding which parent a child should be placed with on her return home from care – thus that case was placed in both ‘return a child from short term care’ and ‘decide which parent a child should live with’.

The table above gives a broad overview of the reasons given by social workers for both the initial family problems and the reasons for current judgements. The case studies, that is cases where more than just the social worker were able to be interviewed, are outlined now.

**Case study descriptions**

As described in the methodology, not all cases can be presented in full in this thesis, as the primary focus is on the context and accounts of cases. Nevertheless, this table outlines all the cases where more than just the social worker was interviewed, and describes the pertinent judgement issues they raised for both social workers and other stakeholders in each case. Three cases are outlined in more depth under the table and will be drawn on to provide ‘instrumental cases’ that will be drawn on in addition to the social worker accounts as themes are presented. Pseudonyms have been assigned to all those interviewed for this project, and to some children not interviewed but discussed.

**Table 3: Case descriptions and judgement issues**

<table>
<thead>
<tr>
<th>Case no.</th>
<th>Who was interviewed</th>
<th>Nature of decision</th>
<th>Judgment questions for social workers/agencies</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Social worker 1, (Abigail) Parent (Anna)</td>
<td>Short term removal, child recently returned</td>
<td>If a parent is chronically depressed, when does this slide into emotional neglect? Should parent’s or children’s views be</td>
</tr>
<tr>
<td>Page</td>
<td>Description</td>
<td>Case Study</td>
<td>Questions</td>
</tr>
<tr>
<td>------</td>
<td>-------------</td>
<td>------------</td>
<td>-----------</td>
</tr>
<tr>
<td>2</td>
<td>Longterm foster-caregiver, (Bernie) new foster-caregiver, (Beatrice) young person, (Beth) social worker 2, (Bessie) social work supervisor (Belle)</td>
<td>Change of foster-caregivers from long-term carers to new ones</td>
<td>How can we balance a child’s right to permanency against their right to protection from actively rejecting caregivers? At what point are their best interests better served by changing placement rather than maintenance? Who is kin?</td>
</tr>
<tr>
<td>3</td>
<td>Foster parent, (Candice) young person (Charlie)</td>
<td>Sexually harmful behaviours led to child coming into care, long term placement, taking guardianship</td>
<td>At what point should foster-carers take guardianship for young people? Who should assume ongoing responsibility for the young person’s treatment when that person has engaged in sexually harmful behaviours?</td>
</tr>
<tr>
<td>4</td>
<td>Social worker 9, (Dierdre) parent, (Darnelle) foster-caregiver (grandmother) (Delilah).</td>
<td>Mother’s drug addiction, decisions to remove children and place with kin caregivers</td>
<td>From the social worker’s perspective, when should children who have been in and out of care be placed in care permanently?</td>
</tr>
<tr>
<td>5</td>
<td>Social worker 3, (Emma) parent, (Eliza) young person (Emmett).</td>
<td>Mother depression, returning young person to biological mother after extended period in foster-care</td>
<td>What aspects of parental change should be taken as evidence of risk or safety? What is safe enough? What weighting should children’s views be accorded, esp when young person wants to go home and is a teenager?</td>
</tr>
<tr>
<td>6</td>
<td>Social worker 7, (Fiona) long-term foster-caregiver</td>
<td>Child in long-term placement,</td>
<td>How should a single incident of mild violence (smacking) be more weighted? How can intervention thresholds be consistent across differing child protection agencies?</td>
</tr>
<tr>
<td>Social worker</td>
<td>Parent</td>
<td>Case Overview</td>
<td>Questions</td>
</tr>
<tr>
<td>---------------</td>
<td>--------</td>
<td>--------------</td>
<td>-----------</td>
</tr>
<tr>
<td>7</td>
<td>Harriet (Harmony)</td>
<td>Returning four children to biological parents after extended period in kinship care.</td>
<td>How good is ‘good enough’ parenting? How do you balance other family members’ ongoing accusations with parent’s reported and observed behaviour?</td>
</tr>
<tr>
<td>8</td>
<td>Joanna (Jasmine)</td>
<td>Two young children in and out of care, current decision to return to biological mother.</td>
<td>How should we decide when and how to return children home when parent has previously displayed cyclic periods of functioning/non-functioning? How can we balance the right to permanence with the right to family?</td>
</tr>
<tr>
<td>9</td>
<td>Caleb (Katrina)</td>
<td>Removed one child with agreement to live with grandparents.</td>
<td>How much should the child’s rights to protection from harm override his mother’s or younger sibling’s? How do we balance intervention against acknowledgement of the mother’s position as a single mother with no support?</td>
</tr>
<tr>
<td>10</td>
<td>Linda (Leonard)</td>
<td>Deciding which parent a child should live with.</td>
<td>How to discern between parent’s mutual accusations of abuse, especially where the father is accused of being ‘controlling’ and the mother has women’s centre advocates, despite the mother being physically violent? How to</td>
</tr>
</tbody>
</table>
Description of three cases

In the following cases, the context and main case issues will be described. Pseudonyms for all stakeholders are introduced for ease of description. Where there are conflicting interpretations of events, a couple of the possible options are included. This is an active attempt to show the difficulties and tensions even in presenting case information without lending it a particular interpretation that has consequences for culpability, malleability or otherwise (that is, how conducive to intervention the problem may be) moral evaluations and therefore, interventions.

In case five, three stakeholders consisting of the social worker (Emma), the mother, (Eliza) and the young person (Emmett) were interviewed. All three were Pakeha (NZ European), and the young person’s father was absent and had been so for a long time. Emmett had recently been returned to Emma after four years in foster-care. Emmett (15) had been removed at age ten after a long period of Emma accessing respite care due to his behavioural problems and her depression, resulting in poor supervision of Emmett or, as Eliza viewed it, her struggle to control his wandering, active behaviour without support or recognition of his unusual behaviour. This was following several traumatic incidents for Emma, including giving up a child for adoption OR because of Emmett ‘getting into things he shouldn’t be’ (Emmett). His father had been absent since he was a young child. Emmett was in a long-term, non-kin placement at the time of return. He was returned to Emma at age fourteen, after her mental health stabilised, she entered a new stable relationship, entered tertiary education, and moved house. Emmett wanted to return home and had begun to behave badly in his foster placement. His social worker felt he was ‘sabotaging’ his placement, particularly by defying his foster mother. Despite the ‘bond’ he had, especially with his foster father, and his materially comfortable life with his foster-caregivers, she knew he wanted to return home and felt his views should be strongly considered. Emmett felt that his
return home was conditional on him behaving and not wandering at night. Emma wanted him to return, and felt stronger in her current situation, had recently ceased all depression meds after many years on them, and had a new supportive partner (adapted from Keddell, 2011a).

In case seven, four children were returned after two years in care. Their removal had been due to their parents’ daily heavy marijuana use, negative parenting style, parental conflict, ‘chaotic’ lifestyle and occasional physical abuse. Harmony (mother) noted that the many people through their house due to their drug use lifestyle was not good for the children. Harmony was Maori, and the father of the children, Bill, Pakeha. Harmony and Bill are married. The social worker, Harriett, was Pakeha. The children had been placed with kin caregivers on the Pakeha side of their extended family, who remained sceptical about Harmony and Bill’s ability to change their behaviour. In the intervening two years, Bill and Harmony had managed to cease all marijuana use, completed several parenting courses and established a safety plan to ensure all family members had concrete things they would do when feeling stressed or unsafe to ensure the safety of the children. I interviewed Harmony and Harriett at the point after all children had been returned to Bill and Harmony. Harmony sometimes felt worried about her ability to be a ‘good enough’ parent, due to her adapting to life without them. Adaptation included fulltime work that she had to give up again in order to have them back. She noted how much better she was at learning her anger triggers and drawing on support people to assist her when she got stressed. The social worker was very encouraging of her and Bill’s efforts to get drug free and learn new ways of parenting. She had become ‘part of the furniture’ to Harmony. Both of these return home cases were considered successful by all stakeholders, although the children in case seven were unable to be interviewed directly (adapted from Keddell, 2011a).

Returning the children home in both these cases was managed in a phased process, by increasing the length and frequency of access times, ensuring good support for the parents in terms of social work support, counselling, vocational guidance, and contact with the children to elicit their views and feelings as reunification progressed. However, there were a number of challenges to the return home process, for example, when the Emmett was involved in a fire-lighting incident and took marijuana seeds to
school. He said he had found them at home. Ongoing work was done with Emma to ensure he was not exposed to drugs, and he was adequately supervised. Likewise, in case seven, Harmony’s tendency to ‘blow up’ and become verbally abusive under stress posed a threat at times. The meaning of these events was considered in the context of the questions ‘what constitutes ‘good enough’ parenting’?, what should ‘count’ as ‘risk’, and how much of it is ok?, and weighed up against the whole picture of the children’s lives. Managing these crises relied on the quality of the social worker-client relationship (adapted from Keddell, 2011a).

Case eight consisted of a Pakeha mother, Jasmine, and her two children, Elijah (4), and Ruth (2). Jasmine’s cyclical depression, alcohol use and partnership with a drug dealer who had locked Elijah in his room and ‘hurt’ him (Elijah stated this) had led to the children coming into care. They had been in care before, and this time they remained in care for some time (a year), to allow Jasmine sufficient time to deal with her depression, traumatic history, leave her partner and regain a stable lifestyle. Jasmine had attended both parenting and AA groups, despite resisting the categorising of herself as an ‘alcoholic’. She acknowledged she got something out of attending, even without claiming an alcoholic ‘label’. At the time of the interview, the children were to be returned permanently to Jasmine within a few months. However, Jasmine felt they had been in care for too long, that she had made significant changes in her life and had had to ‘jump through hoops’. The social worker, Joanna, had at times had a difficult relationship with Jasmine, but both had managed to maintain it through difficult times including when the children came into care. Joanna felt she had gone above and beyond the call of duty to support Jasmine and worked hard to attain consent for the children coming into care. Joanna felt this consent had helped keep Jasmine engaged with the social work service, even if only marginally. Jasmine, on the other hand, felt somewhat coerced, at her lowest point in terms of her depression, to agree to the children coming into care, and emphasised the children’s distress on separation from her. While she acknowledged it was the right thing at the time, it caused her significant distress.

These three cases, as well as the accounts of all participants will be drawn on in illustrating the themes described below.
**What is ‘good practice’ in decision-making?**

One aspect of the study was leaving open which cases social workers selected. Allowing the social workers to select cases they felt ‘pleased with’ enabled an investigation of what criteria social workers utilised to decide if a case was positive in some way. Allowing them to choose a case they experienced as ‘pleasing’ provides insight as to how social workers view elements of ‘good practice’. Each social worker may have diverse reasons for choosing their selected case, and these reasons may range from aspects of the process to the final outcome. However, exploring the common themes across these cases, as well as their differences, provides insight into the discursive and material contexts within which social workers operate, and highlights the complex weighing up of competing aims of practice. The cases selected by social workers as those they felt ‘pleased with’ had the following common aspects:

- Moderate to high levels of child protection concerns – most parents had had children removed at some time for at least a short period of time (19/22);
- Those where it was felt children’s ‘best interests’ had been protected;
- Those where relationships between clients and social workers were maintained despite periods of hostility or tension;
- Most were cases where children were either maintained in their family of origin, returned home after both short and long term care, or maintained in their usual long-term caregiver placement (18/22);
- For children who were coming into care, in three of the four cases, children were placed with kin caregivers.

These common aspects illustrate three primary findings that will be covered as themes: firstly, that social workers viewed family maintenance as a desirable outcome, secondly, that social workers viewed the protection of children’s ‘best interests’ as a fundamental aim of practice, and finally that in cases they felt ‘pleased with’, their relationship with clients had been maintained despite the challenges and power imbalances inherent in child protection social work.
Table 4: Themes underpinning decision-making reasoning

<table>
<thead>
<tr>
<th>Children’s best interests</th>
<th>Risk and safety</th>
</tr>
</thead>
<tbody>
<tr>
<td>- needs and rights</td>
<td>- risks balanced with safety/strengths</td>
</tr>
<tr>
<td>- psychological needs</td>
<td>- Signs of Safety approach</td>
</tr>
<tr>
<td>- rights to voice, protection, family</td>
<td>- solution focussed - exceptions, belief in change</td>
</tr>
<tr>
<td>- Maori children’s needs for identity via kin connections</td>
<td>- some risks as manageable</td>
</tr>
<tr>
<td>- child focussed practices - inclusion in decisions</td>
<td>- harm of removal</td>
</tr>
<tr>
<td></td>
<td>- client’s risk of withdrawal of supports</td>
</tr>
</tbody>
</table>

**Family Maintenance**

- preference for biological kin
- creates hierarchy of preferred options

**Causes of original problems**

- mental illness: depression, addiction, trauma
  - lack of family support
- Maori family problems caused by practical and cultural dislocation
- parents constructed as non-culpable
  - struggling to construct

**Ethics and values**

- relational context
- respect: unconditional acceptance
- prioritising relationship maintenance
  - valuing collaboration: being trustworthy
- privileging children’s views and experiences
- power limited by specific harm
- personal and organisational values

**Theme one: Family maintenance as ‘default setting’**

How social workers decided under what conditions family maintenance should be pursued, and under what conditions exceptions could be made to the general aim of family maintenance are described here. Family maintenance can be described as the
overall practice aim of keeping children with their biological families if at all possible. This aim is taken as the default position in decision-making. In order for this default to be overridden and the ‘next best’ option, that is, short term care considered, either initial support mechanisms had failed, or the nature of the abuse was considered severe enough to outweigh the harm of removal. For short-term care to be considered insufficient, usually return home had been tried and failed. In cases where children were removed for short periods, the aim was still clearly for family reunification after either personal or situational change was achieved – more commonly parental personal change. If this was not possible, the ‘next best’ option was permanent placement with foster-caregivers, with ongoing contact with their biological parents.

When children were placed in either long or short-term care, kin caregivers were preferred. If biological kin could not be found, then other people known to the child could be considered ‘kin’ for the purposes of placement. The least favoured option was placement with strangers. Furthermore, whether children were placed with kin or in stranger placements, ongoing contact with biological parents, in particular mothers and extended family members for Maori children, was usually actively pursued by all social workers interviewed. Given the legislation dictates this hierarchy of preferred alternatives, this general privileging of family maintenance and the preference of the least intrusive options is unsurprising. The only unexpected divergence is regarding the construction of ‘kin’ in ways beyond biological kinship to include non-related people known to the child. Exceptions to the general preference for family maintenance could be pursued, but where harm was not only related to what was considered abuse, but also to removal, then the harm a child was experiencing within their family had to be viewed as outweighing this in order for exceptions to be made.

Eighteen of the twenty-two ‘pleasing’ cases chosen by practitioners were those where children had either been able to stay with their biological parents, had been returned home after both short and long-term stays in foster-care, or maintained with their usual long-term caregivers. This finding suggests the general conceptualisation held by social workers that children are best off when living with either their biological families or those who have cared for them for some time. The view that removal, and particularly permanent removal should be the option taken only when all others have failed was evident in this study. This meant that the focus of work was on supporting
families and encouraging parents towards personal change as much as possible. If the children required removal for their immediate safety, parental personal change so as the children could be returned was always carefully explored and encouraged. To these ends, maintaining relationships between parents and children influenced how decision options were constructed, as maintaining children in their family of origin was taken as the most desirable option. This social worker’s comment exemplifies this commonly accepted discourse:

…and talking with foster parents to explaining to them why you know – they’re great parents and they’re a great family, (but it) still isn’t the best option for a child – that that even in that great environment they won’t – they still grieve for the family that they want to be with. That going home to a mum who – who isn’t perfect – and, um, who probably can’t meet all their needs – that is still probably better for them than a perfect foster home … and I think for someone like Jasmine (client – parent) that’s why we would fight harder to put the supports around her so that she could keep on parenting her children, rather than put them into, you know, a long term foster placement. (Joanna, SW 14, Case 8)

Maintenance of children in their biological families as a positive outcome was taken as a given by all of the social workers involved, and was clearly seen as a basic aim of practice:

…when you get them (safety plans) working well and you get people committed to it, I think it’s absolutely brilliant for keeping the children safe, and keeping them at home. And honestly, I look back and I think prior to the strengths-based approach, were there children that were placed in care who could have been kept at home? ... You look back then and you think – I honestly think this is a prime example of children who were kept at home who previously may not have been. So that’s a piece of work there I feel was incredibly
successful, went well, and that I’m really proud of. (Melanie, SW8)

While aiming to keep children at home, social workers accepted a certain amount of risk was inevitable, but this risk was viewed as something that could be managed within the family setting, rather than an absolute determinant of removal. A decision to remove was therefore related not only to identifying abuse, but to judging how amenable the family was to working on behaviour deemed harmful, and what the child’s perception of it was. This quote shows the common confluence in the respondent’s accounts of discursive commitments to family maintenance as a legal prescription, a moral position, and recognition of children’s rights to be heard in decision processes:

Interviewer: So in the case you’ve told me about you’ve already explained your reasoning in coming to the decisions; what helped you reach the decision, let’s say the decision to return those children home?

Well, it is, I mean it’s our practice, our policy that we, and we work under the CYP &TF Act that children should be with their families if at all possible, if we can do that safely, so that’s the basis, that’s the core of our work, but there’s also the philosophical view from my point of view that children should be with family, if they can’t be with family then they should be with their hapu or their iwi, basically; so that was the main focus. The other thing is as the children get older, I mean they voiced quite clearly that they want to be with family, so from my point of view it’s trying to make that happen for them, if that’s what they want. (Kaia, SW20)

So, the family maintenance concept as constructed by social workers contains legal, policy and moral aspects, and often is found to co-exist with children’s rights concepts emphasising the inclusion of children’s views.
What overrides family maintenance? Exceptions to the rule

What enabled a decision to click down the hierarchy of preferred options, for example form supporting children to remain in the home, to removing them in the short-term, are considered here as ‘overrides’ to the family maintenance preference. These exceptions rely on an ability to create categories through the use of particular discourses that become powerful enough to supercede the dominance of family maintenance. Contrary to the assumption that this is only in relation to the degree of specific incident of abuse a child may be subjected to, instead the more dominant concepts used to create exceptions were harm, needs, and children’s own wishes. That is, the degree of harm, including emotional harm was considered important, but this was embedded within a broader picture of children’s other long-term needs, particularly for foster children, for whom the agency was entirely responsible. For older children especially, the confluence of their expressed wishes and improved family circumstances able to meet their ‘needs’ (as well as the preference for biological family itself) were especially powerful in decisions to return children home after long periods of time in foster-care, despite this being anathema to current ‘permanency’ policies. Some cases where exceptions were made will now be presented.

The most obvious exception to family maintenance was if the child or children were subject to obvious extreme abuse or neglect that placed them in physical or emotional danger. Social workers were careful to state exactly what the nature of that ‘harm’ was, and put it in terms of directly related to physical injury or emotional/psychological harm for the child. These kinds of issues would enable children to be removed from parental care for short-term periods of around three to six months, with the ultimate aim being to return home. Past harm or concern about future risks were often spoken of as ‘worries’, in line with the decision-making tool used by the agency (the Signs of Safety approach Turnell & Edwards, 1999). In this example, parenting was deemed harmful enough to require short-term removal due to not enough food for the children, a controlling partner bringing drugs and drug taking associates into the house, and shutting a four year old in his room:

So we met – I met her again for about 2 hours – she come
back to the office and we talked it through with … how did others look at things, there’s lots of really concerning things like the kids weren’t getting enough food to eat, X (step father) was shutting them in the bedroom, you know, there were lots of worries, um, so we agreed that the kids … need to come into care. So we were actually at the point where it wasn’t actually safe to keep going. It was – things were going to blow pretty soon. Particularly if she was gonna go and talk to him and ask him to leave. So, um I rang her up and said you know I think maybe um maybe we have to do a bit more than just talk about it. Because if you talk with him, and things could get difficult how do you think that will be for the children – Oh, it won’t be good. So probably took about two hours of talking with her again before she was willing to sign them over to our care. (Joanna, SW14, Case 8)

In addition to clear danger for children, overrides were also constructed in response to other criteria, especially for children in foster-care. The next case describes the decision to change the placement of a ten year old boy from one long-term caregiver (six years) to another. In this case, the child was removed from one long-term foster-caregiver and placed with another, despite the legal battle fought against this move by his first caregivers. The boy was Maori, as was the social worker in this case. The foster-caregivers were Pakeha. The child was one of six, two of whom were living with their biological mother, the rest of whom were either in care or had ‘aged out’ of the system. This boy had been displaying behaviour experienced as difficult by his caregivers. His social worker interpreted this behaviour as a result of being viewed as the ‘foster boy’ and treated differently from his (biological) sibling; and because he was Maori and the foster-caregivers were Pakeha. The social worker noted that he was ashamed when they went to Maori events and the foster-caregivers did not behave appropriately. The boy also disclosed being hit by the foster-carers with a cooking utensil. Visits with his mother had been stopped as a punishment for bad behaviour, and he was told he would ‘end up in prison just like your father and uncles’.
According to the social worker, the caregivers stated that his difficult behaviour was caused by a medical condition requiring diagnosis and medication. Conversely, the social worker viewed the causes of his difficult behaviour as his need for a structured environment with lots of outside space, and to have his identity and belonging ‘needs’ met. Thus, the social worker attributed the causes of his behaviour to the dynamic between social, contextual and cultural identity issues, while his caregivers preferred an individualised, internal medical construction of the causes of his difficult behaviour. It’s interesting to note that the actual physical abuse was viewed by the social worker as just one relatively small aspect of the overall holistic needs of the boy, and just one aspect of ‘harm’ in addition to his ‘needs’ for a structured environment, acceptance and access to his Maori whanau not being met:

It was also voiced to me, (from the caregivers) ‘why would he miss his marae because he has hardly been on there?’ Because I actually said to them, I took this boy down to see his dad, to have a visit, and as we came down the valley he said, ‘this is like coming home, I remember this place’, you know, and, ‘I remember being on the marae’, even though he would have been quite small, he said that, and I talked to them about that, trying perhaps so they could get some understanding of what it actually meant to him, and that even though he had not spent a lot of time on the marae there was still that pull, you know, that need; but it was brushed aside, they didn’t acknowledge it or understand it… . (Kaia, SW20) (brackets mine)

In this case, the child was moved to other caregivers who, perhaps ironically were also Pakeha, and also had other biological children of their own. However, they had a rural, outdoors lifestyle, clearer routines and structure, and were more supportive of the child’s Maori identity and family relationships. In this case, the most obvious reason conferring exceptions to the rule of family maintenance was that the child was not being removed from his biological family, but from a long-term caregiver. In this case, the lack of biological ties, the concerns regarding the identity and emotional needs of the child, combined with the agency’s ongoing legal responsibility for the
child created the basis by which changing placement was constructed as a necessary and correct decision. Further supporting this decision was the individualised, medicalised, and blaming constructions by the foster-caregivers of the causes of his difficult behaviour, combined with the punitive discipline and cultural identity issues. The cumulative effect of these issues were enough for the social worker to insist that his placement was changed.

The second case example of overriding family maintenance, is that of Emmett, case five described above. One major issue highlighted in this case that allowed for an exception to maintenance of the permanent placement was the child’s own views and wishes to go home that carried more weight as he got older. The expressed wishes of older children were viewed as especially important reasons to consider changing ‘permanent’ care arrangements. Where this was combined with the option of return to their biological parent or other kin caregiver, changing placements became especially possible and could be constructed as desirable. However, neither of these factors was enough, on their own, to have allowed for the exception – it had to be combined with the mother’s changed personal circumstances as above. The social worker states that:

...he was 14 at the time and I just said ‘well, we have to start taking what he wants into account,’ and he’s going to vote with his feet and sabotage placements to get there and so with this really good plan around him he returned home to mum.

(Emma, SW 3, Case 5)

The young person’s account of why he was returned to his biological mother also emphasises his own wishes combined with his mother’s improvement in mental health and deteriorating relationships with his foster-caregivers:

Interviewer: Well just tell me about how did that decision get made, what happened that led to you going back home to mum?

Respondent: First off, mum was off the antidepressants and she was getting along with us and I just said to Open Home,
could I try on and off with mum and see how it goes, more and more time with mum and she - now mum’s just going for full custody of me.

Interviewer: So that was all sparked because you asked for that to happen, is that right, was that the first thing they -

Respondent: Well that and I was kind of … because I was becoming a teenager I suppose, and I was becoming a little bit more difficult to my foster parents. (Emmett, young person, Case 5)

Thus, the discourse of ‘child-focused practice’ (discussed further below) allows the wishes of children, especially older ones, to be ascertained and privileged in the decision-making process. Thus, older children are constructed as active, responsive agents in the process rather than the passive recipients of decisions made by adults alone. The convergence of several factors and their associated discourses combine to enable these exceptions to be made in order to change permanent care arrangements.

Finally, this next case examines further the tensions social workers juggle when making decisions for or against the family maintenance rule that underpins ‘good practice’. This child was eventually returned home, yet the case provides further nuanced insights into tensions around whether exceptions to family maintenance should be made or not. These kinds of cases, where the thresholds for certain actions are clearly disputed and disputable, provide much insight into the reasoning processes involved. The child in this case was a pre-school boy who had been in and out of care, (Elijah) and through three Family Group Conferences, but was eventually returned home. He was the youngest of five children, however the other four, to a different father, were all much older than him. His mother had a history of drug and alcohol abuse, her partner (not Elijah’s father) was violent and in and out of prison due to this violence. The mother struggled with depression and initially approached the agency herself for assistance as she was socially isolated and had little support for her parenting of the little boy. She was becoming physically abusive towards him. The social worker comments:
Interviewer: So he came into care and was mum accepting of that or not?

Respondent: That’s what mum wanted, I think she was at a point where she was – yeah, she was really terrible, she was saying to herself, I can’t cope any more … some people do that but I just think that … her confidence … we did call a family group conference because there was substantiated abuse … yeah and so we had the first family group conference …and so we maintained links between Elijah and his whanau to ensure that he still had regular weekly contact … to keep those links, yeah, so the whole time I think the goal from day one was that mum wanted some help but she never wanted her child to come into long term care, so I said to her, her goal was set at that time, that the goal would be to support her to have the long term care of the child and we made that quite clear at the start.

Interviewer: And you felt quite confident that that was a realistic goal knowing what her -

Respondent: Absolutely not! …but you’ve got to have a goal in mind, the child comes into care and you need to work towards it so the plan was never for him to be in long term care but it eventuated into that, because that’s what happened, but mum came to us for support with him … so the goal was in fact that this is what we’ll support her with, and all the other child welfare, care and protection, the code of ethics around keeping the family together, family responsibility, so based on those principles that’s what we did… child came into care with us was a last resort kind of thing but in saying that there was plenty of discussion with mum throughout that about what the concerns were and what the possible outcomes
would be if they weren’t addressed, and what was the possibility… . (Scott, SW 12)

In this case, the social worker eventually retained the family maintenance ideal by returning the child to his mother, but the decisions made were by no means simple due to the competing demands of conflicting discourses, including those of children’s rights, definitions of abuse, the decision-making role of family/whanau, attachment and permanency. This social worker exemplifies the difficulties, in specific cases, of achieving a balance between the child’s ‘best interests’ with due regard for attachment concepts (underpinned by the practice drive towards permanent placements with foster-caregivers), and the child’s ‘best interests’ with due regard for maintaining his biological family connections, attachment to his mother and siblings, and Maori identity, all within a ‘children’s rights’ context. This quote illustrates these interpretive difficulties:

There was a point at that second family group conference, that there was some question around the child’s right to not have to go between the two homes and be emotionally abused, when is it their right to say, ok, the child has a right to permanency, which is part of the Act that says, they have a right to stabilise in one place, they have a right to have a life where they can emotionally attach to someone, you couldn’t achieve that by carting them back and forth, back and forth all the time, so that was a dilemma at one stage, yeah, because I was never questioned about when … that was a, I suppose a … because there’s no hard facts anywhere, there’s only suggestions around what should happen, so it was about making a decision at the time about well ok, what’s in the child’s best interests right now, at this time, and that was a hard thing. (Scott, SW 12)

Thus, in this case, the interpretive possibilities were contestable. The situation of multiple entries to kinship care could be viewed as creating possibilities for distress/harm (even ‘abuse’) for the child. This harm was linked to multiple carers and
the history of drug and alcohol abuse and physical abuse that the child had at times experienced. Conversely, multiple carers could be considered to be a mechanism that conferred safety and protection on the child, as it allowed his mother to have some respite from the demands of parenting and at the same time continued his primary relationship connections, both in attachment and whanau Maori terms.

Furthermore, the possible benefits of the child staying within his biological family, even if it was a number of carers, when weighed up against the alternative, (stranger care) was found to be the better option. This differed from those children already in stranger foster-care. Thus, the reasoning rationale to keep him in the care of his family was reinforced by the fact that the child was initially in the care of biological kin, as this required a higher threshold of harm in order to consider disrupting it.

This rationale was even further enhanced by the family being Maori, which functioned discursively in several ways. Firstly, it increased the salience given to extended kin connections, widened the search for actual support available in pragmatic terms to the child, and included even non biologically related people in the definition of ‘whanau’. For example, this quote discusses the mother’s partner’s family’s role, even though he is not the father of the child in question:

…so we went back to another family group conference and at that time T (mother) wanted to draw in her partner’s side of the family, he had a big extended family in the North Island -

Interviewer: The current partner?

Respondent: Yeah, the one that went to prison, because he was in there for three months and he was due to come out, so she wanted to bring his, those whanau down from the North Island, and just to be part of the family group conference process and so we agreed to that because there had always been a lot of family, it was just about establishing the right kind of plan that was best suited for T and S (child), so we brought them -
Interviewer: It’s interesting how those definitions of family changed at that time –

Respondent: I think that family can come up as – a child has a strong psychological attachment as well, and for Maori as well, we talk about whangai—children who are fostered out … and so within that context that was part of that culture within that family was that family was not necessarily biological, it was about their links… . (Scott, SW12)

The joining of the psychological concept of attachment, to the Maori concepts of whangai or fostering children not biologically related are thus used here to strengthen the decision rationale. The social worker’s own ethnicity as a Pacific Island social worker may also have heightened his acceptance of multiple carers and the positives associated with extended family as a mechanism by which to strengthen the judgements needed to gain the ultimate aim of family preservation. He utilises the concept of ‘whangai’ here to include the mother’s current partner as ‘whanau’ despite their lack of biological connection to the child. This pragmatic, relational definition of family was noted in other cases, especially where the child had an emotional attachment, and in particular where they were able to act as resources for the care plan to succeed.

Thus, in these override examples, we can see the complexity of highly contextual and specific decision-making. While in general the preference for family maintenance was powerful, this could be overridden. Children already in foster-care and those in their biological families were constructed differently, due to the different ways biological and foster families are constructed with the former being viewed as less dissolvable.

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7 Whangai means literally to feed that which is not of your own body, or to foster children that are not biologically your own. A common practice since pre-European times, it remains relatively normal to ‘whangai’ children, especially those who you have some kind of kinship connection to.
Maori children were more likely to be viewed as needing identity and extended kin involvement, and multiple carers were constructed generally as normal (Schull, 1999).

**Pragmatic decision-making: what of the available options is the best? OR the lesser of two evils**

Another factor influencing the ways certain discourses were followed or overruled was the pragmatic availability of certain care options at any one time. In this interplay, we see the combination of material and discursive influences on judgements. For instance, in the last case described above, the decision to continue with family reunification was in part made possible by the presence of numerous family members who were available to assist with respite care arrangements. This enabled the return to the biological mother (as well as highlighting paradigmatic cultural conflicts between tikanga Maori and the broader context, as within Maori whanau where several ‘homes’ may be considered as homes for that child). In another case (eight), children were returned home a few months earlier than planned, due to a breakdown in their caregiver placement unrelated to them – when faced with the prospect of young children being placed in another stranger placement for just a couple of months, versus an early return home to a mother who has engaged in significant personal change and is saying she is ready to have them, the children were returned home early. In this case the benefits of return were taken, at that point, to outweigh the costs or harm of another placement.

In another two cases, the involvement of the child and family service was only due to the absence of family support, with the social workers both commenting that those families were unlikely to ever have become subject to child protection intervention if family support was available. In a number of cases, either the timing of changes or the decisions themselves were in part driven by the availability of resources. In case two, a change of caregiver and the acceptability of the change were influenced in part by the sudden appearance of a family friend who was willing to become a caregiver. In case six, a child finally had a relatively stable long-term placement with a family where she was the only child. The scarcity of these kinds of placements for children with high needs (she had ADHD and a reactive attachment disorder) combined with
the waiting time she would have to go through to get another one, were part of the
decision for her to remain in the placement following her being struck by one of the
caregivers. Thus, the availability of caregivers places practical constraints on
decisions that form part of the judgement landscape when considering which option is
the ‘best’. This is not to say that decisions were driven solely by resource availability,
but the presence of care and support resources changes the harm-benefit-protection
analysis that social workers are constantly engaged in as they attempt to find the best
option for children from an array of real life, and sometimes less than ideal,
circumstances. Thus the judgements made regarding risk, safety and harm are driven
by pragmatic, relative considerations in addition to stated concerns.

So, in conclusion, the kinds of cases that social workers found pleasing were those
were those where it was felt that children’s best interests had been met, and these best
interests were most notably conceptualised as relating to maintaining firstly biological
kin connections, then connections with long-term caregivers. This created a family
maintenance ‘schema’ that set up a hierarchy of preferred options. While this rule
could be overridden in cases of physical and emotional harm to children, the
consideration of wider needs including those for particular daily structures, emotional
needs and identity needs could also be considered, especially if the child was already
in foster-care. If the child was with their biological family, however, the focus on
harm was more dominant. The views of older children could also create exceptions –
especially when those views were to return to biological caregivers- in these cases the
confluence of children’s rights with the family maintenance schema was powerful in
decision processes. The availability of placements also influenced decisions regarding
the timing of placements – either to go into or come out of foster-care. Often
meanings are contestable, particularly around concepts relating to children’s needs
within a context where psychological theories such as attachment, Maori and Pakeha
ideas around family, and social worker’s own values come into play. In these
processes, social workers and families negotiate the meanings applied to events and
behaviours, as the social worker above notes “…there’s no hard facts anywhere…”
(sic) thus constant interpretation and negotiation is required in order to evaluate the
changing contingencies of people’s lives so as judgements and decisions can be
reached.
Theme two: Protecting children’s best interests: rights, needs and practices

A focus on family maintenance was clearly of importance in decision reasoning in this study. However, this was often enacted in complex ways in practice with due regard for another important concept: children’s ‘best interests’. These were most prominently constituted around children’s needs and children’s rights concepts. However, the construction of a child’s ‘best interests’, as seen in this study, relies on not only conceptual underpinnings pertaining to how children’s best interests are defined, but also how they are ascertained: in fact, the two are inextricable. This has implications for both discourses - how are best interests conceptualised? - and practices – what methods were used to find out what they are, and what was done with them once they were defined? Within a constructionist perspective, both are intertwined, as knowledge about something cannot be easily extricated from the methods used to ‘discover’ it.

Key discourses used to construct ‘best interests’ by social workers in this study related most significantly to family maintenance (as discussed above). This was supported by: notions of children’s relational needs, theorised through attachment ideas; and children’s rights. These rights were viewed as a right to have their views and perspectives incorporated in decisions, to protection from harm, and, importantly, to family. In most cases including Maori children, the power of each of these rights and needs were shaped with reference to Maori concepts. Attachment needs ideas were often extended to include numerous caregivers, and identity and knowledge of tikanga were incorporated in both children’s needs and children’s right to family discourses. The harm of lack of access to genealogical connections was also noted as a breach of children’s needs and rights.

The main practice evident that was dynamically intertwined with children’s rights discourses was the use of ‘child focused practice’, which involved regular interviewing of children, the use of child focused practice tools and including children’s stated views, often in their own words or pictures, in court documents and decisions in general. The combination of these discursive and practice devices had a
considerable impact on decision-making, as the needs and views of children were often incorporated into decisions, and the result of these was usually to remain or return to biological families.

This study found another important contextual driver of practice: the ongoing need to maintain a relationship with the parents for future work with the family, who may have different understandings of what their children’s best interests are, and how they should be protected. Thus, children’s best interests (needs and rights) are decided within a relational context that prioritises the child’s interests but nevertheless accounts for a future relationship with the parents, as well as their power over the case decision. The directive for the child’s best interests to be the paramount consideration in decision-making comes directly from the CYP&TF Act 1989. However, as the same Act creates considerable power for families to be included in decision-making, and constructs families as being primarily responsible for children’s care, determining what this means in day to day practice is seldom straightforward. The overall pattern of discourses used to construct children’s best interests can be seen below in Table five.
Table 5: Children's best interests - rights and needs discourses and their consequences

**Children's needs**
- Emotional and psychological needs
  - Met through relationships
  - Theorised through attachment
  - Theorised through Maori concepts of whanau

**Children's rights**
- Rights to their views included in decisions
- Right to protection from harm
- Right to family
- Related to children’s experiences and perspectives, including emotional impact
- Elicited through ‘child focused practice’

**Resulting practices and concepts:**
- Decisions generally to promote/stabilise existing relationships
- Attempts to preserve biological family/whanau connections or other existing relationships
- ‘Good enough parenting’ defined in relation to emotional not physical care
- Reduced emphasis on material/physical provision

**Resulting practices and concepts:**
- Children's active participation in decisions
- Emotional labour of social workers
- Advocacy for children
- Children’s views used to evaluate seriousness of abuse
- Responsibility/inclusion in safety plans
- Can result in removal from family due to right to protection

**Children’s needs and attachment relationships: defining the basic requirements of an acceptable childhood**

A prominent discourse in practitioner’s accounts of what constituted children’s ‘best interests’ was the idea of children’s needs. These were most commonly constituted around psychological and emotional needs, theorised using concepts derived from
attachment theory. This concept reflects the privileging given to the emotional and psychological aspects of children’s relationships, as opposed to physical care. Evaluating attachment relationships in turn relied on observing, talking to, and interpreting children’s behaviour directly, as well as the reports of others. Both attachment and children’s needs were also inherently connected to concepts of the ‘good enough’ parent, that is, the person held responsible to form the conditions for positive attachments and ideally, be able to meet children’s needs. Concepts relating to harm often were related to a broader conceptualisation of children’s needs.

In this study, children’s behaviour was often conceptualised by social workers as a reaction to earlier disrupted or damaging attachments. This was especially the case in regards to the interpretation of children’s difficult behaviour as signifying a way to avoid further abandonment by provoking rejection. Other ways attachments were interpreted as ‘damaged’ was where children appeared indiscriminate in their affectionate overtures to others. For example, this social worker is describing how this child’s diagnosis of ‘reactive attachment disorder’ affects the child’s behaviour:

…in fact that tends to manifest itself more as – I think she will call anybody ‘mum’ or ‘dad’, whoever she’s with at the time is ‘mum’ or ‘dad’, and she’s doing things like running up and hugging you, regardless of who you are, you know, like this is your social worker, ‘oh well’, you know, and so it’s also around personal boundaries, she’s nearly 11 years old, so just in terms of some of that behaviour … yeah, definitely the attachment stuff in terms of pushing the boundaries of, you know, not being attached so therefore not having any sense of the consequence of behaviour, ‘because if I do this, it doesn’t matter, because in the end I’ll just go somewhere else’. (Fiona, SW7, Case 6)

Others also drew on concepts of attachment damage to explain why older children engaged in antagonistic or rejecting behaviour. In terms of decision-making, conceptualising children’s negative behaviour as related to earlier rejection resulted in strengthened attempts to retain or preserve the caregiving relationship, rather than as
simply naughty behaviour that should either be punished, or managed by moving them to another placement as was the more common response in the past. As interpretations based on attachment theory are related to psychodynamic principles, stability, rather than further change was viewed as the way to deal with these kinds of behaviours. Furthermore, this conceptualisation of the requirement for stability in specific cases allowed for the tipping of the balance towards maintaining care arrangements even in the face of parental behaviour that could be deemed harmful. In case six, where a child was struck in a one-off event by her caregiver in response to a life threatening situation (for the child), the social worker explains part of the eventual decision for her to remain with those caregivers:

…and I guess some of it is weighing up the risk, what’s the risk of moving her, what will that do for her, versus keeping her here and us sort of still having a level of uncertainty, I can’t say it will never happen again, but I can certainly say if we shift her, we’re going to have issues. (Fiona, SW7, Case 6)

Another way attachment theory concepts impacted on decisions was in social worker’s appraisals of children’s behaviour during separation and reunification with parents and caregivers. Evaluating children in this context was viewed as especially useful for interpreting young children’s wishes and emotional wellbeing. This social worker shows this common focus of social worker’s attention:

Yeah, it was a useful little time because you could see how he, how he had responded to coming away from the care giver and moving to her and vice versa. Sometimes he had a screaming fit.
Interviewer: What were his views?
Um, I mean, he’s a child. He’s only three. You can’t really sit him down and do a great deal with him and I think he did really find it all really confusing because he’d kind of half way – some times he’s trot in half way through D, the caregiver’s house, the other day and he always adjusts to her house fine, she said he sometimes when he’s going there over
night he has to, he was quite unsettled for a little while, but he just seems to kind of adapt to it. But he always, still, when he sees me he runs to his mum’s leg and it’s like - oh, she’s coming again, where am I off to now? He definitely associates me with going somewhere still. Um, so it’s still a bit of a difficulty… I mean, he’s always done that – always really wanted to hug her and kiss her. Um, and hit her sometimes and bite her, but, um, yeah, he will always not run away from her. Like he’s really pleased to see her all the time, so that attachment seems to have stayed pretty strong all the way through it which is really nice. (May, SW 16)

These ways of interpreting children’s behaviour as evidence of unconscious forces at play in the child as the result of their life histories were often combined with other constructs such as the drive for family maintenance. In this next case, the social worker ‘weighs up’ the availability of broad family support combined with the child’s stated wish and ‘attachment’ to his mother and siblings as enough to continue with the shared care plan. This is the same case quoted above where some of the other professionals’ views in the Family Group Conference considered the multiple care changes to be ‘emotional abuse’ and the child to have a ‘right to permanency’ (this is code for long term foster-care):

… it was causing him a lot of grief, not being with his mum, or being with his mum occasionally, and coming back here, the paediatric assessment said that he didn’t have anything physically wrong with him, the soiling was associated with his anxiety that was around his uncertainty about how he was going to be with his mother, was he going back to his mum’s, and so that was an indication of how important it was to this child to be with his mother, he had a strong attachment to her, strong attachment to his sibling, he didn’t want to be away from mum, the carers had to deal with that behaviour as well, he would play up … and he would talk about wanting to be with them so I guess along with that, along with the family
The conflicting discourses here are clear; the child’s soiling is taken as evidence of anxiety regarding the constant separations, but also as evidence of a strong attachment to his mother. Thus, either of these could be used to justify removal or family maintenance, but in consideration of the family support available and the strong preference for family maintenance, particularly within a Maori context, this child was eventually transitioned home.

Sometimes, the ideas of attachment and resilience conflicted: a child might be perceived as ‘resilient’ when they showed what was described as ‘flexibility and adaptability’ in being cared for by a range of people without any sign of distress. On the other hand, this was also viewed negatively as evidence of poor attachment - sometimes within the same case. These conflicting ways of interpreting children’s behaviour show the contestability and fluidity around the kinds of knowledge bases used to explain children’s reactions to caregivers. These two quotes show common ideas expressed by social workers that were somewhat contradictory in that lessened affect or emotional response could be viewed as either positive resilience or negatively in terms of poor attachment. They illustrate the contestability of interpretation in constructing reasoning rationales:

It was interesting, because of their ages it was really hard to interview them, but really easy to observe them, and they were so resilient and they would go from foster parent to mum and there were no tears, there was - they were just happy fitting in anywhere which isn’t necessarily a good thing because it may show a lack of attachment to mum or - so it was a little bit scary …I guess, just concern really, concern about the fact that they’re not living with mum and that they’re – that when they were with foster parents and then that placement would break down so they went to another foster parent situation, just concerns about their emotional wellbeing I guess, moving different places and not seeming affected by it. (Francine, SW4)
Well I met with mum every week and talked to the caregiver and the caregiver was saying C (child) is well settled, she’s happy, she’s easy to manage, happy … , no problems at all. So this was an indicator that the emotional impacts on C are not as bad as I expected them to be. It was also interesting to see that C wasn’t keen to see her mum, like the mum was coming, she didn’t really want to have access with her which was a bit of a worry, I think oh, what’s going on here. But I think it was being in care was a safe place for C and she didn’t want mum to interfere in her safe place because she’s been with the same caregivers the year before, and she never told mum whereabouts they were living, because I really felt this was her safe place and she didn’t want her mum to have anything to do with it, which was in itself a concern that a little child is hiding in a safe place, and so it was like, I don’t know… (Abigail, SW1, Case 1)

Another issue considered less important in constructing children’s needs was that of class. Social workers often reflected on the necessity of removing themselves from value judgements relating to class in determining children’s needs, and were careful to try and refrain from allowing this to impact on decision-making, beyond the most basic of provision for children’s physical needs. This social worker shows this in considering returning a child home from long term foster-care:

…and I’d go round and see them and look, the house was just the worst house in the road, it still remains the worst house in X (town), it was an absolute dive, just a falling down dump, and Emmett (child) had been having access there and having weekend visits there for so long that – I guess that was hard, thinking that we’re returning Emmett who lived in this really nice house in ... with kind of quite well off foster parents and he was returning to live with his mum who didn’t really have
enough room to have him, and we discussed that, how we’d get past that, and what we’d do …that’s what it is, it’s a class culture, it’s not judging people by their materialism or their status, by their job, you know, it’s seeing potential in situations on a different level from that, yeah, judging people on a different level from that. And I guess that would be the only – I felt quite bad when I saw … where he was going and he had this little bed, the makeshift bed they’d made out in the hallway it’s like that kind of … can this be right? you know - and he had nowhere to disappear to or to get away from, you know; and within a short space of time she’d – I think she was paying $50 - $80 a week in rent, which is unheard of, I thought it was an absolute dodle to live there, and so in moving to somewhere else for his betterment … it was costing her a lot more, but even her commitment to do that just spoke volumes. (Emma, SW3, Case 5)

### Constructing the ‘Good enough’ parent – emotional not physical care

Clearly, judgements relating to attachment and children’s needs are intrinsically tied up with definitions of ‘good enough’ parenting. In establishing what children’s best interests were, a major focus of attention is on the nature and content of the parents’, usually the mother’s, parenting practices. Parenting and particularly mothering concepts, are often laden with social context-specific constructions and rife with moral judgements. The most salient finding of this study was that similarly to the attachment discussion above, good enough parenting was usually related to the emotional and psychological content of parent-child relationships, however the concept was malleable and at times difficult to be certain about. This was especially so in cases of emotional abuse or neglect:

… it’s like it’s really, really hard in these cases because if you’ve got physical abuse or you can take the child to a doctor and you can measure up the harm but with emotional abuse it’s pretty difficult to judge, is it that bad that you have
to remove her because mum seems to hesitate to start addressing the issues, or is it good enough parenting to say no, actually she’s doing ok and yeah, these are the case scenarios that I found the most difficult. (Abigail, SW1, Case 1)

One method of judging ‘good enough parenting’, especially in regards to parent-child relationships, was observations of children’s behaviour. Their behaviour was taken as an indicator of parenting adequacy:

Yeah, he’s quite an amazing, when you meet him, he’s very unusual, he’s quite a quirky guy, he’s quite intelligent and insightful … and although Eliza wouldn’t have been parenting at her full capacity she still obviously did enough for him to – because he respects his mum and he listens to his mum and he values her so she obviously did something at that point that was good as well, so it wasn’t like he had reactive attachment disorder, it wasn’t like that extreme, it wasn’t huge, it was just – hard to say, it can’t have been - she must have looked after him, done enough for him, yeah … .

(Emma, SW3, Case 5)

A final issue relating to good enough parenting was the construction of socioeconomic position and how it might intersect with parenting evaluations. Similarly to the construction of children’s ‘needs’, this was considered not of salience in decisions beyond the basics. This quote outlines how as long as the basics of food, warmth and some amount of effort had been put into the physical care of the child, then anything above those basics should be considered irrelevant:

Yeah… I guess at the end of the day… you know, you are going to work with a household that is sort of – low socioeconomic… level. You know, you – as you go in you have a quick look around, you see what’s going on. And is it good enough?... so you know, you’re always making those
judgements...you know, is it clean enough, is there enough food? Um... Are good things going on that will be OK for the child? You know, it might not be YOUR idea of good food, but if it’s good enough for – you know, for them... Uh... Not that it’s good enough for them, but that it’s OK... Um, I’ve been in a home – houses where, um, the brick is a bit messy... What should I admit to? It’s an old state house which she rents, there’s stuff that needs doing that hasn’t been done, but... Yeah, but the child’s got its own bedroom, uh, she’s made, you know, huge efforts to... change stuff, tidy stuff up, move stuff around. It’s always, you know, warm when you go in. Um, I mean, he’s never hungry. Uh... He might not eat, you know, three square meals a day, but it’s... yeah, he eats relatively well.... . (May, SW16)

To conclude this section, it can be seen that interpreting children’s behaviour via the constructions of attachment and children’s needs influenced the process of producing children’s best interests in order to inform decision-making in this study. Attachment ideas are used to explain children’s difficult behaviour, their reactions to caregivers, their proximity-seeking behaviour or lack thereof. Observations of their behaviour are viewed as one way to access the emotional and psychological health of children and young people, in particular those who are too young to be directly interviewed. Ideas relating to children’s attachments and needs thus provide interpretive mechanisms used to allow social workers to come to judgement. Attachment and children’s needs are tied up with establishing ‘good enough’ parenting, most commonly defined with regards again to the emotional content of the parent-child relationship, with little privileging of physical care. Defining ‘good enough’ parenting was especially difficult in cases where physical or sexual abuse was absent. Workers attempted to resist making class based value judgements, and utilised children’s behaviour to help determine ‘good enough’ parenting as that was taken to reflect the nature of attachments.
Parent's views of children’s best interests

Parents tended to define the best interests of their children in a range of ways, and these occasionally clashed with social workers. All parents agreed that the decisions made had been in their children’s best interests, although one felt the timeframe around return was too slow. Beyond the content of ‘best interests’, the function of it was also of note. It performed a valuable mechanism in case negotiations between social workers and parents, in that it provided a vehicle by which parents and social workers could reach agreement in a manner that avoided parental blame, and was more likely to gain parental compliance. Social workers understood these implicit functions and engaged in negotiations aimed at highlighting what might be considered children’s best interests. The authentic representation of children’s wishes was another issue that was at times contested between social workers and parents, that is, who was the expert on the child’s true interests or wishes. Ideas relating to risk and safety also had many intersections with the concept of children’s best interests, however, these will be covered more directly in another section.

All parental clients except one accepted that the decisions made had been in their children’s ‘best interests’ even if they had not agreed with them at the time. They consistently noted that removal of children had allowed them to change negative life circumstances and behaviour, although the level of persuasion required and disagreements over timeframes were also evident in some cases. In this case, (7), we had discussed the mother’s efforts and achievements in ceasing drug use, as well as efforts to gain parenting skills. This discussion led to this exchange:

Interviewer: Do you think it was in their interests at the time, I mean, it was hard for you at the time, but do you think it was in their interests to be away?

Looking back now, yeah it was. It was a bloody good thing. It made us wake up and see the light, more or less. That yous need to do something. Cause it was not a good lifestyle. We had people coming in and out of the house that the kids didn’t know. So, yeah. I mean, back then if you had asked me I
would have said ‘You mongrels! Da da da da da da…’.
(Harmony, Parent, Case 7)

However, while generally parents agreed with the decisions made, some of the more specific details they did not agree with. For example, this mother felt somewhat pressured into agreeing to removal, and felt that the return was too slow for either her or her children’s best interests. She made a careful distinction between her young children’s views and their needs, as she stated that while they would never want to be separated from her, that it probably was initially in their best interests (in terms of needs) to be removed. The slow, careful return was, in the social worker’s view, taking a long term view of the children’s best interests, as they had been removed and returned before. These tensions are reminders of the power-laden environment and the complexity of negotiated decisions:

Interviewer: Do you feel your child’s views were part of making the decision which has been made?
Um, no… I don’t think they took into consideration how my kids were feeling or… Just because they would never want to be away from me… but, um, I mean, I understand that they did it in the best interests of the children, I understand that…
Yes. (Jasmine, Parent, Case 8)

The same parent here discussed the difficulties of dealing with her children’s distress when they come to her for access. Conveying accounts of children’s distress was a powerful method of resistance for this parent to the more dominant story of the ongoing placement of her children in foster-care as in their ‘best interests’:

And, um, you know, when it’s time for them to go they just cry. When they have to go they beg me; ‘Mummy please can I have this, please can we stay with you?’ and I’m the big bad one who has to say ‘No’…
Interviewer: Yeah.
And, um, there was one night that um I got to have them a little bit longer so I gave them their bath and their dinner, and
they were like, ‘Oh, can we go hop into our beds? Can we go
down the hallway and hop into bed?’ And I had to say ‘Oh
sorry, sweetie, um, you’re not staying with me tonight,’ and it
was, it was awful. It was so so so so bad. It’s like moments
like that … Every time I say to them – I tell them that I love
them every time I see them, and that Mummy would love for
them to stay with Mummy. And I say ‘You know, that will
happen. That will happen one day just a little bit longer’.
(Jasmine, Parent, Case 8)

Some parents noted the difficulties of defining children’s best interests when different
needs competed for ascendancy. This father, for example, notes the tensions of
defining best interests when he comments that:

Interviewer: And – among the decisions that have been made,
do you feel that her best interests have been looked after?
Yeah… Um, I – by and large I do… I feel, you know, it’s
hard to qualify interests, you know, because, you know, there
are so many ways to almost look at it – from different
perspectives, you know? Um, yes, she might have been
exposed to the risk of having insecticides put on her, but um,
or, cigarette butts, I mean, there’s cigarette butts all around
their door, and I always say ‘J (his ex) please, I’d love it if
you’d not do that,’ cause the baby can eat them and get really
sick or die. So, you know, those are little things, but then on
the other hand there’s the importance of seeing her mother,
and the emotional bond. So, where do you value physical
health or emotional health, you see? So they’re all different.
So, I – I’m not God, I can’t say what is more valuable.
(Leonard, Parent, Case 10)

Thus, parents’ constructions of children’s best interests tended to relate to their ability
to care for their children, the emotional bonds they had with their children, and their
‘lifestyle’.
**Child focused practice – allowing children a voice**

The concept of ‘child focused practice’ encompassed a range of practices used by practitioners that directed them to maintain a focus on the child. The inroads of children’s rights discourses into practice approaches were evident in this study. Children, especially older ones, were viewed as having a legitimate right to express their views and wishes separately from their parents, and social workers viewed part of their role to elicit and include children’s views and experiences in the decision-making process. However, ways of representing children’s views and experiences relies on an active interpretation of children’s responses, and choices regarding how to present them to others. The views of younger children were accessed using age appropriate tools, most commonly the ‘three houses’ tool, designed to build rapport and elicit children’s own views (Weld & Greening, 2005). Their views were also interpreted through observations of children’s behaviour, and via the reports of others (see appendix seven). Older children were interviewed directly.

Children’s perceptions, views and wishes had a considerable impact on the decision-making process and the construction of children’s best interests, especially for older children. In terms of focusing on the child, practitioners sought consistently to maintain a focus on children’s own experience of their life events. This social worker, in a common type of response, notes children’s wishes and links them to her own attempt to enact those wishes in practice in a safe manner. Also of interest is the view that older children can contribute to their own safety:

Interviewer: Were they all keen to go back to mum?

Respondent: All of them, and still are. They would still go there tomorrow, if mum’s not available then they ask about dad. And with the older boy, who’s now in CYFs, he asked to go to his dad’s, and when he became 13 going on 14, I thought well, he’s old enough to, you know, make some decisions around safety, so I tried to put him back with dad. (Kaia, SW20)
As mentioned above, many workers used the three houses tool to elicit children’s views. They also, at some sites, included these tools in the court documentation as a method of prioritising the children’s views within the formal court decision-making processes. One manager comments on the use of the three houses and the Signs of Safety approach in representing children’s views in case documentation:

...primarily I think because – you’re right – because we have in the past tried to present all our documentation in a specific format – background, education, access, health, all of those kind of things, as you do, but there were times I think where once again the voice of the child got lost. What does the child think, what is the child’s view, so now we have signs of wellbeing and all of those things like health and access, all of those things come in under that; the dangers, the concerns … We also need to ensure we have the child’s view as well, which we’ve never had before, and so the judge loves that. We also on all of our court documentation … have the three houses on every single one of our court documentations; we’ve been doing that for a long time … that’s the children’s views…. (Sandra, SW8)

This same manager went on to describe the actual use of the ‘three houses’, and notes the powerful manner in which it constructs knowledge about the situation from the children’s perspective. This quote also illustrates how creating a focus on children’s experiences and interests helps to re-focus an unproductive argument about parenting ability to focus directly on the child’s experience:

Just saying to the children, you know, doing the house of worries, ‘what do you worry about?’, and sometimes it’s the arguing and fighting, you know, sometimes it’s dad banging on the door and mum on the sofa, all of these things - children say these, and sometimes they do stick figures; children are writing this down, it hits you between the eyes, and when the
lawyer for the child sees that written down, how are you going to recommend that the (court) orders be discharged? You know, these kind of things, this is reality, and before you could write it in a professional sense, from the professional’s perspective, but this is bringing it home, this is what these children are experiencing, this is what they have written down; and the house of good things, what are the good things that are happening? ‘The good things are when the safety plan’s working, and I ring Aunty P and she comes over because I’m scared, because mummy and daddy are yelling’, the safety plan’s working, you know? What are your wishes, what are the things that you’re wishing for, all of these things, and so this is - what we find is working well from the perspective, from other professional’s perspective … Also, having a photo of the child as well, ‘this is who we’re talking about, we’re not actually talking about you, about whether you’re a good parent or not, we’re actually talking about whether your child is safe in your home, this is who we’re talking about, this is the child we’re talking about’. (Sandra, SW8)

Where talking directly to children was not possible, social workers observed young children’s behaviour as well as talking with others involved in children’s lives. They often spoke of advocating for children’s perspectives with parents and other professionals such as lawyers to encourage them to consider the situation from the child’s perspective. For example, in one case, where a court decision was made to return a child to her father’s care, the social worker advocated for a gradual transition rather than the immediate return demanded by the father’s lawyer. In another example, where the father was torn between his children and his new partner who was physically and emotionally abusive towards his children, the social worker focused on encouraging him to see the situation from the children’s perspective. In another, in a typical sentiment, the social worker stressed the need to makes decisions relatively quickly because delay would have caused “more emotional problems” (SW20) for the child involved.
In this next case, regarding sixteen year old Zoe, (Case two), who was moved after twelve years with one foster-caregiver to another, the social worker notes the emotional consequences of empathising with children’s positions:

To be completely honest I felt quite sick, like it just broke your heart basically. Because I always try to come with looking from a kid’s perspective, if that was me with my parents saying that, and it just felt - from her (young person) I was hearing, ‘yeah, I’ll work, I’ll try’, and yet from the adults I’m hearing, ‘no, we’re not trying any more’, and it was like, you can’t give up that hope, so it was really hard I think for me to think - I really just said, this just doesn’t feel right to try to push to have her there when they’re saying they don’t want her and I don’t want her hearing that every day for the next – till she’s 17. (Bessie, SW2, Case 2)

Thus, these excerpts illustrate the ways social workers enacted the concept of ‘child focused practice’ in their social work practice. Investigating and empathising with children’s views, perceptions and experiences figured prominently in social worker participants’ accounts, and was clearly viewed as a given in terms of enacting children’s rights and establishing children’s best interests. Social workers accepted and actively promoted children’s views within decision-making processes, often viewing themselves as advocates and protectors. They used a range of methods to elicit and include those views in their decision-making processes. They accorded children significant power, or an ‘active subjectivity’ in decision processes, and there was a significant emotional component of identification with children’s positions (Fattore & Turnbull, 2005).

Prioritising children’s views and wishes: right and responsibility?

One result of the use of ‘child focused practice’ was the attempt to deduce children’s views and incorporate them into decision-making as described in the previous section. However, this practice also had a less obvious concurrent effect. The promotion of children’s views, wishes and agency also heightened the expectations for them to be
able to express those views, and contribute to managing their own safety. Collaborating with children, especially around the implementation of safety plans, was one area in which this occurred. Another effect of focusing on children’s views was an inclusion of children’s responses in the ways that abuse or harm might be constructed. For example, whether the act of striking a child was necessarily defined as abuse, or what level of harm it caused a child, was partly defined through discussion with the child. The recognition of children’s agency and attempts to empower children allowed for a more fluid understanding of concepts relating to abuse and harm. In this case, for example, where the child was hit by her caregiver in a one off incident, part of the decision for her to remain with that carer was due to her own perception of the incident:

I think in terms of remaining child-focused, that certainly it’s something that I was challenged on in this situation, so I guess one of the things that I did there, the first thing I did was I went and saw Grace (child), so rather than going and seeing Flo and Frank (foster caregivers), to actually go and see Grace and have a chat to her and see how she was … and certainly it is that whole thing of saying to a child, you know - and it’s also a sense of how unsafe did Grace feel, like did she feel incredibly unsafe and really, really frightened, and all of those sorts of things, so it’s also getting a sense of how frightened she was of going back or of that happening again, and in talking to her I didn’t get a sense that she was frightened of that, she was saying, ‘adults aren’t allowed to do that are they’, so it was more – yeah … (a) sense of the just - or for Grace too, it’s attention stuff as well so there are a whole lot of things that come into it. (Fiona, SW7, Case 6)

Another aspect of recognising children’s agency in regards to their own safety was through the use of safety plans that relied on all those involved including child family members to ensure they were successful:

I actually said – talked about the purpose of the safety plan
was – was to make sure that um, Arahia (12 yr old child) was safe, and to make sure that if anything did happen… then she had someone she could get hold of. Because at this stage there was a concern that it was possible that, you know, Harmony (mother) might totally lose it and… beat the crap out of her or something like that yeah that was that was probably the one of the worst things in a sense. (Harriet, SW13, Case 7)

In order to recognise children as agentic individuals, rather than passive beings, their views and wishes were elicited and included as one of the considerations in case decisions. A further effect of constructing children as having a right to have their perceptions included was the expectation that children would express their wishes in age appropriate ways, that children’s perceptions of adult behaviour should shape the constitution of adult behaviour as harmful or abusive, and that children could be active members of case planning including monitoring, and having some control over, safety plans. Overall, this theme explores the use of needs and rights discourses to construct children’s best interests. The intersections of attachment theory, Maori concepts and the family maintenance imperative frequently result in children’s needs constructed around existing family relationships, thus decisions tend to try and shore these up. Rights tend to enact the expression of children’s views, and to have their views and perspectives included in decision processes. This results in decisions that attempt to lend children some power. Other results of this are the inclusion of emotional components of decision-making such as empathy for children, and the allowance of children to have some agency in defining the meaning of actions deemed possibly abusive as well as including them in safety plan execution.
**Theme three: Interpreting the causes of parental client problems, situations and behaviours**

*Explaining clients’ problems – and what to do about them.*

Social workers have to be able to explain the causes of parent’s problems in some way so as to make sense of their behaviour and situations. Explanations of parental difficulties are integral to decision reasoning, as they suggest causes, consequences and direct interventions. The construction of reasons behind why clients are experiencing difficulties draws on discursive resources - ideologies, concepts, knowledge and theories - that attribute the sources of individual difficulties to individual, family and/or wider social geneses. Sources of problems may be construed as coming from psychopathology, biology, the functioning of the family, learned behaviours, unconscious forces, cognitive schemas, moral failings, or the socio-political context. From a social constructionist perspective, these causes are not just about ‘real factors’, but about how problems become constituted through socially acquired processes of construing meaning, depending on the prevailing or dominant ways of understanding the issues at hand (Milner & O'Byrne, 2002a). Thus, certain behaviours may be interpreted as being about ‘attachment issues’, rather than ‘behavioural issues’, or addiction may be viewed as either a response to early trauma, or as an illness that requires treatment. Parenting difficulties may be constructed as a ‘lack of parenting skills’ or ‘lack of social support networks’. Further, certain practice tools and approaches impact on the way client behaviours are viewed by determining which information is perceived as significant, what theoretical basis will be used to explain human behaviour, and what decisions and interventions are therefore appropriate. I will discuss findings related to these issues in two related themes; causative accounts, and risk and safety. This section covers the first theme of causative accounts, that is, the accounts of what caused the problems or issues facing the family that led to the intervention of child protection services.

This study examined both participants’ views of the causes of the original problems, that is, the problems that initially precipitated the involvement of the child protection agency, and the reasoning justifying the current case decisions. As cases can be open for a number of years, the situations and behaviours of clients and their social workers
change over time, as does their relationship, thus the interpretive possibilities also change.

**Constructing the client: how clients and their problems were viewed**

There were patterns observed in the accounts of how social workers constructed the causes of parent’s original problems. The causes of client’s original problems were usually attributed at inception to factors beyond the client’s control, most often in terms of mental health problems (most notably depression, drug and alcohol addiction, and related to early trauma) or lack of family support. Parental clients usually agreed with these explanations, although they also emphasised being in a general negative situation such as a ‘bad scene’, negative lifestyle, bad relationship or combination of factors. I argue both social workers’ and parents’ interpretations functioned to construct parents as lacking culpability or blame in these ‘causal accounts’ (Bull & Shaw, 1992) of what was causing the clients’ problems. This table shows the frequency of these explanations in social worker accounts, and highlights the three that often occurred together:
Table 6: Reasons used to explain original problem causes

- Mental health issues (including addiction and depression) – 11
- Mother’s own abuse/intergenerational abuse - 3
- Lack of family support, including lack of paternal support – 5
- Finances/Poverty – 2
- Acts of physical force/abuse – 3

(Sometimes a combination of explanations was made).

Two aspects of these reasons deserve comment: firstly, that a relatively small number gave the parents’ abusive actions as reasons for the original problems, (although physical violence was present in many cases) and secondly, that the most prominent ways of explaining the original causes viewed problems as either caused by the social context (e.g. Lack of family support), or by mental illness of some kind. While some social workers mentioned lack of family support (n=5) as contributing to family problems, there was less emphasis on broader macro factors such as poverty. Despite the fact that in 19/22 accounts the parents were single women parenting with very limited material supports, only two social workers mentioned financial strain specifically.

Current problems were constructed in a significantly different way. While earlier problems, (often those prompting the initial removal of children or child protection investigation) were viewed as caused by mental illness or lack of support, current issues, while acknowledging the influence of the past, were more likely to be described as if they were antecedent free, or ‘just behaviour’. This was especially so when behaviour was described in the Signs of Safety format, which encourages social workers to describe behaviour and its frequency as specifically as possible without the
use of judgemental or interpretive language of any kind. The Signs of Safety format draws on these concrete behavioural descriptions to make a risk statement outlining the agency’s concerns about the children’s safety. In line with the Signs of Safety, and the solution-focused premises it is based on, current issues were viewed as discrete, fixable and aberrations within a lifetime of generally acceptable individual and family functioning. These ways of constructing current behaviour, influenced by the Signs of Safety approach, will be discussed more fully in the theme of ‘risk and safety’.

Another difference noticeable in the ways knowledge about family problems was produced was in regards to Maori families. In addition to the ways described above, the problems experienced by Maori families were described as caused by lacking connection to extended family networks. The absence of these networks were considered to be causative to family problems in several ways: lack of practical family support with child rearing; little knowledge or connection to a tribal identity genealogical connections conferred on children; and removal of access to Maori culture. In addition to these issues, in smaller rural towns, the danger of gangs to young people was also particularly identified by Maori social workers in regards to Maori children, where parents were expected to protect children from the influence of local gangs that permeate the social context in some towns. Some of these findings regarding the conceptualisation of family problems will now be presented in more detail, using quotes as examples.

**Constructing the client as lacking culpability**

The construction of depression and other mental health issues as illnesses affected by lack of supports, isolation and an intergenerational ‘cycle’ of abuse were significant ways in which social workers were able to maintain a view of clients in the category of ‘mentally ill’ (including drug addiction). With this definition comes the implication that they lacked culpability, and required support, rather than being morally at fault, and in need of correction or punishment. This construct functions to create a way for the social worker to focus on personal change and support, while alleviating the need to view the client’s behaviour as the result of individual failings or poor choices. These two quotes show this strong theme of constructing the causes of clients’ problems as related to mental health issues beyond the direct control of the client.
They also illustrate the ways these constructions functioned as ways to maintain an adequate mothering identity from the social worker’s perspective:

Interviewer: So how would you explain the cause of the family’s problems?
Respondent: ... the drug and alcohol problems, and lifestyle, often prostituting to get money… I found the whole situation quite sad because you get in a vicious cycle. I think personally she probably wanted to be a good mother, but she had a sickness of the alcohol, and to maintain food coming into the house and that, because she was sick and that, she had two children, and also she had huge self esteem problems. (Dierdre, SW9, Case 4)

Interviewer: So in that case – you’ve sort of partly answered this question, but how would you explain what was causing the family’s problems?

Respondent: I think a lot of it was the mother was abused as a child, she was depressed as an adult, and she was depressed around the time of D’s birth, and since he was three and four, and I just think that that affected her ability to relate to D, and I think that he didn’t get his emotional and psychological needs met at that right stage, as a very young child, so he felt quite alienated. (Emma, SW3, Case 5)

The construction of depression, drug and alcohol issues and other mental health issues as illnesses affected by lack of supports, isolation and a ‘cycle’ were significant ways in which social workers were able to exempt clients from the category of ‘blameworthy’, in particular when discussing client’s histories (Silverman, 1998; D. E. Smith, 1978). The explanations of individual psychological problems, for example, ‘self-esteem problems’, creates a psychological discourse about clients that manages to avoid directly blaming them and helps to maintain a sympathetic viewing of them,
while at the same time allows acknowledgment of the potentially harmful impact on children of their behaviour.

This interpretation of the function of these accounts to exempt clients from blame is further supported by the way that social workers were careful to avoid explicitly blaming the client for their predicament. For example, only one social worker labelled the parent’s behaviour as ‘physical abuse’, despite several others making reference to violent behaviour from parents to children. This reluctance to label client’s behaviour in negative ways was strongly connected to a viewing of the client’s situation as part of a ‘whole picture’ that was complex and contained other important elements. Furthermore, it reflects a number of other discursive threads in the context, including the general ethos of the agency that encouraged a fundamental respect for clients, and the use of the Signs of Safety approach that specifically tries to avoid the use of interpretive labels by describing parent’s behaviour in specific, concrete ways (Turnell & Edwards, 1999). Both of these aspects (respect, safety) will be covered in the themes of risk, safety and ethics below. Thus, social workers utilised mental health discourses, even when others were available, to create exemptions from the category of ‘bad parent’ as a way that helped preserve clients’ mothering identities and a non-judgemental relationship between the social worker and parent, yet still allowed action to protect children, based again on their needs.

**Client’s views**

Clients often agreed with explanations based on mental illness or lack of support, but linked these more specifically with other traumatic or distressing circumstances. One rejected pressure to comply with a view of herself as an ‘alcoholic’. Despite the potential assistance in avoiding culpability, she felt it was not accurate. This parent, however, agreed with the mental health discourse regarding her struggle to cope with parenting. When faced with the terrible decision as to whether to agree to her children going into care or not, a construction of this mother’s distress as depression allowed her a way to maintain an adequate, caring mothering identity while at the same time agree for her child to go into respite foster-care:

The decision to put him into full time care was – my
depression I was living with got to the extreme where I couldn’t cope, I actually took myself up to the hospital, handed over my car keys and said that I was sort of like – yeah, so for his safety and that, I had approached Open Home and said to them … I didn’t know how long it was going to be or things, because at that time it was just day to day existence, but in that time I was at - it was the first time I was actually able to think of me rather than … I was with my family, the marriage fell apart, so I was on my own raising Emmett and my daughter A, he was eight months old when the marriage ended, when we got kicked out, and so I basically went into survival mode I suppose and it got to the point where I just – I was ... burnt out, just sort of like had enough, and Emmett was a handful, he wasn’t an easy child, but he wasn’t like really difficult, but just I think because of the depression and just circumstances, it got to a breaking point. (Emma, Parent, Case 5)

Another area of interest in this study was how the function of constructing issues in particular ways affects clients’ perceptions of the social workers, especially as this affects decision-making and case trajectories. The client involved in this case clearly experienced this social worker’s attitude as non-judgemental:

Interviewer: How did they do that, what do you think were the things that were actually done differently at Open Home Foundation?

Respondent: I think they sort of – I felt as though they sort of like listened, that I suppose they’ve seen all sorts, haven’t they, and I felt as though I wasn’t made to feel guilty for what - for how things had developed and things like that, because I had done my best... you didn’t feel as though whatever I said or did was under a microscope so to speak, … I didn’t feel like she was sort of investigating me every time we sort of got
In this case, (5) some links can be made between the social worker’s explanation of her problems (see in previous section), her attitude to her client, and the client’s experience of the relationship. Her perception of the social worker’s attitude as being non-blaming allowed for a collaborative relationship to be maintained that allowed her child to be returned to her after several years in foster-care. The construction of her state as depression, and her social worker’s sympathetic reading of that, contributes to a relationship within which she felt was supportive and non-blaming as opposed to accusatory.

However, although social worker accounts focused on mental health and lack of social support in order to construct clients in non-blaming ways, there were other effects of these constructions. For example, while most clients agreed with the constructions of their problems at some points in the process, some resisted a psychological/medical explanation for their problems:

   And… they were concerned about my drinking as well, as well other things – which was another concern that they brought up…I was attending… a Prime and Purpose group, which is like an Alcoholics Anonymous …I still don’t agree entirely that I’m an alcoholic because… I haven’t had a drink for a month and I’m fine … I’d go to the pub once a week and do karaoke and they said that was a problem …and when I could get a little extra earning I would have a drink in the evening after the kids have gone to bed and she said that was, um, a warning sign of me not coping….which I agree with, but I don’t feel it was fair for them to class me as an alcoholic or that I had a drinking problem. (Jasmine, Parent, Case 8)

This excerpt draws attention to the connections between knowledge production and power – the power imbalance within the relationship can lead to tension over who is allowed to define client behaviour in particular ways, and this client notes that several of the things she did in line with this construction of her behaviour was purely
because of the power the agency held as her children were in foster-care. It may also reflect a differential moral categorisation of addiction as opposed to mood disorders, where while it may be acceptable to some to suffer from depression, addiction may be more morally pejorative.

However, in general the sympathetic construction of lack of culpability, based on mental health and lack of family support, functioned to create a way for the social worker to focus on relationship engagement, personal change and support. At the same time, these interpretations alleviated the need to view the client’s behaviour as the result of moral failings or poor choices. While many clients agreed with the constructions of their behaviour in these ways, some resisted or attempted to resist those constructions at certain points in the social worker/client relationship.

**Struggling to construct: interpretive choices**

While this sympathetic construction was prominent, there were also less dominant ways of constructing client’s behaviour. Several interviews showed the tensions for social workers as they grappled with conflicting possibilities for interpreting clients, especially when the ways they construe client’s behaviour have ramifications for decisions made regarding children’s lives. These cases also highlight the active nature of interpretation, as they illustrate the ways social workers must both consciously and unconsciously select appropriate discursive resources to explain client’s situations and behaviours. One example is in the case described above where the social worker struggled, especially in a multi-disciplinary space of the Family Group Conference, to know if the child’s multiple changes of caregiver should be interpreted as ‘abuse’ or acceptable whanau functioning. In the example below, we can see a social worker struggling to know how to ‘read’ or interpret a client’s behaviour, and the dilemma involved in that – if her behaviour can be construed as a symptom of a mental illness, then it can be looked on more favourably than if it’s just angry outbursts without a medical ‘cause’:

Respondent: And I guess her reactions versus her mental health, whether, or how, the mental health impacts her reactions and her actions...because it affects how you view
Another area of interest in the tensions involved in interpreting problems is when causes of behaviour or situations are not agreed on between the various stakeholders concerned. It was a strength of the research design that various versions of the same story could be examined. In the case of Zoe, (Case two) an examination of the conflicting discourses regarding the causes of her behaviour can be further examined here. In this case a young person was moved from a long-term caregiver of twelve years to another foster-caregiver.

The accounts of the social workers, the young person, the first caregiver family and the new caregivers showed quite different ways of conceptualising the causes of her behaviour, and each deployed powerful discourses to add weight to their view. For example, the first caregiver spoke of ‘empowering’ her foster daughter in allowing her to leave her care, stressing that the young person had displayed significant signs of ‘damage’ before they got her:

When Zoe first came to live with us she was a two year old and she was very unstructured and wild, and so the first two years – she's the older of the two and the younger one was just a baby, she was a small baby so she was fairly easy to fit into the household. The first two years with Zoe were really difficult because we would try to set some structure around her; some of the problems we had, they were all around basic eating, living, sleeping routines - she didn’t have any, she wouldn’t sit at the table to eat, she wouldn’t eat vegetables, she climbed out windows, she climbed over furniture, if you said, ‘come here,’ she ran away - that type of thing.

Interviewer: She didn’t sleep well either?
Respondent: She didn’t like being in a bed, she was used to sleeping in a chair in front of the TV, and she used to say she hated her bed, and it took us a couple of years to establish what we considered to be sensible and reasonable eating and
sleeping routines, and then I think that when she became a teenager - I don’t know what happens to teenagers, their brains go out their ears for a few years - and I think she wanted the freedom that she knew as a small child, which is basically to do what she wanted, when she wanted, how she wanted; and so we still tried to maintain established boundaries around her and she kept pushing those. …I think that she came with emotional baggage and I don’t think that’s really been dealt with, and so now that she’s a teenager it’s raised its head again. (Bernie, Fosterparent 1, Case 2)

Her behaviour was constructed as being caused by her early experiences and therefore inevitable and uncontrollable, while the social worker stressed the caring environment she had experienced with the caregivers, and the caregivers’ ability to manage (rather than totally solve or heal) her behaviour in the here and now. The social worker held the view that the young person was not irretrievably damaged from her early experience. Therefore the significance of her current behaviour (shoplifting and threatening others) was viewed by the social worker as something to be managed as part of normal development, rather than indicative of deep and lasting trauma:

Well obviously a lot of Zoe’s behaviours were triggering her caregivers to … , they couldn’t deal with her, she was breaking it down on purpose by doing that stuff so she obviously wants to be out of here. …and maybe a lot of their view of, ‘her mom was like that so she’s going to be like that’. So there was a lot - and that was shared by them, her mum has stolen like that so why would it be different? It was kind of like, ‘well it is different, because she was raised differently, she’s had this great upbringing with you guys, this nice stable environment’, and it’s just – sort of went back to this sort of nature vs nurture…. Yeah and I think even Zoe had her own view of - I’m asking for typical teenage things of sleepovers and having more time out and a little freedom around - she’s reaching those ages and 15, you’re starting to
talk about, you know, drinking and drugs, sex, and you’ve got
to be talking about this stuff to know that your child is safe
and that wasn’t happening and she was sort of left, ‘well, I
don’t really know what to do’, and there was a lot of – she felt
pushed away like, ‘I’m the bad one, my sister is the good one,
I’m the bad one, they send me to respite care, they send me to
counselling, they send me –‘, you know, so she was starting
to just feel like, they see me as bad, I’m going to be bad
because I can’t change it’. (Bessie, SW2, Case 2)

While the foster-caregiver one saw the young person’s behaviour as ‘out of control’ and
‘risky’ and ‘against their values’, and caused by unresolved trauma in her early years,
the social worker saw her behaviour as fairly normal teenage boundary pushing, and as a
reaction to feelings of rejection by the foster-caregivers. The social worker also
acknowledged her personal values of family ties and responsibilities as being
unbreakable, informed by her indigenous background, as also contributing to her view:

Interviewer: So were there any issues relating to ethics, values
or culture that affected the way you worked with this family,
in a way that is sort of a culture … you know you may not
agree with their values in a way. Is there anything else you’d
like to add to that?

Respondent: I don’t know, I think it’s just maybe my own - I
think it’s putting my own values aside and stuff, you just
don’t give up when you get - that’s sort of a strong one with
me and I’m just really proactive with families, ‘how do we
get through that, let’s keep working’ and that sort of thing,
and even maybe a little bit cultural because I guess my
(indigenous) side, you’re bound together and you reach out
for help and you all raise this kid and there would never be a
‘I don’t what to’, I don’t like what you’re doing, yes, but there
would never be - and I thought the things she’s doing aren’t
good but they aren’t good up here – (holds hand above head)
Interviewer: They’re within the range of normal teenage messing around?

Respondent: Exactly, and it’s consequences and it’s taking cellphones and something like this …So I think it was that give up sort of thing … to see that and to hear – you know, to speak with (foster-caregiver 2) and she says, ‘no, I’ve already told Zoe, she’s in and you don’t get back out, you’re in this family and you don’t get back out, doesn’t matter what you do, you’re still here and you’re still a part of us. …that’s what I prefer to be hearing … . (Bessie, SW2, Case 2)

These meaning battles illustrate the intense moral positioning that goes on that relates to the construction of meaning. The first foster-caregivers can avoid being perceived as rejecting, or having failed with Zoe, if they can attribute the causes of Zoe’s problems to her early experiences of abuse, and using the language of empowerment, the irrevocability of early damage, and best interests allows them to be seen as advocates for Zoe, rather than as rejecting parents. The social worker’s interpretation, premised on an assumption that would always prefer placement and family continuity, instead views her behaviour as manageable and related to both normal teenage development and rejection from her caregivers. The unavailability of another placement for a long time was also a factor in this situation.

In another case, the social worker had very different ways of interpreting a client’s behaviour as being about ‘care and protection’, that is, concerns regarding possible abuse or neglect, than the health professionals involved in the case:

what she saw was the difference in how they saw care and protection and I saw care and protection, was the different… - how they perceived it and how I perceived it was from two different ways; I had hands-on (experience with the family); they had a perception from a distance; and another thing I found too, and just through my boss being with me, was how
they had perceived things without even having evidence that that was the case….however within the time that the caregiver had them, she and her partner made up. It was like an on and off thing, on and off, on and off, but I had – to tell you the honest truth, I had no qualms with him, I didn’t see him as a danger like the hospital did… the hospital saw him as a risk.

Interviewer: Why did they feel like that?

They saw him as a risk because they were more concerned about the baby, once the baby was born, how that relationship was going to (work) … because they had seen the mother stress out, and seen the mother argue with him in front of the children and saw that as an unsafe environment for the children …once baby was born. Now I – because I was hands on with them, I could see - he wasn’t a violent man, he wasn’t a violent man; what was upsetting was she would get really stressed and she would take it out on him, ok, and so he would just drop everything and just bugger off, just go, you know, but I saw it quite differently so what I did was I got them together and I talked to them.

(Toa, SW 21) (brackets mine)

Thus, the perceptions of the social worker differed significantly from the hospital social worker, and was influenced by the OHF social worker having more direct contact with the parents, more direct observation of their parenting, and may also have been influenced by the fact that the OHF worker and both parents were Maori.

Thus, these examples highlight the contested nature of knowledge and struggles to construct meaning in relation to original problems, as well as how current problems come to be understood and ‘coded’ in ways that may or may not be related to harm, abuse, risk or children’s best interests.
So in conclusion, many participants in these cases that workers felt ‘pleased with’ had their original, underlying problems most commonly ascribed to mental health problems and lack of support. This functioned to avoid moral failure and blame, and mostly clients agreed with these interpretations. The construction of Maori families as requiring connection to their wider extended family was taken as fundamental to their sense of well-being, especially by Maori social workers. However, some clients at times resisted the pathologising of their behaviour. At other times, social workers struggled with the tensions involved of deciding how behaviour and events could, or should, be interpreted when both discursive options and sources of information could conflict. The interpretive options, that is, discourses used to define abuse, problems, risk or violence were often challenged by the idiosyncrasies, inconsistencies, uncertainties and contingencies of specific, real life cases.

**Conclusion**

In conclusion, this chapter has presented the first section of the main findings of this study. Using examples from the coded transcript data, themes have been presented that attempt to describe conceptually the many facets of how decisions come to be made in a particular site of child protection social work practice. The world of practice is often murky and complex, and decisions are produced via a complex interrelationship of discourses and practices that have societal, political, organisational, legal, theoretical and personal influences. This chapter illustrates some of these tensions.

The chapter began with a general description of the kinds of decisions made, and an outline of the cases covered by the respondents. Some preliminary aspects of the cases were noted, in particular that all of the cases concerned children whose care was considered to have improved; many involved children that had either remained with their biological or foster families, or been returned to them; most were those in which the relationship with parents was able to be maintained; while some involved difficult decisions to move children. These main patterns suggest that within cases pleasing to child protection social workers, the overriding issue is child wellbeing, but that their wellbeing is often considered as fundamentally connected to their biological and sometimes, foster, families. This preliminary description of patterns also notes that the
relationship between social workers and parents was considered important as the context within which good practice, and practice decisions, takes place.

The first main theme explored in more detail is the underpinning discourse that privileges the biological or ‘natural family’, positions long-term foster-caregivers as the ‘next best option’, and the default settings in decision-making these privileged discourses create. The result of this default is the need for clear and direct harm to children to be evident in order to remove them, and considerable attempts to work with families in order to return them if they must be removed. This default also results in ongoing contact with biological parents if permanent removal is considered necessary. Exceptions to the family maintenance ideal were more likely if the child was in long-term foster-care, rather than with their biological parents, and could be affected by other influences such as direct harm to the child, children’s needs, and weighing up of the known care alternatives.

The second theme, related to the first, examined the prominent discourse of children’s best interests. This theme described the construction of children’s best interests around notions of needs and rights. Needs were mostly understood as relational needs explained using attachment theory and for Maori children, Maori concepts of the meaning of genealogical connections. Collaboration could be created, or parents persuaded to agree to courses of action, via the invocation of children’s best interests. This helped create collaboration due to the way it removed focus from parenting behaviour to examine children’s experiences and perspectives. Attachment and children’s needs were strongly related to their primary relationships with parents and long-term caregivers, thus this worked together with the concept of maintaining family relationships to influence decision-making. Children’s best interests were also viewed as strongly related to their own views and wishes. This children’s rights perspective resulted in ‘child focused practice’ that included practices such as speaking directly to children, using age appropriate practice tools, and observing their behaviour. These were then interpreted by social workers to some extent and included in formal decision-making processes.

The next theme examined the construction of family’s original problems by both social workers and clients. Social workers conceptualised most family problems as
relating to mental health problems, including depression, drug and alcohol issues and an intergenerational ‘cycle’ of abuse, or lack of social supports. The function of this way of constructing original problems was to avoid assigning culpability to parents, or directly criticising their parenting skills, but instead located the source of their problems as beyond their personal choice or cause. The construction of causative factors for issues affecting whanau Maori are also identified. The lack of family support concept was extended to both the practical support and access to the Maori and iwi worlds that kin connections facilitate. This has clear connections to the conceptualisation of Maori children’s best interests, where children’s needs included identity and cultural needs.

While many parental clients utilised similar discourses that enabled the maintenance of an acceptable, non-culpable mothering identities, a few resisted the pathologising of their behaviour in some ways, for example, a certain pattern of drinking behaviour as ‘alcoholism’. Sometimes, these interpretive tasks were difficult for social workers to undertake, as client’s situations cannot necessarily be clearly ‘read’ when powerful discourses compete for prominence and determine decision pathways.
Chapter four: Risk, safety, and relationships in an ethical context

This chapter examines how risk and safety are conceptualised by study participants, including how the Signs of Safety approach impacts on judgements over the life of a case. The solution-focused theoretical antecedents affecting the general conceptualisation of current problems are highlighted. Conversely to the ways historic or original family problems were conceived of, social workers strived to constitute current problems within the solution-focused and strengths-based traditions, where harmful behaviour is described concretely and largely as ‘antecedent free’, problems are conceptualised as discrete, fixable aberrations within a lifetime of reasonable functioning, and strengths and competency are actively sought. Other issues affecting risk/safety interpretations include interpretations of abuse, harm, good enough parenting, perceptions of the client as open and honest, a belief in change, and children’s reported perceptions.

Following this, the interaction between ways of constructing parental behaviour and the nature of the relationship between the client and social worker are discussed, with a particular emphasis on how both parties attempted to build elements of collaboration into a relationship where power is held unequally. Finally, the chapter closes with a description of how social workers’ ethics and values impact on decision-making within this context of social work practice. This section revolves around the notion of respect, being ‘non-judgemental’, and how the limits of non-judgementalism are defined so as to carefully delimit legitimate reasons for intervention. Within each of these themes, examples from the data will be used to illustrate the points identified.

Theme four: Balancing the black hole of risk with safety

Dominating the landscape of decision reasoning in this study were the twin pillars of identifying and evaluating risk, and judging and building safety. These were not one–off tasks, but permeated the entire chronology of an open child protection case, and
were applicable whether the main decision was to remove children, leave children in their biological families, change foster-care placements, or return them to their biological families after time in foster-care.

Implicit in the ways risk and safety are constructed in the child protection context of this agency are many related ideas regarding harm and abuse. What counts as harmful to children is an extremely malleable concept, rife with context specific understandings gleaned from the personal, social, organisational and political contexts of both the social worker and client. While many practice tools have proposed simple ways to evaluate both risk and harm, via statistically demonstrable risk factors or known signs or definitions of abuse, identifying and then knowing what to do about them in practice is a complicated feat taking place within a complex social web of relationships, discourses, practices and technologies. It is a discursive accomplishment with significant consequences for the lives of children and their parents, that is, it results in interventive practices. Thus, these constructions are not only discursive but intrinsically related to decisions and judgements. Furthermore, the practices and technologies used to elicit risk and safety factors are also dynamically interrelated with the ways risk and safety come to be known.

The impact of safety oriented or strengths based practices directed social workers in this study to move from a more traditional conception of risk identification focusing on culpability and forensic evidence, to instead focus on the family’s known areas of functioning, help-seeking behaviour, material and social resources, and periods of time when care for their children was adequate. This change in focus constructed a picture of the family that was more likely to identify resources, maintain children in their families of origin, and view harm as specific and just one part of a bigger picture. This functioned to encourage families to maintain the care and responsibility of their children, led to family-social worker collaboration, as well as maintained neo-liberal ideals of family and individual responsibility for children. One strengths based approach, the Signs of Safety, (see Chapter one) was the main practice tool used to construct risk and safety, and engage in case decision-making, thus how it shapes practice will be covered first, then more general subthemes relating to risk and safety will be described.
**Signs of Safety – safety in signs**

Within the social workers’ accounts of practice a number of themes related to risk and safety were identified regarding the use of the Signs of Safety approach (Turnell, 1998; Turnell & Edwards, 1999). The first was that the Signs of Safety approach provides a paradigm for approaching cases that constructs ‘risk’ and ‘safety’ in a particular way in an attempt to gain a ‘balanced’ overview of both negative and positive aspects of a family’s life. The format itself (see appendix eight) is to be initially completed with the clients, though it is also used for group supervision and decision-making. Within this format, the aspects considered to confer both risk and safety are constructed from a range of personal, situational, resource and behavioural factors. The significance of these factors is determined due to the discursive resources available, including the organisational, social, personal and theoretical contexts of the social workers and clients in this study. This section examines how risk and safety are influenced by the Signs of Safety approach, which has tendrils of influence through all of those discursive resources, as it has been adopted by the whole agency and implemented over the last five years through extensive consultation with one of its founders, Andrew Turnell.

**Conceptualising risk**

Risk within this format is constituted via the expressed ‘concerns’ of the agency. Concerns form one side of the Signs of Safety schema, and are normally actions by parents, or family circumstances, described as specifically as possible. This means that the behaviour’s frequency, conditions and context in particular are noted, and they must be directly relevant to harm to the child. Harm is constructed as related to physical, sexual and emotional aspects of children’s lives, and must directly affect them in some clearly definable way. ‘Bottom line’ concerns are those that the agency must see some change in order for the child to remain in the family’s care. ‘Complicating factors’ are those that although may provide challenges to the family, for example, lack of money, are not deemed directly harmful to the child. They are thus excepted from the agency’s statutory intervention, though they may be addressed in their non-statutory role. Thus, those aspects that can be legitimately intervened on without parental consent are differentiated from others.
The concerns are then used to formulate a ‘risk statement’ that clearly outlines the agency’s conceptualisation of future risk to the child and under what conditions, for example, ‘the agency is concerned that when X has been drinking and taking drugs, he may hit Y or let her wander outside at night’. Thus, ‘bottom line concerns’ and the risk statement define, limit and legitimatise any intrusive action taken by the agency. They are stated in everyday language so as clients are clear about what, exactly, the agency views as risky or harmful. All parties must scale their perceptions of the level of risk that the risk statement outlines. Conversely, actions, behaviours, and life situations that fall outside the stated concerns are not accepted as legitimate grounds for intrusive intervention, though they may form the basis for supportive intervention by the agency. In this way, the risks are constructed as specific, antecedent free behaviours with as little judgemental interpretation applied to them as possible. They are stated to clients so as to ensure transparency, and the grounds for legitimate intervention are defined narrowly so to encroach on parental self-determination as little as possible.

For example, in terms of pinpointing risk, this social worker comments on a case that involved an unborn child and was eventually taken to an FGC and with the support of the mother’s extended family, the baby was taken into care:

But I also – I had my Risk Statement, which is just, I mean that’s just the best thing. That’s the best thing about Signs of Safety I think because it’s like – because it’s being able to say, when a family (asks you) – well …what are you worried about? And you’ve got it there …

Interviewer: What’s this one?

Um, that, yeah, that I was worried that X had only been to two out of the previous seven midwife appointments and the dangers to unborn babies of not going to them and that she had – that there was two positive drug tests in January – February – March and that she had a history of drug use, and that was … and with the drug thing it was it was that there was, we wrote that in with M (older child) being a two year old. That was, that was the …
Interviewer: Yeah, so that when (mother) was doing drugs?
Yeah, when she – when (child)... could be going out and being hit by a car very easily and it was that. (Hine, SW19)

**What counts as safety?**

On the other side of the Signs of Safety planning format are the strengths present in the family situation, and those aspects that could be considered as creating safety for the child. While strengths were more general resources or competencies available to the family, things actively searched for and interpreted as conferring safety were: help-seeking behaviours, perceptions of openness and honesty, other people who might act as both supporters and monitors of the child, engagement with other services, parent’s knowledge of child development and sensitive responses to the child, child’s perceptions, changes of parenting attitudes over time, children meeting developmental milestones, or showing positive changes in behaviour, and most prominently, times when the parent could have engaged in harmful behaviour but did not. A focus on safety affected the production of knowledge about parents by including positive aspects as well as harmful aspects of parental behaviour. It also focused the interaction on future outcomes rather than the past. Similarly to children’s best interests, it functioned to create a focus on the outcomes for the child, rather than accusing the parents.

This social worker, for example, after reading off the concerns from her Signs of Safety case plan that were regarding the mother’s suicidal ideation, prolonged depression and the effects on her child, went on to outline the factors she felt conferred safety, including help seeking, engagement with a counselor, the monitoring effect of the counsellor, and an awareness of her child’s needs:

Interviewer: And what was on the safety side there?
Respondent: Yeah, Anna admitted she was concerned about her suicidal thoughts and that she went to her GP, and she - she said she was – one day she was quite surprised about her thoughts and said, ‘ok, well actually I really need to get some support’, so she started to take antidepressants and she can see
a little improvement in her emotional wellbeing, she continues to see her IND counsellor and she enjoys the communication she has with the counsellor, so that’s – it’s not about the depression but it’s just a positive thing in general that she has that support. Because sometimes she’s saying well actually that’s a person seeing her once every fortnight and the client presents very depressed and very suicidal, I always think I would expect these people to take action and to notify someone, so yeah…And Anna loves Adele (child) and wants to care for her. And Anna has learned to cope, to deal with depression. And Anna says she hasn’t been emotionally abusive towards Adele. According to Anna she’s tried to be more aware of the emotional effects on Adele and she’s managed to be more soft and gentle with her, and she realises that she needs a break from Adele that gives her time to address her depression to stabilise her wellbeing. (Abigail, SW1, Case 1)

This social worker describes how a focus on safety as defined by the child’s experience functioned to remove the dynamic of the parent feeling that the social worker was using his authority to control the client’s behaviour:

I think – I suspect that she probably appreciated me focusing in on Callum’s safety, because it became a safety issue and not like: ‘you’re not allowed to hit him because the law says so’. It’s like more – ‘Callum feels unsafe’. Cause she saw that Callum felt unsafe at home at that time. She recognized that. (Caleb, SW15, Case 9)

In this example of constructing safety, this social worker outlines the way that positive aspects of the client’s current situation, despite an intergenerational history of drug and alcohol abuse and foster-care history of the mother and the child, were actively searched for and included in the production of knowledge about the client:
I think in this family, using the Signs of Safety for me was looking constantly at ... because there was so much positive in this family, but sure, we had to do the negatives, and we decided to do a family group conference, because we had the positives going over into the negatives it made it easier ... it was pretty clouded by addictions, the negatives but... I felt there were a lot of positives happening, like ... the grandmother ... maternal one, sure she had to give her children up (to foster-care) but she'd kind of grown past that too ... so looking at both sides helped us to gain some real ground work in assessing it with the positive points and then seeing the negative things... (Dierdre, SW9, Case 4)

This next social worker comments on how a focus on safety helps balance the negative ‘risk’ aspects with the more positive strengths in the given situation. The effect of this format to provide focus and hope for the future are two commonly stated outcomes of the use of the Signs of Safety approach:

...what it does is it instantly gives the family some focus, that’s what I like about it; what’s working well, what’s not working well ... because they come in with what isn’t working well and ... I say, ‘right, let’s see what’s working well’, and they have to instantly put their brain somewhere else ... and we can get three ‘working well’ things on the board before we get the ‘not working wells’ ...and they can actually start to see that it’s not all gloom and doom, that there is some functioning and some good things happening, and that gives the hope, the ‘working well’ side of it. (Gabi, SW11)

Here, another social worker comments on how the Signs of Safety approach encourages a search for a broad range of information relating to the family, and how the search for safety changes the focus of the assessment to focus on finding solutions rather than solely identifying blame and establishing risk:
I think it just brings up the opportunity to do a lot more searching and digging - quite often in this line of work we were problem saturated; everyone comes to you because they’ve got a problem, they get locked in to what’s not working, instead of what is working … searching wider … not narrow … going wider and asking questions (and) because we’ve done the history, we’ve done the family stuff … you know, just more questions that actually give you a better picture of the risk, not just the risk but, if the child stays with you, then how is it going to be safe? (Belle, SW10, Case 2) (italics mine).

Thus, ‘safety’ is constructed as an aspect of future planning, and locates the focus of practice in conversations with families about how they might make the child safe, rather than get stuck in battles over who is culpable for a child’s abuse, or what level of risk children are exposed to. The above quote highlights the intense pragmatic focus on working with the family to rebuild safety, rather than just establish risk. This intense focus on working with the family to create safety for the child re-sets the parameters of the focus and aims of social work practice, and was a dominant theme in most social worker accounts.

The Signs of Safety tool was also found to allow for specific, individualised decisions that were sensitive to the specific aspects of risk and safety (as defined by the tool) in particular cases, rather than universal, prescriptive, or reactive policies. For example, in this case (Case six) a foster-caregiver had struck a foster child in his care (described more fully elsewhere). However, after weighing up other factors considered to confer safety including the foster-caregivers calling the agency as soon as it happened, the general behavioural, educational and social gains made with the child in the number of months she had been with those carers, the life-threatening nature of the child’s behaviour, the harm of moving her again (she had already had a number of moves) and the child’s own perception of the event led to a decision to keep the child with the caregivers:
…and I guess some of it is weighing up the risk, what’s the risk of moving her, what will that do for her, versus keeping her here and us sort of still having a level of uncertainty, I can’t say it will never happen again, but I can certainly say if we shift her, we’re going to have issues, so it was a real - it was also looking at assessments of risk, and the Signs of Safety is good for that, because in the end what we had was: there was a slight risk that X (foster father) might smack Francis (child) again, but there were a number of really positive parenting strategies that they were already using, and the fact that she’d been there for however many months, and the progress she’d made, and so all of those sort of real positives, versus just a number of concerns, so when you see it written up like that, it’s really, you know …I didn’t want a knee-jerk reaction ‘she can’t go back because this happened’…and is that something that’s appropriate in response to this event?...I think it’s hard to talk about the risks associated with foster-care if you think ‘oh well, we’ll just move them somewhere else’. (Fiona, SW7, Case 6)

This acknowledgment of the harm of removal or changes in foster placement was clearly a consideration in many cases, and this risk of harm was ‘weighed up’ against the possible harm of staying in existing placements. This affects the production of risk knowledge, as it constructs neither removal nor maintenance as risk free. Furthermore, decisions to either not remove or return children after short stays in care were viewed as motivating parental change. This was constructed as the ‘pay off’ for accepting and managing risks within the family, instead of removal being viewed as a panacea for dealing with even small levels of risk with no ‘side effects’:

So it’s been pretty scary…at times I would have like to have jumped ahead and just pulled the kids out, because that felt like the safest...way to go. But I think that looking back on it I can see the way we’ve done things has meant that she’s (the Mother) made changes that she wouldn’t have made
In conclusion, the Signs of Safety approach directs the formal construction of risk and safety in specific ways. It influences social workers to actively search for and include a broad range of both risk and safety conferring factors in the construction of reasoning rationales. An ability to make considered, non-reactive decisions, create a way to actively construct and ‘weigh up’ both risks and safety, specifically define and state actual harm to the child, and take seriously the risks associated with numerous placement changes for children were common consequences of the Signs of Safety approach for the construction of risk and safety. In cases where children were being returned to their families of origin, the Signs of Safety approach allowed for management of risk within families that in turn motivated parents to remain engaged in personal change. This section now picks up some of these broad effects of the Signs of Safety approach and examines them in more detail.

**Consequences of defining risk and safety: focus on the child and finding exceptions**

This subsection outlines some of the consequences of defining risk in very specific ways, and including safety aspects in the construction of knowledge about the client that leads to decisions as described above. Two obvious consequences are: maintaining a clear focus on the actual effects on the child; and providing a platform from which to begin a search for exceptions to the potentially problematic or harmful behaviour. This social worker explains, for example, how in a multidisciplinary environment, where some of the people present felt that the child should not be returned to her father’s care, that the role of the social worker was to maintain a focus on actual harm to the child. They justify the inclusion of safety aspects as part of a social worker’s ethical commitment to children’s welfare:

Interviewer: And I guess an ethical issue is, you know, what things do count as safety issues? And obviously there were other professionals that thought that those things counted whereas… you obviously had quite a different feeling to that. Yeah. Absolutely. (laughs)

Interviewer: What would you say would be your overriding
value… that drove that perception… that way of looking?
Um, well its… all I know is that it – probably it’s that it’s the
child’s welfare that makes a difference. Because a Woman’s
advocate and a Woman’s Refuge are about the woman and
the Counsellor is about the parents and the Social Worker and
the Mental Health Case worker is also about the parents. So it
was having that different perspective of actually, yup, all of
those things are important but actually the most important is
Esther (child). (Linda, SW17, Case10)

This social worker describes how a focus on specific behaviour begins the exception
finding process:

…you can turn people’s negative stuff around so that they can
see the positives as well. You know? Quite often you’ll start
out with people and they’ll be like ‘Everything’s so terrible,’
or ‘Oh, my children are ALWAYS doing this, and I can never
do that’ and lalalalala and then once you start asking them a
few questions, ‘Oh how often has that happened in the last
two weeks? Oh, only three times. OK, so that means that on,
you know, Monday that didn’t happen. So what, what was
different? (Joanna, SW14, Case 8)

The above quote highlights the idea that by describing harmful behaviours
specifically, then exceptions to those behaviours can be more easily identified. The
construction of client problems that were present in many accounts was the idea that
client problems were discrete, finite, and viewed as exceptions to periods of
functioning and non-abusive behaviour. This hopeful construction, rather than a view
of problems as ongoing, permanent, or inevitable, resists permanent pathology. It
reflects the solution-focused philosophical underpinnings of the approach that
searches for and builds on exceptions to problems (Milner & O'Byrne, 2002b):

You know, ‘I’m just saying how we want to help you as
much as we can,’ and helping her to feel like this is not just a
business relationship, this is actually us caring about what is happening for you, caring about your children, wanting you to fix things here. You know, because she worked really hard in that time before the kids came back. And she was so… she felt like such a failure….so it was about saying to her…it’s kind of about helping her to see, this is a real blip… you picked yourself up, you’ve had a fallback, but you can do it again. You did it last time and you can do it again! (Joanna, SW 14, Case 8)

However, at times there was an uneasy tension between this hopeful construction of client’s behaviour and the recognition of persistent issues with parenting, chronic mental health issues and the cyclical nature of some adult client’s behaviour and functioning.

Some social workers also reported negative aspects of the Signs of Safety approach. They stated it is not so useful with parents who have limited literacy, those who might not want the formality of writing things up immediately, or those who might view it as overly simplified. Others felt parents sometimes just ‘wanted to talk’ and did not want to ‘move forward’ into future planning. One felt that teenager’s estimation of what’s ‘risky’ behaviour sometimes differed dramatically from the social worker’s definition of risk or harm. Another emphasised the time constraints involved and filling out the paperwork, when she would prefer to focus on getting the relationship ‘off the ground’.

**Safety as a relative concept**

However, while in many cases the use of the Signs of Safety represented an applied formal logic of risk that assisted social workers in formulating the broad range of information into a manageable format that assisted with child-focused decisions, this is not to say there were never tensions involved in defining meanings or the proper level of concern that should be associated with particular behaviours. Many practitioners were reflective on the difficulties of defining a sign of safety as a universal concept when people’s situations and contexts are so diverse. Thus, the malleability of concepts relating to risk and safety were acknowledged by social
workers. In this case, for example, the father of a young baby came from a background of extreme abuse, was part of a well known family with a long history with child protection services, had been in foster-care most of his life and was struggling to remain calm with a crying baby:

Yeah, so I suppose again that that’s… and the learning things for me were around that – I suppose it comes around to that relationship again… and that still having the respect for the person …I suppose about respect and admiration actually… for what they had been able to do despite all of their problems.

Interviewer: Did you feel that knowing all those things about X (father) actually helped you be more sympathetic?

Yeah. Yeah. Yes it did. I mean he survived, and he’s in that relationship and he’s got that baby…Yeah. That’s right it did. I mean, otherwise if I hadn’t known all that stuff I would have – probably would have thought; oh, there are no Signs of Safety! (Nicky, SW18)

Thus what counts as safety is relative to the social worker’s view of how far the person has come, where they have come from, and recognition of how much effort they are putting into simply functioning. This is quite a different view from having a standard criteria or threshold for what might be considered as ‘good enough’ or ‘safe’ parenting – what can be taken as good enough is often idiosyncratic, context specific, and is measured against what the person involved has achieved.

Thus, the Signs of Safety approach had a number of effects on practice decision-making rationales. These effects included searching for strengths and safety signs, describing harmful behaviour specifically as a way to avoid judgemental language, maintain a focus on the child, and build the basis for exception finding. Within all of these processes, the relative construction of safety is emphasised in that changes over time are recognised as much as possible by workers in an attempt to focus on client strengths.
Risk and safety for whanau Maori: using Te Aho Takitoru

Risk and safety were constructed somewhat differently by Maori social workers interviewed. Maori social workers interviewed tended to combine aspects of the Signs of Safety approach with Maori worldview concepts relating to well-being to define what they considered to be conferring risk or safety. Some felt that the Signs of Safety philosophy is better enacted with Maori whanau by incorporating aspects of it into the Maori model also used in the agency: Te Aho Takitoru. This social worker, for example, shows how she uses Te Aho Takitoru as her main framework, but includes ideas from the Signs of Safety such as the ‘concerns’ taken to signify risk, and aspects that are strengths or protective factors. She also illustrates the same commitment to transparency in the construction of risk as those using only the Signs of Safety approach:

Yes I did, all the time, we have to use the Signs of Safety but I used the Te Aho Takitoru kopu as my framework to do my Signs of Safety.

Interviewer: Right, so you incorporate – so that’s your main framework; and Signs of Safety?

What I do is - have you seen the kopu? The kopu – I do their kopu, and the Signs of Safety I take from the kopu, what is concerning and what is helpful and that; and then we measure that, and with the Signs of Safety I take it to the family, after I’ve finished doing that up I give it to them and I get them to look at that, they get blown away, they go, ‘oh, sheeks, really, oh God’, but they’re really good, they think it’s good when they can see it and that’s what they have found with Open Home Foundation and the families I’ve worked with, that nothing’s hidden, nothing’s hidden from them. (Ana, SW22)

8 Literally, the three-stranded thread or rope.
9 Kopu literally means womb, belly or stomach, but here refers to a matrix representation of the nine ‘pou’ that make up the Te Aho Takitoru concepts.
Further, workers who preferred Te Aho Takitoru felt that it was more holistic than the Signs of Safety:

I actually see that Te Aho Takitoru can be used instead of Signs of Safety, I actually see that it can stand alone, that vision hasn’t been seen by anyone else yet (laughs).

Interviewer: Oh right! Is that because it already accounts for risk and safety itself, is that why?

It does, it’s more – for me it’s more holistic, because within the Te Aho Takitoru, I mean you’ve got nine areas you look into, and that the family can contribute to, within each of those areas you can see, you can have concerns or safety within each of those nine areas, so it’s not two dimensional, it’s not, and that’s where I see the beauty of it.

Interviewer: Have you got more detail, more flesh in the possibilities?

So for instance you’ve got the - one of the pou is mana, so within there you can have the positive about say, a person, a teenage boy, holding a lot of mana within a family, but within that same one you could see that the father holds little or no mana within the family because the mother is siding with the boy, and so it is affecting the whole dynamics, because dad is powerless, he is lacking authority, he is lacking the mana, so I would put it under mana, to show that it is a negative, but for the boy it would be a positive, so that’s kind of the difference –

Interviewer: Yeah, I see.
So within each of those different areas you can actually show that there is safe stuff but there is also stuff of concern. (Kaia, SW20)
These above quotes show how the Signs of Safety is adapted by some workers to respond to Māori clients. There are a number of ways this adaptation affects the construction of risk and safety in reasoning rationales. Firstly, it clearly maintains a focus on the actual experience of harm to the child. Secondly, it allows social workers to include Māori concepts in the conceptualisation of harm, concerns and safety, thus reflecting a culturally responsive approach to defining risk and safety in this context.

However, while the majority of Māori workers preferred Te Aho Takitoru, this worker, working in a predominantly Māori area, felt that the explicit use of Te Aho Takitoru was not needed because everyone was Māori anyway, (both social workers and clients) and particularly for those Māori clients living more traditional lifestyles, it was in some ways patronising to use Te Aho Takitoru explicitly. Further, she felt that the main use of Te Aho Takitoru was for Pakeha workers to learn how to work with Māori, whereas her staff were almost entirely Māori workers who operated using Māori cultural values and concepts anyway. Instead she preferred the directness encouraged by the Signs of Safety alone:

   Just talking about Te Aho Takitoru, it’s been a – I think for our organisation it’s a awesome, awesome tool; in our office it’s been a little different because some of our social workers have not been that happy around being Māori and having to learn a Māori way of working - I think it’s kind of being perceived as like, because I am Māori, I do know how to work like this.

   Interviewer: I don’t need to be taught in some formalised way?

   Respondent: ‘I don’t want someone to come in and show me how I should work with my people’, yeah, so there’s been a little resistance with that … That’s how we, and that’s kind of how people roll here, they’re very clear on who they are, and they don’t have to fly their flag or do anything, they’re just
very natural about who they are, so, and that’s the whole thing around Te Aho Takitoru, it’s more fluid, it’s like, yeah, we do it but we don’t have to do it that way, we just do it because we are Māori; and often take on - it’s so funny, ‘cause they actually like the Signs of Safety.

Interviewer: Right.

Respondent: Yeah, and feel that the families like that, because they, they say, ‘oh no’, they just want to cut to the chase … you know, after the cup of tea, and ‘oh, so you’re related to so-and-so, oh ok, what are we here for?’ …Or, ‘this is why I’ve called you’, they want to cut to the chase.

Interviewer: Rather than talk about the pou –

Respondent: But some of that might be about not using it often enough to be able to adapt to it the way that they want to, like Signs of Safety. (Victoria, SW23)

Thus, while there were divergent views in response to the use of Signs of Safety, all Maori social workers incorporated aspects of te Ao Maori10, (whether from Te Aho Takitoru or from their own felt experience of being Maori) and the concepts of concerns and Signs of Safety in their practice decision-making. While they all did this combining of concepts in the production of risk and safety, in some accounts the Te Aho Takitoru model was more dominant, while for others the Signs of Safety was more dominant as they viewed the incorporation of te Ao Maori as simply part of the background values or worldview of practice.

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10 The Maori world – used to describe a Maori worldview including a breadth of concepts relating to spirituality, kinship and well-being. It also often relates to te reo Maori (Maori language) and tikanga (protocols and customs). For a fuller explanation see: Rapata, W. (2008) Te Ao Maori: the Maori world. Raupo Publishing, New Zealand.


**Capable of change and honest**

Beyond the use of the Signs of Safety or Maori practice tools, other discourses influenced constructions of risk and safety in this study. One of these was that many social workers perceived their clients as being both capable of change and honest with them. These were important beliefs that encouraged social workers to persist with less intrusive, supportive action, rather than intrusive action, and thus informed decision-making related to risk at many levels. This may have been part of why these cases were those social workers felt ‘pleased with’. Social workers in these case accounts held a hopeful view of parental client’s ability to change. Despite using many concepts relating to mental illness to explain original problems (which one may expect to produce a fixed, pathological view of parental problems), instead many workers actively constructed the client as capable of change despite these challenges. The kinds of change viewed as desirable were changes in cognition, circumstances and parenting practices. Those parenting practices held to be important were an ability to implement family routines, use non-violent discipline, show sensitivity to children’s needs and views, interact with them in age appropriate ways, and show these changes persistently over time.

This worker, for example, notes her belief in her client’s ability to change as fundamental to her practice approach:

> I guess my … response that made the biggest difference was my belief - if it was an emotional response or not - in the mother’s potential to actually do it and my belief that getting behind her would be the thing that would yield something positive. (Emma, SW3, Case 5)

This case received further challenges when soon after the boy’s return home, he brought marijuana seeds to school, saying he had found them at home. He began to truant and wander at night, prompting major concerns from a number of other professionals about the appropriateness of the decision to return him home. However, the social worker maintained her decision to return the boy, mostly in response to how
the mother reacted to being challenged about the drugs. She perceived the mother to be:

Yeah, there was a conflict around that but I can’t say, see the thing about Emmett’s mum, Eliza, is that she is really honest, really honest, and she’s quite an intelligent woman and it’s that honesty that she had towards me about discussing the past and failures and her goals for the future that made me feel like there was some safety in that; and the hiding, the not talking about the drug thing, was I guess not that surprising, you know what I mean, just in light of the fact that it’s illegal and she wanted Emmett back but she was really quick to come forward afterwards. …really sensible, she didn’t duck and shove, she didn’t do any of that, she just accepted it…the way she handled it gave me hope to believe that this is something she could move on from. (Emma, SW3, Case 5)

These ways of viewing the mother contributed to the relationship within which the social worker was able to actively work with the mother to help create safety on an ongoing basis. This interrelationship between the social worker’s attitude, her construction of original causes in non-blaming ways, her ability to allow both the mothers’ and young persons’ views to be included, her construction of the mother as capable of change and honest, and the client’s experience of her as non-judgemental appears to have a cyclical effect in that the client feels more able to be transparent and open about possible areas of risk. How relationships between social workers and clients are affected by the kinds of discourses used are explored further below in the theme ‘relationships’.

Thus, elements of honesty, trust and empowerment are also present in social worker’s justifications for decisions made. By viewing their clients as trustworthy and capable of change, they were more likely to entrust them with the care of their children which in turn acted as a motivator for further collaboration and change for the parent.
Parent's views of risk

Parental clients' views of risk or safety are another aspect to be considered as contributing to constructions of risk and safety in case planning, in particular how much or little their conceptualisations were included in case decisions. Clients’ views were mixed in terms of agreement with social workers. Some agreed with the construction of their children as being ‘at risk’, but only with hindsight some time after removal. Another agreed with and accepted removal, but disagreed with the length of time children remained in care for afterwards. Others constructed the main risks to their ability to be ‘good enough’ parents as the risk of withdrawal of social worker support, thus representing a quite different way of viewing risk than social workers. The fear of this risk led some clients to try to extend the length of social work support at this time when the assumption might be that they would be anxious to be rid of it.

The mother in this case (Jasmine, Case eight) defined the situation as less risky to her children than the social worker at the point just a few months before her children were to be returned permanently to her in the return home process. While accepting to some extent the reasons for removal (discussed elsewhere), she felt that the return home process was too slow and cautious. However, she also viewed her personal change as related to her work with the social worker:

And they always put six months on that but it’s too long – I want the process to be sped up. Like, they said that it would happen gradually, so I though ‘oh, yup – I could get them for, for one night,’ and I thought ‘Oh, well maybe that will go for two weeks, and then following that they could stay an extra night’ ...And then, you know, build it up like that. So I get the kids back sooner than I – like, um, they just seem to take too long with their decisions because they don’t want to have to move the kids again. And I understand that but it’s just, as I keep putting it, if you look at the file, if you look at all the things that I have done, and even if you don’t know the person, I’m not the same person that they first met because
I’ve gained so much. And… it doesn’t seem to be enough. I just get a little frustrated.
Interviewer: Right.
Because it’s like, I’m not dependent. I’m independent, I’m strong. I don’t take crap from anybody, which is really unlike me because in the past I was bullied and didn’t even realize it. Um, very softly spoken, very quiet, um, wouldn’t make eye contact, things like that.

Interviewer: So, how did you do that – was it the groups, or, how did you manage to become this new strong person?
Well, it was something that Joanna (social worker) was talking to me about, she said, uh, I want you to paint me a picture of the kind of mother that you want to be. Like, the kind of woman that you want to become. And… that became like a goal. It became like a plan that I could see myself. And she said that when… oh, she said when we know that you’ll be at then we’ll be able to put the kids back in your care. (Jasmine, Parent, Case 8)

This quote highlights the combination of constructions around the ‘good enough’ parent and evaluations of risk from a client’s perspective. Risk definition can sometimes cause parents to feel as if the threshold for return requires them to become a perfect parent, rather than a ‘good enough’ parent, although in this case the social worker’s response is also influenced by the history of this client, which was that her children had been several times in and out of foster-care; this history of disruption to young children’s lives is also influencing the length of time for return. The cyclic nature of some clients’ issues makes social workers understandably cautious to return them, and informs their evaluation of ‘riskiness’. The power dynamic between worker and client also resonates in the above quote. Who gets to determine when Jasmine is ‘ready’ to have her children back is a matter of contention, with the client encouraged to produce an ideal account of her future self in terms of her desired ‘future self’, which is then used as a perhaps unrealistic criteria for return. On the other hand, at least she has some control over the criteria for an ‘ideal mother’ that is used as the
basis for personal changes efforts to be measured against. Thus, this tension around the power differential illustrates the ways knowledge production is a negotiated process, with the social worker allowing some aspects of definition to be done by the client, but retaining overall power so as children can be returned to a safe environment.

Some parents (two biological parents and one long term foster-caregiver) also perceived ‘risk’ of a different kind: a fear that once they took full legal custody, support systems would be withdrawn:

…for me to agree to having custody back, I had to make sure that they were still gonna have the support in place for the kids. You know, like, if things were getting hard I could ring and say ‘this ain’t working. You need to come in and do something’…well, I just said, I’m sorry but I’m not going to take custody back until you’ve said that in paperwork, that you were still gonna have the support in place for the kids. (Harmony, Parent, Case 7)

This dynamic highlights a discrepancy between the presumption in law and policy that enough support exists in the parent’s wider family and community to assist families in their parenting endeavours when formal services withdraw, and the reality of social isolation experienced by many. Likewise, theorising about ‘empowerment’ and ‘participation’ often presume parents and workers alike have as an ultimate goal the withdrawal of social services. However for many families the idealised supportive extended family is a ‘mythical family’, and social service agencies quite literally become this extended family in the absence of other supports. This can be perceived as inappropriate ‘dependence’ on formal services, but often reflects the realities of isolated families in today’s world where mobility for employment reasons has resulted in changes in family form that can leave some families vulnerable. Further, parents were often worried about how they would function as parents post-return: they knew they would be subject to surveillance and so wanted to be able to maintain the changes to their parenting practices that support made possible. Thus ‘risks’ were not
only actively managed by social workers, but also by clients to avoid a return to family life that would be unacceptable to them both.

**Use of safety plans and social networks**

Having detailed plans that allowed for the inclusion of a broad range of the client’s own social network to monitor and support families allowed social workers to tolerate and manage risk over time, allowed clients to provide ‘evidence’ of safety, and draw on and strengthen existing social support networks for the family. This enabled the management of risk in return home cases and in those cases where children had not been removed but there were child protection concerns. Safety plans allowed parents to demonstrate that they were ‘good enough’ parents and provided a mechanism for both surveillance and support, in an attempt to balance the rights of the child to protection with the rights of the parents to self-determination. They affected judgements in that they provided a realistic way for social workers to manage risks within a family rather than automatically remove children.

Safety plans required detailed, practical plans that laid out who was to do what if the situation became unsafe. Plans included all family members, so as parents, for example, had a strategy for what to do if feeling unable to cope or angry, and children knew what to do if they felt unsafe. Other people such as relatives and friends were included as people that parents could ring to access support, or agreed to visit a certain number of times each week, or have children for respite regularly. Safety plans influence the construction of risk and safety by assuming that clients are capable, with support, of building a safe daily environment. Plans were communicated to all stakeholders, both professionals and other members of the social network, and translated into child-friendly forms for children. Safety plans contain explicit monitoring and control, as well as support functions, but can be made possible with high motivation and high engagement with the family. With the only alternative often removal, safety plans allow for family maintenance while ensuring, ideally, child safety. Here are two examples of how they function:

We put a safety plan in place and everyone knew what was required of them. The children knew that if at any time they
felt threatened, they felt that they were going to be smacked or hit or treated in a way that wasn’t acceptable, there was a safety plan in place and all the people on board who knew if they got a call from the children, what had to be done, and there were times when that did happen, and I think that the children tried it perhaps at times when they didn’t need to, and I think perhaps step-mum made some threats just to try it and see whether or not it was going to work as well and that’s where it takes that stringent monitoring of a social worker, you know, a safety plan in itself … isn’t a guarantee of safety, it’s all the people that make it work and it’s the monitoring that makes it work. So it takes a lot of time for social workers… but when you get them working well and you get people committed to it, I think it’s absolutely brilliant for keeping the children safe, and keeping them at home. (Melanie, SW8)

And we worked through a safety plan, what you do if – if Jessie (child) was having a tantrum this is what you could do, and then I put it together as pictures, like a picture slide right next to the list of things to do which she said was really useful and she could share with him as well. And that was part of the way I approached it, as not making it feel like you know I thought she didn’t understand or know how to read, but I said this is Jessie’s plan, I’ve done it in pictures for him but I’ve made it easier for her. So I guess that started working and stuff with the timetable of very slow return; some afternoons, some overnights – it gradually built up. Not to bore you – over a couple, two or three months … until we got him back just before Easter and he’s been back ever since… So a couple of times since then, I …both on my own and with her, with her and her safety network, we’ve had to review it again recently, we’ve used the whole thing – on the board – what’s working well, what are our concerns, and you could see, um, you know,
we didn’t really… the only concern was that she yelled a bit because she’s quite loud which is actually because she has a hearing difficulty. After all of these things are coming through because she’s quite – uh – quite a loud lady shall we say, which she acknowledged. We found that her sister had begun to help even more and they’d built up their own little kind of plan between them. (May, SW16)

So, in conclusion risk and safety were concepts permeating the decision-making environment in this study. These concepts were constantly evaluated throughout the life of the case, and were related to constructions of harm and ‘good enough’ parenting. The Signs of Safety practice tool impacted on the evaluation of risk and safety, as it encouraged workers to actively search for factors that could be considered as providing safety for the child and ‘weigh up’ these factors against the perceived risks or concerns for the child. In this process, workers are encouraged to negotiate meanings with parents, define harmful behaviour in concrete, specific ways, and search for exceptions to the negative behaviour as a way to move forward. Parents were often regarded as capable of change and honest in the cases selected, and this may impact on the ways their problems and relative riskiness was conceived of by social workers. Safety plans were a practical tool used that helped with managing risks together with clients. Parents’ views of risk sometimes diverged from social workers but only usually in matters of timing, however, parents also conceived of risk in terms of the withdrawal of support services rather than solely in regards to their own behaviour.

**Theme five: Relationships as risk management**

*Relationships, discourse and power*

As referred to tangentially in several of the above themes, the discursive production of knowledge in particular ways about, and with, clients, had a dynamic influence on relationships between social workers and clients. The formation of relationships with clients is directly relevant to decision-making and judgement as the nature of that
relationship affects judgements regarding the acceptability of parenting practices, perceptions of risk and safety, and the ability to manage risks over time. The reverse is also true, where the initial discourses used to explain client behaviour are likely to influence the kind of relationship able to be formed in the first place. Thus, there is a process of mutual influence between meaning making and relationship. For example, the way each party frames the meaning, nature and aims of the relationship influences what kinds of information are deemed salient or significant, and these ‘frames’ may not be mutually agreed upon. Thus, power and whose definitions take precedence is also an interesting area of study, theorised further in the following chapter.

As discussed above in previous themes, discursive patterns were that clients were viewed as honest and capable of change, and their original problems were constructed in ways that de-emphasised their culpability, instead drawing on mental health issues or lack of social support to construct their historic problems. Current functioning, driven by the Signs of Safety format, tended to be conceptualised as exceptions to times of normal functioning, and positive exceptions were actively searched for. All these constructions of meaning had an influence on the relationship between worker and client, and therefore on decisions and judgements. They provided an opportunity to form a collaborative relationship with constraints. These constructions already introduced above were bolstered by other interpretive and practice devices that will be discussed now. The following section is broken into two subthemes: creating collaborative relationships and power dynamics over the life of the case.

**Creating collaborative relationships**

Another major theme in all the case accounts selected as ‘pleasing’ by social workers was that the relationship with the parent was maintained, despite the challenges of the often involuntary nature of that relationship. Workers, together with clients, achieved elements of collaboration through: prioritising relationship maintenance; searching for elements of safety, and defining these together with clients; using solution-focused methods that engaged clients in personal change; being honest and trustworthy; offering practical and emotional support; and being involved in the ‘broader territory’ of family’s wider life beyond their role as ‘child protection’ client. This subsection explores these practice approaches.
Prioritising relationship maintenance

Relationship maintenance was highly valued and a reason to gain agreement to intrusive decisions, rather than use statutory methods. The future of the work together was constantly uppermost in social workers’ minds, so they attempted to negotiate with or persuade clients to agree to a course of action, and to be as transparent about their own role as much as possible. As much as was possible, given the constraints of prioritising child safety, the future possibilities for collaboration were considered:

…so talking, basically, the decision over it, you know, what the kids need for safety, what’s the best way to do that, cause we want to keep working with the family. We don’t want to just pull the kids out and for that to be that. We want to pull these kids out so that they’re safe, then help to fix things up at home, yeah, and pull them back together. Because the kids love their mum – really really attached to her, you know, they do really love her. She really loves them. It’s just all the other issues that stop it from working. Um, so it was about – and, and going in there and just pulling the kids out would have meant that she would no longer trust us – you know, all of the relationship stuff you’d done to build that up to be able to work with her. Yeah. So it was about trying to get her to see what needed to happen and then empower her to make the right choice. You know so a lot of – a lot of work, in reality, has been around being her cheering squad… . (Joanna, SW14, Case 8)

Searching for safety together with clients

A major concept evident was the ways that a focus on strengths and searching for safety enabled a rapport to be formed, as clients tended to feel less threatened and were therefore perceived as being more open and honest by workers. This cycle of influence was present in many cases:
…but we took the thing and we started talking to this family with like four kids – the dad was a dad when he was 14, all these sorts of things, like hitting the kids, all sorts of drugs, poverty, institutional backgrounds, and you know – didn’t look too flash, and when we went in we straight away went to tell us about the things that are going well with your family – *tell us what is going well with your family*, and that disarms people and just suddenly they want to talk to you. Like, we’ve got a whole – I mean, we find it really useful in finding out all these kinds of things that have actually been providing safety for these children… we hear about the grandparents and the relationship they’ve been having with them, how they feed them when they don’t have any food themselves … and by the time you’ve had a talk about the concerns … I think they can trust you a bit more. … Because you’ve honoured what they have done, and suddenly they say well, actually we are really struggling with this this and this and this. I think if we’d gone in and said, well we want to talk to you about these concerns that CYFS have got, we would have got nowhere. Like, (laughs) and when we walk out the door they’re like, ‘Oh that was alright ey?,’ (laughs) you know. So I think it’s just um, and it is a real focus on the relationship – and the safety of the children … which really sets you up… it helps your practice. Which is a benefit – they kind of know you’re respectful and it’s really transparent … Also some people…it’s a way to show them you see them as people, rather than bad people … it also invites… participation, like in the process. To not… I think the way we used to do assessments would have been, walking in and saying, you know, ‘Mate I need to talk to you about this this this and this,’ sounds like off the old ‘risk assessment’ type, alcohol and drugs, and abuse and all that stuff. But… this way you kind of like, a blank page – tell me what you want to tell me… it just, I think
it engages people a lot better. And its… people know what you’ve written down about them as well… so (laughs) that’s always nice … putting down what they say, not what we think about what they say. (Linda, SW17, Case10) (italics mine)

The quote above displays the interaction between the practice of documenting the issues with clients, using their own words as much as possible, and focusing on safety, rather than an ‘old fashioned’ attempt to elicit known ‘risk factors’, recorded away from the client. This practice, based on notions of strengths, empowerment and transparency, shapes the nature of the response from clients, as well as the framing of information about the client in case documentation. This next social worker also emphasises the non-accusatory nature of focusing on strengths and safety as well as risks:

I was always respectful, I didn’t say, ‘you’ve done this, and you’ve done that’, it was always about, none of that stuff, it was always about keeping in the context of acknowledging the strengths that she had and to utilise those strengths to work through the other issues, always coming back to what we agreed on, back to the plan, this is what we agreed on, what broke down, what can I do to support it. (Scott, SW12)

Thus, active attempts to elicit safety conferring factors and strengths helped elicit strengths, lower the accusatory nature of intervention and build collaboration, although there were some aspects of control within this process. Building collaboration was bolstered by the practice of writing concerns, strengths and safety issues together with clients.

Use of solution-focused approaches

The next way that social workers increased the likelihood of collaborative relationships was by recognising relative achievements, drawing actively on solution-focused approaches to do so. This has obvious links with the search for safety and exceptions as discussed above in the ‘risk and safety’ section, but this extends these ideas into encouraging and working with clients on personal change:
Um, with S. (client) I think one of the things I did the most was… Just a kind of an acceptance of… where they were, where she was, and acknowledgement of what they had done so far. You know that they had actually done quite a lot. I mean, getting yourself off a dependence on marijuana, that itself, you know, that is not an easy thing to do.

Interviewer: Which you pointed out to her?
Yeah… One of the questions I used a lot with S in the early stages was “Wow”, one kind of comment was “Wow, that was, that was pretty hard… how on earth did you manage to do that.” Um…

Interviewer: And she responded to that?
Yeah, yeah she did. (Harriet, SW13, Case 7)

The client in this same case (7) also reflects on her relationship with the agency and the effect on her of recognition of the changes the family was making:

I think having Open Home there just to say – you know – you’re doing OK. Everything’s going OK. This could be switched a little bit, but you’re doing good. You know having that input – it’s a load off the old shoulders.

Interviewer: How do you think the social workers you’re involved with viewed your family – such as Open Home Foundation?
Um, I’m not sure how they’d think – like, the first time we come along. But, um, they have commented that, you know, we are doing awesome with the kids. So, I mean, that in itself was just ‘whew!’; at least someone had seen that we were doing OK. (Harmony, Parent, Case 7)

However, one parent did not feel that the constant future focus and attempts to ‘move forward’ were necessarily an unassumed ‘good’ in his situation. His ex-partner, who
had chronic and severe mental health problems, was likely to gain unsupervised access with their child soon due to a focus on her assumed improvement:

But I said to her – I told Open Home that I’m not sure what to think about it. So they know that I have some – some concerns about it, yeah. About him … it’s – I feel there is always a pressure to move things ahead, you know?

Interviewer: Right.
And I always, I – I’m like, ‘Hey, hey, let’s just… wait. Things are going well now, let’s just wait it out a bit,’ I do feel like there was a bit – there is a bit of pressure to move things ahead. (Leonard, Parent, Case 1)

So, while solution-focused approaches build on the exception finding and forward focus of social work practice, one client experienced this as pressure to move on before he felt ready to do so. Overall, however, these approaches helped to build competence, and create collaboration.

**Honesty, trust and transparency**

In a mirroring of the theme discussed above regarding the perception of clients as honest and open, social workers also consistently reported tried to behave in ways that encouraged trust, for example, doing what they said they were going to do, and sharing as much information with clients as possible so as clients were never surprised by actions or unprepared for particular outcomes. In this case, where the mother’s cognitive functioning was limited, this was especially important:

She has said that she has found it really useful, really helpful that we’ve you know, never kind of been too – what’s the word – too, kind of… demanding of what we wanted to do, we discussed it with her, we talked it through. Talked it through when we did a review … – that’s something that we try and do here before it slams on them from court. Just talked it through – what are our expectations so that they’re not suddenly surprised. (May, SW16)
These paired quotes from the social worker and client in the same case describe the process of trust building, as well as the client’s view of the worker:

Everything fell into place a lot better for her, like, we find that a lot of these kids like consistency, that gives … if you say something’s going to happen, if you say you’re going to meet them for a drink or meet them to take them somewhere you’ve actually got to do it because they’ve been let down too many times and it’s too hard on them…

Interviewer: And what do you think the effect of being very clear with her has on her view and the way she relates to you?
Respondent: I think it builds trust, like she trusts that when I say that’s going to happen, it’s going to happen, and if for any reason it’s not going to, she trusts that I will let her know.
(Dierdre, SW9, Case 4)

Interviewer: So how would you describe the attitude of your social worker to you?
Really positive, just really honest really, I think like she sort of approached you in a way to make you feel calm almost, just really kind of like family orientated… . (Darnelle, Parent, Case 4)

This next social worker describes how she managed to gain a functioning if not ‘rosy’ relationship with a mother who was initially ‘raging and hostile’:

How did I do that? (turn the client around from ‘raging and hostile’ to working ‘quite well’?)
Well a lot of it was reassurance and affirmation and we were aware that this woman had that personality, we knew of her and so I - when she went up –
Interviewer: And so when you say ‘I stayed down’, do you just mean in terms of staying constant and quite firm?
Firm, consistent, constant, telling her exactly what my
expectation is, and this is what I need to see from you, speaking the truth of the circumstance to her and my expectation of her, so that sort of thing is how I’ve worked with her.

Interviewer: How has that made that relationship be good, do you think?

Well, there’s always a question mark when you’re working with these sort of people about whether they can ever trust, because their trust has been broken right through their lives, when – just with who they are as people, and there is some sort of trust established, I will say that, in our relationship, we do have a relationship, however I’m very aware that these people are always never sure whether they can ever really trust anybody, because of who they are and their lifestyles that they’ve had. But there is some form of trust there, ever slowly, like a spider’s web, it’s enough for her to hang on to, with some hope. (Gabi, SW11)

This social worker, embroiled in a dispute with the foster-caregiver of a child, explains how she managed to keep lines of communication open with the biological mother:

Interviewer: How did you do that, how did you manage to keep her – those lines of communication open?

I just – I was completely honest with her and I would just say, ‘look, you’ve asked me this and I’ve told you this’, you know, ‘I’ve been totally honest with you, so do you – so you’re telling me that the foster mum told you that I’ve been lying, I’ve made up things etc’, so I said ‘I can’t do anything about what you believe but I just want you to think about our contact to date, our communication, and what is your opinion?’ So I asked her to go away and think about it – did she distrust me, had I shown any evidence of being a liar or
deceitful or you know – and have I made any decisions around your children without consulting with you?’, and she said, ‘no, you’ve always talked to me’, we’ve always talked, she’s always phoned and made suggestions and we’ve discussed things, you know, before I’ve gone to the next step. So then eventually she came back to me and she said, ‘no,’ she said, ‘I believe that you are doing the right thing for my children’. (Kaia, SW20)

The parent in this final quote also discusses the interrelationship between her own honesty with the worker and how that affected the relationship that was able to be built. Of particular note is the last section where she notes that she tells the social worker things that she would not normally discuss with a social worker from the statutory child protection agency, because she perceives that would lead to removal, rather than pragmatic assistance with how to actually improve her parenting:

Yeah, they just came on board. We were one of the first cases where they actually worked with us to get the kids home. Interviewer: How did that work? What did you have to do to make…
Um… I think, they must have known what we were like as parents – you know, we never hid anything from them. We admitted the rights and wrongs that we actually did in the end. And that took a year or so to do that. Um…
Interviewer: What do you think helped you to do that? Like, what do you think was built in that year that helped you to be really honest?
Um…getting off drugs was a big thing. We were – that was one of the big things that had happened, so. Getting off that – yup yup – getting off that and just having a clear head and realising, you know, that we’ve gotta do this for our kids and ourselves at the same time. So then just being honest with everyone saying – yup, we did this, we did this, we did this. We’re paying the price for it now, but we’re willing to do
anything in our power to get our kids home.

Interviewer: So, you went to the parenting course, came off the drugs…

Yup.

Interviewer: You were working with – was it Harriet? (social worker)?

Yes. So, that was – I mean, she was really good. I felt that I could talk with her really easily. I think that’s what helped us – getting that bond. Where, you know, I could let her know anything that was… um… you know, annoying me, or things that were happening that you couldn’t run to CYFS about. Because you had the fear that – that with CYFS that your kids could be taken away just like that. With her it was, yeah …you knew that she would help me to find some ways of dealing with the issues around kids. (Harmony, Parent, Case 7)

Thus, both social workers and clients contribute in specific cases to building trust by attempting to be trustworthy. This facilitates a relationship where the reading or interpreting of behaviour is likely to be sympathetic, and that promotes the sharing of information otherwise withheld. This ethical commitment has an impact on patterns of communication and therefore directly impacts on case decision-making, as the depth and type of information able to be considered by the social worker is affected by this process.

**Practical and parenting support**

Another way social workers helped to build collaborative relationships was by offering the practical and emotional support required to actually implement change. In this way, they became viewed as more than simply a monitor or documenter of bad behaviour, but as a resource that was actually of pragmatic use to clients:

Yeah, and like I’ve told Open Home, I said ‘You know, I don’t think I would be where we are today if you hadn’t have been there,’ so they know that they played a big – well, a
HUGE part in us having the kids home.

Interviewer: Was that just through just being supportive; working with you on your, you know, your parenting strategy, anything else they’ve done to really give support?

Well, like they’ve told me that they’re, you know, a phone call away. You know, knowing that they’re just there if I’m in desperate need of something. You know, whether it be issues with myself, or even with the kids. (Harmony, Parent, Case 7)

Including the ‘broader territory’ of both lives

The power differential between clients and social workers results in two dynamics with regards to interactive knowledge production. Firstly, social workers have most of the control over setting the parameters as to what information is deemed relevant to their decisions and judgements, and secondly, implicit in the relationship is that the social worker has total access to information about the client’s life, while the client has no such rights of access to the social worker’s life. Taking these dynamics as a given, the question becomes, what kinds of knowledge did social workers deem relevant to judgements, how did they deal with the unilateral access they have to clients’ lives, and how did this interact with the client-worker relationship?

In this study, the social workers almost uniformly spoke of being interested in the client’s wider life as a person beyond their role as ‘child protection client’. This was often framed as a way to engage with clients that went beyond superficial roles and to convey actual care and concern for clients beyond the areas of concern for their child’s safety. Interest and inclusion of aspects of the client’s broader ‘life territory’ in their relationship was used to subvert the expert social worker/inexpert client divide in a small way by including topics for discussion that were not directly relevant to the child protection concerns. However, this inclusion was not unilateral, but was also reciprocated by the social worker using self-disclosure as a way to lessen the power differential created by their ‘rights of access’ to clients’ lives:

Yeah yeah yeah. And eventually I got to know Callum
(child) as well because I spent a fair bit of time with him – I took him out to kick a ball around, whatever… Yeah, I just showed an interest in her (mother’s) life. She’s got the whole organic thing going and I found that quite interesting. So…I’d wander into her garden with her and ask her questions about that and show an interest, perhaps. I don’t know – being genuine. And… yeah. I find being a bit vulnerable myself, as well – share a bit about my experiences in relationships or… with my child, yeah…keeping it genuine and honest. (Caleb, SW15, Case 9)

Yeah sure, she said that she’s feels she’s starting to trust me. She said that to her counsellor. She’s still a bit worried but we find that, well I have to believe in, if you’re asking so much of people you kind of have to give a bit of yourselves as well. So, um, she, um, she has quite bad (medical condition), and I remember I said to her way back ‘Oh yeah that’s really bad’ and etcetera etcetera and she said ‘How do you know? Do you have it?’, ‘No my son has it’. And it just kind of dropped her completely, so she said, ‘Oh, how’s your son getting on? Because I suffer from this kind of medication,’ and then I said to her, ‘Oh, yeah, this is a myth about the medication! Don’t worry too much about the side effects because they only happen sometimes, not to everybody,’ … So, you know, just little, you know, little chats, that you can share that kind of break down the professional barrier, you know that really helps. So, yeah. You become a human being. Yeah. So, you know you can kind of discuss things that were really sort of more key in her mind that she finds it hard sometimes to get up. So, she can say that to me, knowing that I know where she’s coming from. (May, SW16)
Most clients experienced this interest in their wider lives as genuine concern and care for them, and as a way to reduce the professional boundary between them. This client expressed this:

Interviewer: And, uh, how would you describe the attitude of your OHF social workers?
Um, well, with the both that I’ve had, um, good … well, I, when I had M she was part of the furniture – ‘cause I saw her quite often. But yeah, it’s just like – they’re like family friends, now. It’s not – not social worker and me. Yeah. (Harmony, Parent, Case 7)

Workers spoke of intentionally including the client’s wider life as a way to maintain a working relationship and to convey respect for clients as people. This value-driven aspect of their work was related to many contributing discourses, including the humanistic base of social work in general, the Christian ethos of the organisation, social worker’s personal values and the specific practice approaches used in the agency.

…cause that’s one of the things from my practice is that… uh… I strongly believe that there is that goodness in everybody and everybody deserves my respect, regardless of what - regardless of what they had done. It doesn’t mean that I agree with… I don’t agree with what they’ve done, but um, and I think… that stood me in good stead in this case because I was just able to keep working with that. I mean, and obviously it’s a lot easier to do that when you see the person responding and doing it. (Harriet, SW13, Case 7)

The inclusion of information about the client that was not necessarily related to the child protection aspects of the case may be considered as lessening the boundaries between the social worker as ‘expert’ and client and ‘user’ of the service.
Only one felt that the relationship could have included even more aspects of his ‘wider life’, and that that would have been more ‘humanising’ for him:

Have you had a good working relationship, though, on that actual matter?
Yeah. Yeah. I feel, um, yeah. Our relationship I feel has been pretty good …the only thing I – I – I don’t – you know, I mean, this… imagining that they’d sit here like you have and just hear my story – like a human being. You know? I don’t feel… that’s happened. But maybe that’s… unrealistic, you know? I don’t know.... Just a slight slight slight sense that … I’m not quite like a human being (laughs) That I’m just a… yeah, I’m someone to be managed – someone to look after my – this child. Someone who has a job to do. It’s more like a professional relationship than a human being one. And I don’t know if that’s just my issue or not, but that’s just a little – a little bit of the feeling I get. (Leonard, Parent, Case 10)

In these ways, workers and clients managed the power differential and actively sought to build elements of collaboration into their relationship, through prioritising relationship maintenance when considering decisions, searching for safety and positive aspects of client functioning, through the use of solution-focused questioning techniques, attempting to be trustworthy, providing practical support with parenting, and by the inclusion of both the client’s and social worker’s lives beyond their assigned ‘roles’ within the child protection process. These relational aspects affect judgements as they influence the ‘picture’ or representation the social worker forms of clients and their lives, and determines how much the client’s views are included in official, powerful constructions of them and their family life. However, as alluded to in the introduction to his section, and present in the quotes showing attempts to build collaborative relationships, is the balancing of empowerment and control over the life the case. This balancing of care and control will be further explored below in the ethics section.
Changes over time in the social worker-client relationship: empowerment and control, perceptions of risk and intervention to therapeutic support

Within this study, how clients and social workers thought of each other and interacted with each other differed between the start and end of the case, and these changes in interactions also affected case decisions. Furthermore, trajectories of power dynamics and risk perception were different depending on the type of case. For example, for the two parents who had been accessing respite already with the agency, and eventually agreed for their children’s best interests to allow them to come into care, this was quite different than for those who had initially been investigated solely for child abuse, or had been ‘handed on’ to this agency from the main government agency dealing with child abuse and neglect. The most obvious changes in power were those cases that involved the return home of children after some time in foster-care. In this process, it was clear that social workers attempted to ‘let the rope out slowly’ as children returned home gradually over time, and the focus of their intervention moved from being preoccupied with risk, safety and managing risks, to a more therapeutic and support role. However, those cases where children were not removed and who used safety plans were heavily surveilled, yet the compensation was that children were allowed to remain with their family. Often action may have begun as quite intrusively, and the use of ‘hierarchical power’ with children removed, but then slowly power is returned to parents as children are returned to their care (Bundy-Fazioli et al., 2009).

A case study will be examined here as a way to illustrate these dynamics (Case eight). This worker (Joanna) and client (Jasmine – mother) discuss the ways decision-making was affected at different times during their work together by issues of power, persuasion, and coercion, as well as empathy, respect and support.

Firstly, the social worker describes the rationale for opting to persuade the client to give consent for the children to come into care, rather than just going straight for a court order:

So probably took about two hours of talking with her again
before she was willing to sign them over to our care. So I guess the interesting thing about the decision-making there is that we had enough information anyway to have gone to court, to get them granted to us. But the difference was between getting her to sign them over to us versus, we’ll just talk your children. And I guess we always really wanted her to sign them over because we knew that she could see what was wrong. You know and she was – she was saying I need help here, I’m not OK. The kids’ aren’t OK, um but it was really really hard for her to make that choice. (Joanna, SW14, Case 8)

The social worker was persuasive in her attempts to gain consent to a decision to put children in care, even though she could have gone directly to court given the nature of the concerns about the children. However, she felt that taking that course of action would have alienated the mother and impeded future work. Jasmine, not realising how much worse it could have been, felt dismayed at the outcome of her honesty:

…she said OK, um, ‘OK, um, on this scale, where would you put yourself … meeting your children’s needs?’ How well do you think you’re meeting your children’s safety – how well do you think that you’re coping?’ and I had to put a 3 because I wasn’t coping, and because of that answer she always said I have to remember the children, and I just felt really gutted, because I was honest and I felt like I’d sort of been…too honest, you know?

Interviewer: Did you regret having said that?
Yes.
Interviewer: Or did you think at that moment it was probably true and it was…

Yeah, well, at the time I said that I was really really low, and I wanted out of my relationship, I wanted out. I wanted him to move out – I just didn’t want anything to do with him anymore …and I thought I was doing the right thing, but later
on I realised that I was just so depressed, and not coping with everything but it was sort of awful – I mean, it went to the next stage because she had that discussion with me… I mean, but I didn’t want the kids to go. (Jasmine, Parent, Case 8)

This quote shows the social worker and client reflecting on this process of trying to gain consent to decisions:

Sometimes it feels a bit manipulative. Because I know she just needs – because I know she trusts me, I know she likes me, um, at times it – you know there was one occasion where I said to her, you know, we need to sign another 139, (legal agreement for children to go into care) um, (she said) ‘Oh, I don’t want to,’ ‘Well, I understand you don’t want to but the reality is that we don’t feel confident that the kids are safe if they come back here, so if you don’t sign it we will have to go to court,’ … So really I’m playing devil’s advocate – please make your own decision – but you don’t have a choice. Because I’m gonna do it, or we’re gonna do it for you.

Interviewer: Although you made that quite clear. Yeah, no, so it – we don’t trick her and stuff, we’ve always been pretty transparent but at times I’ve felt like I have a lot of power in the situation. (Joanna, SW14, Case 8)

Um, like I think she’s pretty cool. Um, at other times I think she’s a complete bitch, you know? It’s like, you’re not listening to what I have to say, and… um, like when we’re on the same wave we are fine, like, um, communicating openly and pretty well, but when I start questioning her, or putting pressure on her, um, she doesn’t like it … (Jasmine, Parent, Case 8)

Another change over time that affected the relationship between social worker and client was the perception of risk. In these cases, reducing perceptions of risk over time
allowed the social worker to reduce the privileging of ‘professional knowledge’ over the views and beliefs of the client. For example, in this next case, there were serious discrepancies between the biological parent’s and child’s accounts of an incident the sparked the engagement of the agency:

Um, the first time that he met Callum, Callum said that I had punched him and punched him and kicked him onto the ground and then when he came around he was in his bedroom and he was bleeding and he had this and this and that and (the social worker), of course, believed him….and my son has got a vivid imagination. People know him…and there was nothing I could say that would make it any better. And a couple of months later when Caleb got to know Callum he went, ‘Oh, he does make up these stories!’ he said ‘I believed that one about what you had done to him,’ I said ‘yeah, I knew that’ but, yeah. (Katrina, Parent, Case 9)

Interviewer: How did you deal with that?
Well – keep talking to both of them I suppose, and keep checking up on their stories …and eventually I got to know Callum as well because I spent a fair bit of time with him – I took him out to kick a ball around, whatever. And just talk to him. Get to know him a bit. Talk to the teachers and stuff… getting to know him – realising that he’s got a really good imagination. A great fantasy. So that kind of helped to bring things into perspective. (Caleb, SW15, Case 9)

In case nine, the social worker initially opts for a standardised response to a child apparently disclosing serious physical abuse: he ensured that the child was not in the mother’s care on the day. However, over time he began to acknowledge that the child’s views of what had happened were nowhere near as serious as he had initially thought. His perception of risk thus changed over time in response to his growing engagement and relationship with both the mother and the boy in this case.
In conclusion, participants reported various ways they tried to maintain collaborative working relationships within this context, including solution-focused approaches, being trustworthy, and prioritising relationship maintenance. Relationships affected judgements in that if relationships broke down, this limited the range of options available to social workers in terms of intervention. Relationships and power impacted on knowledge production, and the decisions based on how clients came to be known by the social worker changed over time, as the relationship mediated perceptions of risk and interpretations of abusive behaviour.
Theme six: Ethics and values – respect and its challenges

No study of judgement and decision-making would be complete without an exploration of ethics and values as they impact on practice judgements. Many writers, as outlined in the literature review, draw attention to the ways value and ethical imperatives drive knowledge production about people and their behaviour. Ethics and values have an inextricable relationship with judgement and decisions in several ways: they affect how social workers’ basic attitudes towards people influence the interpretation and categorisation of their behaviour as moral or immoral; they affect how ethical dilemmas are dealt with; they influence the relationships formed with both parents and children, and shape how social workers view the ultimate philosophical aims of practice. In this study, the practice context was influenced by several discourses that influenced reasoning rationales across these ethical areas. The main themes were the notions of respect, and being non-judgemental about those areas that fell beyond the remit of child protection concerns, while simultaneously protecting children from harm. Many social workers spoke of ways to maintain respect for parental clients, and how the organisation bolstered a strong humanistic value base. These values were then linked to the wider Christian values of the organisation.

Respect, unconditional acceptance and being ‘non-judgemental’

Many workers discussed how their value of having a fundamental respect for the client, despite their histories or behaviour, was able to help them continue working with parental clients. They viewed parents in general as worthy of respect, regardless of their behaviour, simply because they were human beings. Incorporated in this attitude were notions relating to unconditional acceptance, and being able to imagine if they were in their client’s position. This last facet was particularly expressed by Maori social workers. These ethical positions reflect values from several sources, including a traditional social work humanistic valuing of the person, a Christian attitude of unconditional acceptance and ‘do unto others’, the Signs of Safety approach that explicitly implores workers to treat clients as ‘people worth doing business with’, Maori values of acceptance and whanuangentanga, (relational
interconnectedness) and strengths based approaches that actively seek to find out strengths and resources. This respectful position clearly underpins some of the issues previously explored regarding constructing the causes of client’s problems in ways that minimise culpability and blame, child focused practice, viewing clients as capable of change, working as transparently as possible, seeking to build relationships, and behaving in trustworthy ways.

Further to this fundamental respect, two conditions assisted social workers to remain non-judgemental, even when client’s behaviour clashed with their own personal values. Firstly, many showed an ability to reflect on and ‘separate out’ their own values, experiences or personal positions on social issues from their professional relationships with clients. The second main way was through maintaining a focus on the welfare of the child as the main overriding aim of the work with the family. A focus on harm to the child functioned to allow social workers to define what constituted a legitimate target of their intervention and judgement, and what was not. Those issues constructed as relating to ‘lifestyle’, such as sexuality, socioeconomic position, or minor drug taking behaviour were viewed as the client’s ‘free choice’, and any resultant value clashes did not warrant intrusive action as they were not considered to be directly harming the child. However, where the client’s behaviour was constructed as more directly harmful to children, then workers became more actively interventive, therefore how ‘respect’ and ‘harm’ were constructed interacted to directly affect practice decisions. A clear embracing of what was viewed as ‘legitimate authority’ over the use of power where parental actions were directly harmful to the child and there were no or few ‘Signs of Safety’ was the result of this ethical intersection. While other aspects of life (beyond harm) could still be included in case planning or goal setting, there could be no intervention beyond the client’s wishes in those areas. These dynamics will be outlined below.

**Respect as the key to relationships**

Firstly, the fundamental kind of respect for clients as people, separate from their actions, was expressed through many accounts. This respectfulness was related to an ability to accept people in the most basic sense, while simultaneously being able to
make professional judgements relating to their parenting. These two actions were not seen as mutually exclusive, though they did cause tensions at times for workers. Statements such as these express the more fundamental, universal kind of ‘respect for persons’:

…and accept her for what the stuff she’s done, yes it’s not right but that doesn’t make you a bad person, it’s just bad things that you are doing, and how do we work through those? (Bessie, SW2, Case 2)

…and cause that’s one of the things from my practice is that… uh… I strongly believe that there is that goodness in everybody and everybody deserves my respect, regardless of what - regardless of what they had done. (Harriett, SW13, Case 7)

And so it’s a very powerful position and yet that power has to be an open handed one, do you know what I mean, has to be held open to …Yeah, and that comes back to respect, no matter what she’s saying or wherever she’s at, holding the respect for her is another key that I use to having a relationship with her, I don’t see her as less of a person, I don’t slag her off or speak negatively about her and I think she is aware of that, that’s part of the trust - this is the mother. (Gabi, SW11)

Some workers elaborated on fundamental respect as related to notions relating to ‘do unto others’, as they could empathise with the client’s position:

…and when I work – I determine myself to work toward embracing them and empowering them at all costs because if the shoe was on the other foot I would like them to help me the same as well, if I was in a predicament like that. (Toa, SW21)
Respect as a lens – using respect to help determine legitimate intervention

Social workers sought to maintain this kind of respect, even when the behaviour of client’s transgressed their own personal values. A desire to be non-judgemental could override personal value positions and enabled lack of coercive intervention in issues that social workers constructed as part of a person’s right to determine their own lives. However, if the client’s behaviour directly impacted negatively on the child, social workers were then more driven by values relating to protection for the child, and this overrode being ‘non-judgemental’. Examples of these dynamics will now be provided.

In terms of being non-judgemental, in this case, for example, the social worker found out some time afterwards that the young person on her caseload had had an abortion:

One of the things that happened with Jada (young person), was that last year she had an abortion and my heart just broke when … she didn’t tell me because she knew …(we were a Christian organisation) and I didn’t realise that … and she said to me … so that was a huge breakthrough and also it really upset me … to have to go through that with her and so I worked with her through the emotions, worked really hard.

Interviewer: And how old was she at that time?
14 … I actually said to her, ‘you’ve done the right thing for you, you should be proud of yourself that you’re moving on from it, you know, we will get through this, we will do this together’ … ethically-wise I had to really check myself always that this wasn’t about who I was, or anything like that, it was about her… with me…. I think that yeah, it might be that as a Christian, another thing is that … we never judge … and that’s not always the case outside, it’s not ever perceived like that, I know Christianity is not perceived like that at all so yeah, it was a chance for me to say it should be like this, so yeah, it was. (Dierdre, SW9, Case 4)
Secondly, though reflection and supervision, social workers were able to separate out their own values from those of the client, and in this way examine their values, and the assumptions, interpretations and ways of viewing that flowed from them. These were often directly influencing case decisions:

I’m very mindful of that, I was very mindful moving into this role that having been a foster parent and having been involved in fostering it is actually about making sure that I am using a professional judgement, I think it’s fine to actually have that empathy, and I think that’s why I need to call on things like research and colleagues and that, and just so that it clarifies some of that… . (Fiona, SW7, Case 6)

This social worker was the one described above where she was considering moving a child from one long-term caregiver to another, partly due to the child’s need to retain connection to his Maori extended whanau. She was asked if it was difficult to decide if that was a legitimate concern:

Not really, it wasn’t really difficult because I hadn’t really made up my mind, I kind of had an idea of, this is not ok, but for me I actually needed some facts, some evidence, some different perspectives to make – yeah, just to put a whole other view on it, I didn’t want the view just to be mine, I wanted there to be a full social worker perspective rather than just my perspective, because my world views, and that was where the difficulty was, because I’m Māori and he was Māori and this was a Pakeha family, and that’s where it was even more necessary for me, more crucial for me that the rest of the team, who were Pakeha then - that I got their view, and if they were able to give me some different insight that would sway me, then I was open to that. (Kaia, SW20)
The third way social workers maintained a respectful, non-judgemental stance was by keeping the focus on the welfare and needs of the child, rather than making judgements about the sexuality preference, lifestyle choices, or socioeconomic position of the family. Through this focus on the child, the need to make value judgements about lifestyle were minimised as they were not seen as being a legitimate area of concern:

Interviewer: So how did issues relating to ethics, values or culture affect the way you worked with this family?

Respondent: The only thing that I can really think about is mum, later on in our work, at the ultimatum stage, she had a partner of the same gender as her, and so that I guess was a cultural thing in that that was her new culture that she was identifying with, and about how to handle that, especially as a Christian organisation, so I’d have her ring and say, ‘do you mind that I’m a lesbian?’ and so about dealing with that kind of stuff with her because I think when she rang she wanted a reaction, and just dealing with that.

Interviewer: And how did you (react), what did you say to her?

Respondent: I just said that I think she’s doing a really good job of parenting and that her partner was really helpful, and that’s excellent; and writing court reports, asking, ‘how do you want your partner to be identified, is it girlfriend, is it partner?’, just asking them what they want, so, fitting in with them really, and accepting - I think just embracing the fact that she’s got somebody that’s helping her and that’s making her feel, like, more confident as a parent. (Taylor, SW4)

In this next case, the children were not in the mother’s care, and the social worker differentiates between areas of legitimate intervention as only those factors affecting the children in this situation. Thus, she makes a distinction between being
judgemental for its own sake, and exercising what might be called ‘professional judgement’ about when the mother’s behaviour impacts directly on the child:

Interviewer: So how did issues relating to ethics, values or culture affect the way you worked with this family?
Well, not really … from the point of view of that I view the natural mother from a mother heart, that she has a mother heart to her daughter, but her drugs are bigger than her mother heart, but, you know, I look to the mother heart rather than the - it would be an ethical dilemma for me from the point of view of if I was consumed by what I don’t see as my own values and beliefs - but not really, those aren’t influencing this case, it’s more coming from, this is the right of her daughter, you understand what I’m saying there? (Gabi, SW11)

While focusing on the child’s welfare helped alleviate judgement about issues that were viewed as not directly relevant to children’s welfare, including issues such as sexuality and drug use, when client behaviours were viewed as individual choices that directly harmed the child, then remaining non-judgemental became undesirable and being able to discern when that happened was called ‘professional judgement’. It was then that workers began to act to manage or actively intervene on clients’ behaviour. In this way, values directly impacted on decisions, as ‘respect’ constructed in this way helped ascertain what was legitimately within the realm of interventive action. Behaviour that impacted more directly on children’s wellbeing was viewed as coming within the legitimate role and remit of child protection work and was taken as appropriately falling within the scope of intervention that overrode client’s rights to self determination.

This worker, for example, discusses how he managed the tension between remaining non-judgemental about minor drug use as an aspect of parental ‘choice’ and right to self-determination, yet also utilising a focus on the child’s perception of the situation to ensure the child’s perspective was emphasised, which then guided him towards limited intervention. He explores here the limits of respect for individual choice or
self –determination, and instead of intervening directly, established a safety plan so as the child’s views and safety are prioritised:

Right. You didn’t approve of some of the decisions that Katrina (mother) was making – what do you mean? Oh, at the time she was still smoking marijuana. And… she knew that Callum didn’t like it – that he really didn’t like it. He told me that as well. But she didn’t – wasn’t willing at the start to give it up. …But she did give it up. For me, it was like, Callum was feeling insecure and unsafe at home, then he saw his mum getting high, and she was suddenly all different when she was on the drugs, and that made him feel even more unsafe. I think… Katrina did eventually realise that. But… that decision at the time I found that I couldn’t really – that I couldn’t respect it I suppose. Cause I was seeing the effect it had on Callum…

Interviewer: That’s a nice lead in to the next question. How did issues relating to ethics values or culture affect the way you were…

Uh, that’s it bang on – it was her individual responsibility – she was the mum – and I challenged her on that – and I said, um, we’ll have to leave it at that. And I’d – I’d try and build in safety around that so there was that safety plan – so that Callum felt that he could go out to – to his grandparents. Also to work with what I got presented with …But again those were her choices. Um. I was there to help her in the here and how. So, yeah. (Caleb, SW15, Case 9)

In the following case, again a focus on the perceptions and experiences of harm to the children helped guide the social worker to eventually decide to remove these children from their mother, thus showing an interrelationship between the themes of respect, children’s best interests, and risk: the concrete descriptions of harm to children used to construct risk retains a strong focus on the child’s need for attachment, (thus
reflects children’ best interests subthemes) and this is used to make exceptions of certain behaviours and situations from the normal realm of requiring non-judgemental respect to the category of requiring professional judgement and intervention without parental consent. This is not to say there is no longer any more respect for the client, but that the harm changes the expression of that respect from non-judgementalism and allowing self determination, to legitimately exercising judgement to protect children:

Interviewer: I guess the other major ethical issue you’ve already talked about a little bit was just to decide whether you know the rights of that newborn baby and Ziggy (older child) to be somewhere permanently, you should, and oh, what about Hannah’s (mother’s) right to you know, look after the – have the chance to prove herself – weighing up those two needs…
Yeah. Yup. Very much so….
Interviewer: So what was the deal breaker there – what do you think made you finally come down on the side of-(removal)?
That nothing’s happened since the last FGC – that Hannah was so… adamant that she was gonna turn her life around and make changes, like do things, but there’s no evidence – there has been no evidence of it. In the last two months…
And that’s the other real ethical thing. Was, especially with Robbie – he’s two months – I mean he was born the 13th of …so he’s three months old now. So that’s… And who’s he attaching to? Like that’s the thing that’s really really really bothering me the most. (Hine, SW19)

In these latter cases we can see that when the client’s behaviour was directly affecting children’s felt experience of safety or their attachment and care needs, then this was subject to legitimate judgement as part of their role as child protection social workers. Thus, values had a large impact on the empowerment versus control continuum.
described in the ‘relationship’ section, as values helped frame the criteria as to what was legitimate targets for intervention.

**Connecting personal and organisational values**

Respect, and its connection to both personal and organisational values, was also viewed as underpinning many of the other discourses and practices described above such as behaving in an honest and transparent way, valuing relationships, encouraging participation and openness with clients where possible, and searching for strengths. These connections were made by a number of respondents, including these ones:

…so leading into the conference the family had a clear idea of what they wanted to do, how they wanted to go about it and were able to identify it themselves without me saying, ‘hey this is what’s happened’, because they had enough information they were able to fully participate in the conference from day one…That part of the process was probably the most important part, without that I don’t think it would have been much good, I don’t think we would have made the progress we did and that was about relationship building, through I guess, through, well, heaps of things really, it’s about developing trust over a period of time, so people trust what you say you’re going to do, and you develop that trust by doing what you say you’ll do, being respectful in that process, all those, I guess they’re my own personal values based on what we do in this organisation around our Christian beliefs, around being respectful, patient with people and having faith in the family but not just blind faith. (Scott, SW12)

Thus, to conclude it can be seen that the intersection between values and the production of knowledge impacted on judgement and decisions. The content of these values revolved around notions of respect, inclusion, unconditional acceptance, being
non-judgemental, valuing of relationships and working collaboratively, and attempts to separate out one’s own values from the values and choices of parental clients not relevant to children’s protection from harm. The role of ‘respect’ was therefore that it contributed to the formation of a relationship that although unequal in power and at times conflictual, could continue a ‘functional engagement’ over time. This fundamental respect for the person, incorporated an essentially humanist regard for a person’s right to autonomy and competence, and children’s rights to protection. Respect was connected by many in this study to both the Christian basis of the organisation, and the philosophical aspects of a number of practice tools, such as the Signs of Safety, Te Aho Takitoru, and strengths perspectives. Significant intersections can be seen between constructions of risk, children’s best interests and values in this section.

**Conclusion**

This chapter covers the final three themes. It examines patterns of meaning making within the constructs of risk and safety, describes relational aspects, and outlines the impact of ethics and values on judgement processes. Risk and safety as concepts are powerful drivers of decisions in child protection practice. What knowledge is deemed salient as proof of each, and who controls that salience, is contestable and contributes directly to decisions about children’s lives. Constructions of risk and safety were heavily influenced by the Signs of Safety approach utilised by the agency, thus concerns the agency had regarding parental behaviour were required to be clearly identified and stated in behavioural terms, as was the ‘risk’ emanating from this behaviour. Risk statements were narrowly defined and had to be related to actual harm to the child. Actual harm was restricted to direct neglect, physical or sexual assault, and was described in everyday language devoid of judgemental or interpretive inference beyond what was concerning to the agency. The level of risk was scaled by all stakeholders to evaluate seriousness, but the social worker’s view of risk contributed most strongly to the agency’s ‘bottom-line concerns’. The child’s view or experience of this behaviour was emphasised.

Safety factors were actively searched for and utilised in case planning to try and work with families where possible to maintain children with their biological families, or
return them. Safety was conceptualised as evidenced by behaviours such as help seeking, sensitivity to children’s perspectives, exceptions to negative parental behaviour and changes in lifestyle over time. Thus, safety was a context specific concept that included parents’ efforts and achievements towards change over time. Safety and risk were then ‘weighed up’ in order to reach a decision, and these case plans and the resultant goals were often constructed together with the family. Exceptions to harmful behaviour were also consciously elicited from clients, as the beginning of solution-focused work with them. Social workers used the tool to challenge ‘received truths’ about the nature of risk to children, and used it to create knowledge specific to the particular family they were working with. While there were still cases where it was difficult to rate the level of risk or safety, nevertheless workers felt the Signs of Safety tool in general was beneficial to their case decision-making process in terms of providing a transparent, useful tool that engaged clients, and was a good ‘fit’ with their values.

Some Maori workers preferred the Maori model developed by the agency, Te Aho Takitoru, as this encompassed a broader range of holistic and spiritual factors than the Signs of Safety approach. Others used combinations of the two, however, whichever was used concerns and strengths were identified using both approaches. Within the Maori model, however, concerns and safety factors could be conceptualised using Maori understandings of reality. In the process of establishing relative risks and building safety, parents were implicitly constructed as honest and capable of change, though there were often interpretive difficulties in efforts to decide what was ‘good enough’ parenting. In the process of risk management and the building of safety, safety plans were utilised that often allowed children to remain at, or be returned to home. This allowed parents to be viewed as less ‘risky’ over time, as they were expected to, and given the opportunity to, prove themselves capable as time elapsed.

Theme five covered the ways that the parental client-social worker relationship influenced case decision-making, based on the constructionist premise that knowledge is produced via a dialogic process of meaning making between social actors, in this context the social worker and parent/child clients. As decisions rest on the basis of this socially produced knowledge, then this site deserves our attention in decision-making research. In this study, social workers valued the continuation of a
relationship with clients and utilised many of the discourses identified in previous themes to do so, including those constructions that created as little ‘blaming’ as possible and actively focused on strengths. Within a context of unequal power, social workers tried to collaborate, negotiate, or persuade clients, rather than directly impose goals. They used solution-focused approaches in personal change, tried to be as honest, trustworthy and transparent as possible, provided practical support with parenting and accessing other resources, took an interest in clients’ lives beyond the client protection concerns, and engaged in some degree of self-disclosure. All these strategies were used in attempts to work as collaboratively as possible within the constraints of the power differential, acknowledged by many social workers, and gave clients the opportunity to remain engaged, albeit on the social worker’s terms.

The final theme, discussing ethics and values, forms the final piece of the decision-making puzzle, as morals, ethics and values underpin many of the discourses and practices described above, including the construction of the ‘moral client’, the privileging of children’s voices, and the strengths perspective underpinning the Signs of Safety approach. This theme explores the concept of fundamental respect for the person, that resulted in a basic default setting of non-judgementalism and concern for choice and self-determination. The Christian basis of the agency and its theoretical tools appeared to reinforce this. However, another ethical ‘layer’ of an awareness of harm or negative influences on the child defined the boundaries of this all-encompassing non-judgementalism, enabling social workers to define areas of parent’s lives or behaviours that could legitimately be intervened on. Transgressing into those areas constructed as harmful to children could allow for ‘professional judgement’ to be made that allowed for legitimate intervention that may override parental rights to self-determination. Establishing the boundary between the two kinds of behaviour (those that should not be judged or intervened on without consent, and those that should) was sometimes complex, and had clear intersections with other themes. That is, how risk is defined in specific ways that show harm to the child, and safety constructed as usually possible and related to areas of competency is reinforced by the ethical concerns regarding non-judgemental respect and its limits. Likewise, a similar confluence is observable in the patterns of constructions of children’s best interests that focus on children’s attachments and needs as concepts used to determine what might be considered harmful, and thus provide the basis for exceptions to the
family maintenance rule. In terms of the limits of respectful acceptance or non-judgementalism, harm that created legitimate intervention often also showed an attention to children’s attachments as ‘needs’. ‘Respect for the person’ notions are also seen as guiding the construction of original problems in as non-blaming ways as possible, using a variety of constructs to do so, and also appears in many of the factors influencing the social worker-client relationship, for example, a belief in client change and behaving in trustworthy ways. Many of these thematic interconnections, conditions and contingencies, and how power influences them, will be explored in the analysis chapter.
Chapter Five: Analysis

Introduction

What social workers offer as examples of ‘pleasing’ practice provide insight into how child protection social work is constructed in the A/NZ context, including how social workers might consider positive or best practice. Judgements are part of a complex interplay of discourses and practices. Describing and analysing the content and consequences of these meaning making processes which manifest themselves in decisions and judgements is the focus of this research project. Their discursive sources and consequences form the basis of this grounded, practice-oriented analysis. Thus, this analysis is framed by the concept of social constructionism that considers the language practices used to create knowledge in specific settings. Language practices, or discourses, are considered as lenses used in the world of practice that allow certain truths to become known. These truths reflect normative assumptions as well as ethical and value positions.

The eliciting of ‘pleasing practice’ furthermore imbues the analysis with a pragmatic edge. It seeks not only to describe discursive frameworks, but also to link them to good practice as defined by the stakeholders involved, and in light of the ethical aims of social work. In this it attempts to utilise the concepts of constructive social work, critical best practice and reflective approaches to theory development (Parton & O’Byrne, 2000; Ferguson, 2008; Fook, 2002). A reflective approach to theory development focuses on how practitioners and their clients understand the nature of their interactions, and how decisions are made as part of an ongoing discursive and relationally defined process of knowledge production (Fook, 2002a, 2002b), while ‘critical best practice’ recognises the value of examining practitioner or user-defined positive practice to create best practice examples (Ferguson, 2008).

Obviously, examining practice decision-making is not straightforward, and is often overlooked in outcome research (Taylor & White, 2001). Pinkerton (2002) speaks of the sometimes conflicting nature of the huge variety of theoretical bases informing judgement processes in child protection settings, covering, for example, attachment, psychodynamic and behavioural theories as well as Marxist, feminist and postmodern explanations. These form “uneasy amalgams that usefully inform working hypotheses
about what is at issue for the individuals caught up in child abuse” (Pinkerton, 2002, p. 102). Add to that the national and organisational cultural worldviews and it is clear that the sources of informative discourses are diverse and conflictual. However, to assume social workers are somehow incapacitated by the tensions involved in dealing with competing power and knowledge bases can obscure practitioner’s active role in mediating, combining and integrating diverse discourses. They, as well as clients, are often assumed within critical approaches of child protection that use the language of discourse, to be the passive reproducers or victims of state oppression and conservative formal ‘logics of risk’ (Broadhurst et al., 2010). Stanford refutes this, noting instead that an understanding of social workers as agentic:

suggests a need for research that investigates how social workers are active agents, as opposed to passive subjects, in negotiating or resisting the conservative morality of ‘risk orthodoxies’ (Kemshall, 2002) in contemporary practice contexts. (2010, p. 3)

This analysis integrates the data themes with relevant theoretical literature to examine these issues. It adds to claims made by both Stanford (2010; 2011) and Broadhurst et al., (2009; 2010) who argue that social workers are not driven by a single, dominant traditional risk discourse, but instead they draw on a variety of ‘logics of risk’, specific practice tools, and attention to collaborative relationships with clients to enable them to resist some of the worst tendencies of a neo-liberal risk society. This study finds those responses are strengthened by an organisational culture that aligns with social worker values and ‘buffers’ against the worst excesses of the wider political context. These responses contain elements of both control and care.

In order to remain faithful to the grounded, exploratory and constructionist nature of this study, further analysis is required beyond theme identification. This analysis provides a discussion of the theoretical implications of the findings so as the connections between themes are made explicit, existing theory and literature in the field are applied to discuss the data, and the range of factors shaping the context of judgement can be included (Charmaz, 1990, 2005). As grounded approaches try to
remain intimately connected to the data, this inclusion attempts to reflect more adequately the wide range of interwoven concepts impacting on practice, while at the same time acknowledges my own influence in selecting how those ‘realities’ may be constructed (Charmaz, 1990).

Utilising contextual social constructionism in this analysis brings an examination of the functions of language, that is, the consequences for social actors of the ways their social realities are co-constructed through the kinds of language they use to describe it, while still accepting the material reality of some aspects of the environment, and the interconnections between discourse and practices (Best, 2003). A social constructionist position takes as a given that:

- the reasoning rationales of social workers and their clients are intimately related to contexts of time and place;
- power is intrinsically connected with the production of decisions and judgements;
- power is expressed in context-specific ways by all actors;
- the powerful/powerless in this knowledge production cannot be identified in terms of simple dichotomies;
- concepts of abuse, harm, risk, safety and children’s best interests have no essential, universal definitions;
- knowledge is produced in sometimes conflicting ways from a variety of discourses and practices;
- the joint work of social workers and clients contains possibilities for both empowerment and oppression.

True to the eclectic use of theory in social work practice and research, a number of theoretical ideas, drawing from the social constructionist, cognitive psychology, feminist, post structural, risk, ethical theory and sociology of childhood literatures will all be employed in this chapter in order to develop a robust discussion of the discursive influences on decisions and judgements, and their consequences, in this child protection social work context.
Constructing social work decision-making

This chapter discusses theoretical interactions both between the themes outlined in the previous chapters and between the themes and relevant literature. The first section discusses the ways that the default premise of family maintenance operates as a general rule to which exceptions can be made (Sheppard, 2003). The rule of family maintenance creates a hierarchy of options that create decision categories, anchored by the default setting of a preference for biological families or existing attachment relationships. Exceptions to the default are based on concepts relating to direct and present harm to children, children as psychological beings who require certain emotional needs to be met, Maori children’s needs for identity and connection to extended family, the relative solubility of foster families, older children’s own wishes, interpretations of children’s behaviour, significant personal change for the parent, and the weighing up of the known alternatives. This process can be discussed theoretically using aspects of the decision-making literature of heuristics, adaptive rationality, naturalistic decision-making, framing, attention and search and rules.

However, in order to delve more deeply ‘under the skin’ of the reasoning underpinning the selection of these options which, in reality, provide a general pattern of preferences rather than an exact, neat science, the chapter then takes a more constructionist turn. It examines more closely how decisions are categorised as belonging to one decision option rather than another, and problematises the notion of collecting information that will easily direct the social worker to a specific, certain, decision option (Milner & O'Byrne, 2002a; Parton, 1998; C. Taylor & White, 2006). While there are discernable patterns and priorities within the meaning making process involved, there are still uncertainties, contradictions and multiple truths in operation at any one time. As McBeath and Webb (2002) note, practice interactions in social work are “often patterned but not highly predictable” (McBeath & Webb, 2002, p. 1016).

To serve these ends, I draw on the broader social constructionist literature, much of it included in the literature review, regarding the construction of meaning, and its interrelationship with ethics, power, context, positioning and relationships. Discussing these more nuanced interpretive feats will be described as the ‘laying over’ of frames onto the basic family maintenance schema, with the frames being: children’s best
interests, problem construction (including harm, risk and safety), and ethics. In this process, I argue that while social workers’ understandings are informed by the discursive context, they are also shaped by both clients’ responses, and by the relationship they are able to form with the client. I discuss the ways that social worker’s construction of reasoning rationales relies on both taken for granted inclusion of the context, as well as conscious interpretive choices regarding how clients are viewed and ‘read’. These choices construct clients and their issues in particular ways, and the choice of one, and not another, is essentially ethical or moral in nature. Such choices are influenced not only by the social worker’s personal values, but also by the theoretical practice tools used by the agency, and its fundamental value position.

In turn, the construction of clients using certain discourses results in the offering of subject positions to clients, and this in turn impacts on reactive possibilities. This process of action and reaction influences the interpretation of client’s situations and behaviours, thus the relational context is important in the development of the meanings attributed to client behaviour (Turnell & Edwards, 1999). The consequences of the use of certain discourses will be explored, with some comments on the possibilities for participation and collaboration within the child protection context. Finally, the ethical/moral aspect of decision-making reasoning is explored. I argue that as the construction of knowledge is less about the gathering of objective knowledge than the result of conscious or unconscious interpretive choices, these choices are always embedded within value and ethical positions. Several ethical theories will be discussed as vehicles to theorise the position taken by social workers in this study, including universalist/Kantian approaches, Bauman’s postmodern concern for the ‘other’ as the basis of moral action, Benhabib’s integrated universalism, and ethic of care approaches.
Connecting the themes – outlining conditions, consequences, and theoretical implications

Family Maintenance as a hierarchical schema

Decisions and judgements within this study, based in a large, faith-based NGO designated by law as a child and family service in A/NZ, are framed by a decision schema underpinned by a pervasive family maintenance discourse. These findings, first introduced and evidenced in more detail back in chapter three (pp. 188 – 201), creates a decision-making discourse that privileges biological family maintaining the care of their children wherever possible. Thus, this schema generates the range of decision options available, with each one taking one step further away from this basic default preference. This schema is also bolstered by concepts regarding children’s emotional needs as relating to their felt attachment relationships. The hierarchy of preferred outcomes is as follows:

- children remaining with their biological family through family support;
- short term foster-care (preference is for biological relatives – ‘kinship care’ - including extended family, then other people known to the child, then ‘stranger’ placement), then being returned to biological family;
- longer term foster-care, (preferences as above) then returned to biological family;
- permanent foster placement with extended kin, either biological or someone known to the child with contact with other biological family members;
- permanent foster placement in a ‘stranger-care’ foster placement with contact with biological family;
- permanent foster placement with stranger foster-caregivers and no or limited contact with biological family.

These options are premised on the notion that children require ongoing contact with those whom they have developed attachments with; that they have emotional, physical and identity needs that are best met through these family or family-like relationships; and to disrupt them should only occur if there is direct harm to the child in some way that is ‘enough’ to override this default. If the most preferred option is ruled out, then the alternative should be the next family-like care arrangement down the schema.
Both the schema and its overrides are conceptualised around ideas relating to harm, needs and rights. These latter two concepts, used to constitute children’s best interests, can differ depending on the age and ethnicity of the child. Overrides are also, however, affected by the legal status of the child, specifically the guardianship status of the child, as well as the availability of alternative placements and evaluations of risk.

The options created by the family maintenance schema are most prominently related to the discursive influences present in the legal and social environment. The premise of family relationship maintenance reflects the changing discourses in child protection practice in many western countries towards family maintenance, rather than adoption or permanent foster-care (Connolly, 2004). A preference for maintaining biological kin connections relates to wider discourses about the nature of children’s best interests, both in theoretical terms of attachment needs, in rights to family, and in legal terms, for example as defined in the CYP&TF Act 1989, the statute that governs child protection practice in this country (Howe, 2005; Howe et al., 1999; Solomon, 2002). This finding is therefore unsurprising. This Act seeks to promote family empowerment and responsibility for children, include families in the decision-making process through the use of Family Group Conferences, and where possible, place children in placements with extended ‘kin’ instead of stranger placements. This reflects a view that children experience harm from disruption to their family connections, and that maintenance of these connections allows children to remain connected with their family as a source of identity, belonging, and attachment. Maintaining family responsibility for children, however, can also be considered an expression of neo-liberal politics, as the resistance of the state to intervention in family life reflects notions of family and individual responsibility (O’Brien, 2007).

The family maintenance discourse is also reflective of the policy of ‘permanence’ that is currently emphasised by the Ministry of Social Development, Child Youth and Family Services and all other Child and Family Services (of which the agency this study was undertaken in is one). The permanency objective aims to reduce the number of children being moved from one foster-carer to another, or being subjected to multiple moves between biological family and foster-carers. This is most obviously embodied in the current ‘home for life’ policy that aims to maximise supports for long
term foster-caregivers in order to encourage them to consistently care for their foster children in the long term.

An emphasis on family maintenance in this study was further strengthened by an awareness that except in the most extreme situations, the expressed views of most children were to either remain with or return home to biological parents. With an increasing imperative to consider children’s own views from the children’s rights movement, the heightened position given those views in decision-making lends support to the general rule for family maintenance. Further, an emphasis on children’s views also contributes to conceptualisations of ‘harm’. This study found that social workers, drawing on children’s own views, constructed ‘harm’ as connected not only to abuse from biological parents, but from the ruptures caused by removal (Lonne et al., 2008). As Lonne et al. (2008) note, reform in child protection must be cognisant of the risks and harm caused by removal, arguing that:

Whatever the view of well-meaning adults, professionals, the media and politicians, children and adults who were in the ‘care system’ are telling us that fundamental to life, let alone quality, is connection with family, and that the loss of family is one of the most traumatizing of any childhood event wherever one lives in the world. (Lonne et al., 2008, p. 104)

Practice decisions in this study clearly incorporate these views, and reinforce the primacy of family ties to children.

However, the mandate of the statute also creates an ultimate ‘override’ to family maintenance, that is, the best interests of the child must be the ‘paramount’ concern in decision-making ("Cyp&tf act 1989," 1989), and thus exceptions to family maintenance can be made. Exceptions are most obviously made in relation to the seriousness and chronicity of abuse, however, deciding when a decision should slip one further rung down the hierarchy is intensely complex. In this study, the response options are not applied dogmatically, based solely on a finding of parental abuse, but are also shaped by concepts of harm (that is, the effect on the child as opposed to parental behaviour), a consideration of children’s ongoing needs, the nature of the
relationship between worker and parental client, and the availability of caregiving resources. For example, if a child is required to come into care, but no family foster-caregiver can be found, then this shapes the decision outcome, as it results in a change in the weighing up of harms, for example, how does the harm the child is exposed to in their family weigh up against the possible harm caused by placing them with strangers, as opposed to other kin? Furthermore, there are interpretive options for the social construction of the concepts of harm, abuse, risk and needs, that are encoded in particular ways. How these concepts come to be known impacts on which decision option will be taken. Thus, the option taken is a result of the interaction between an interpretation of the level of harm the child is exposed to, their existing care arrangement, (whether with biological or foster-caregivers or kin caregivers), their wider needs, the potential harm of the level of disruption and displacement caused to the child through placing them in another family, and the family maintenance schema. Thus far, a number of concepts from the cognitive psychology literature may be useful analytical tools to theorise this basic process.

*Theorising the family maintenance schema: maintenance and exceptions*

Ideas from limited rationality consider the limiting of options based on the family maintenance discourse and the consideration of resource availability as distinctly irrational, perhaps arguing that these don’t consider all possible alternatives, or that decisions should instead be based solely on the abuse the child has been exposed to, not what the realistic alternative care options may be (Kuhberger, 2002; March, 1994). This assumes that there is an objective way to measure ‘harm’ that can be readily aligned with each decision option, as well as unlimited ideal resources and time available. Adaptive and ecological rationality proponents, on the other hand, would argue that utilising the family maintenance hierarchy, resource considerations and ‘harm’ criteria to limit options and ascribe criteria act as ‘fast and frugal’ heuristics. This heuristic creates a decision-making mechanism that allows decisions to be made that reflect the ‘real world context’ and allow for efficient ‘pattern matching’ between problem and best response – a ‘take the best’ heuristic. Drawing on the family maintenance schema as a typology of possible responses, social workers
search for specific kinds of information that allow them to ‘match’ the situation, particularly those aspects relating to children’s best interests, harm, needs, risk and safety building, children’s own views, and available alternatives against the possible decision outcomes. They use these ‘matches’ to decide which cases fit the pattern of those that can be worked with to ensure maintenance, and in which cases exceptions should be made (Chase et al., 1998; March, 1994). When there are no ideal caregiving options available, social workers must ‘take the best’ of the alternatives on offer to make a decision prompted by children’s urgent need for care. This can be conceptualised as a ‘take the best’ heuristic. The ‘best’ will be the one that can keep children on the highest possible ‘rung’ of the family maintenance schema while protecting them from the harm deemed most detrimental to them.

‘Attention and search’ ideas add further detail to adaptive rationality concepts. Attention and search relies on the idea that decision makers limit the attention given to differing alternatives, and due to overwhelming information, interpret at what point enough salient information has been gathered for a decision to be made, based on underlying assumptions about the current social world (March, 1994). As social workers decide which option they will take, they are searching the landscape for certain behaviours or situations that act as ‘flags’ for either remaining with the default of family maintenance, or overriding it and moving down to the ‘next best’ option on the schema. These flags are generated through attention and search patterns that recognise codes that signal concepts relating to children’s best interests, needs, harm, and evaluations of risk and safety. The inclusion of, for example, safety factors as well as harm and risk, extended the pattern of search beyond only risk factors, and thus influenced the point at which information gathering stops and a decision is made. Other influential discourses were most notably harm, needs and children’s own wishes. Harm was conceptualised as both physical and emotional, and needs were conceptualised as relating primarily to caregiving relationships and their psychological consequences, while children’s own wishes were also especially powerful if they coincided with return to biological families. In addition to these constructs, patterns of attention and search were made more complex by the existing care arrangement (foster-care arrangements were more soluble and children’s wider needs were more broadly considered than children in their biological families), the age of the child, (older children’s views were given more weight) and the ethnicity of
the child (Maori children’s access to tribal identity through genealogical connections were important needs).

Concepts of framing and naturalistic decision-making help conceptualise how patterns in information search and options for decisions are generated, and further assist bridging the gap between cognitive psychology, social work, and social constructionist concepts. As noted in the literature review, framing operates thus: “Decisions are framed by beliefs that define the problem to be addressed, the information that must be collected, and the dimensions that must be evaluated. Decision makers adopt paradigms to tell themselves what perspective to take on a problem, what questions should be asked, and what technologies should be used to ask the questions…They direct attention to different options and different preferences” (March, 1994). Thus framing in this study refers primarily to the beliefs in kinship, attachment, children’s needs and both child and parental rights that underpin the preference of firstly biological, then wider kin, then other family forms as the preferred modes of caregiving for children. Differences in the type of decision (to remove, return, or remain) and the nature of current caregiving arrangements (foster-care or with biological family) influence how the decision frame is created, as do, to a lesser extent available caregivers. The interpretation of abuse and harm can also be considered as important frames that contribute to the decision-making context. Naturalistic decision-making points out that decisions are routinely made with ill-defined or conflicting goals, under constraints of uncertainty and time, and that real-life decisions are complex in that they contain action-feedback loops that generate a series of decisions, and take place in a context of organisational goals, cultures and norms (Lipshitz et al., 2001; Zsambok, 1997).

Thus, in applying these ideas to the current study, it can be concluded that the family maintenance schema, primarily shaped by the discourse of the primacy of family, governs the framing or construction of the decision options. Deciding which option to take on this fundamental hierarchy relies on the underpinning paradigm of family maintenance, and then is built on with patterns of attention and search, and the use of heuristics. Attention and search rules operate as social workers gather information relating to children’s best interests, harm, needs, risk and safety building, and directs social workers to gauge children’s own views. Whichever option allows for the least
possible intrusion into children’s lives while still protecting children are informed further by beliefs relating to the nature of children’s needs and children’s rights. The use of the specific practice tools such as the Signs of Safety approach and Te Aho Takitoru act as technologies that further frame and guide patterns of attention and search, defining what information is relevant to the case decision. These concepts provide the framing for decisions, and combined with the family maintenance schema as an option-generating paradigm, together form a ‘context-bound informal model’ generated from the data in a grounded manner to describe the decision process (Charmaz, 2003; Schraagen et al., 2008). These concepts also reflect Sheppard’s work on rules and focused attention. In this study, social workers used rules to create the family maintenance hierarchy of options, and then brought ‘focused attention’ to bear on certain pieces of information to evaluate which option should be taken, most often on the level of harm a child was exposed to, the frequency of that harm, children’s current relationships and needs, and the presence of safety and strengths factors in the situation (Sheppard, 2003).

In conclusion, the cognitive psychology literature provides theoretical concepts that allow a description of a contextually-specific model of the decision process undertaken by social workers in this study. In terms of content, however, a more in-depth exploration of judgements, using social constructionist, social work and relevant sociological literature will be undertaken as this chapter proceeds to analyse the content of these processes in more complex ways. The encoding of behaviour and situations are negotiable and reflect power relations, and the patterns of attention and search are both unconsciously and intentionally influenced by constructions sourced from legislation, practice tools and organisational/personal values. The interpretation of the causes of parental clients’ problems is intimately connected to value positions and the nature of the relationship between social workers and parents.

Therefore, it may be useful to consider the family maintenance schema, and its theorisation with cognitive psychology decision-making concepts, as providing a basic structural framework, over which layers of meaning-making concepts can be laid, that only when combined produce a robust discussion of decision-making in this context. These ‘meaning layers’ form the flags, the symbols, that social workers attend to in their interpretive tasks, and will be analysed in terms of children’s best
interests, constructing original problem causes, risk and safety, and ethical issues. I will argue that these ‘meaning layers’ reflect most prominently the outworking of ethical and moral positions, expressed via particular discourses within this field, and these meaning layers are constructed within, and have an impact on, social worker-client relationships. The interpretations of these meaning layers while patterned, is frequently complex, fluid and contingent. These contingent aspects make decision-making uncertain, contextual, and complex, and there is a constant tension between principles of empowerment and control for both parental and child clients. Critical accounts of practice tend to demonise overt social control functions, or imply that blame and oppression are the only possible results of individualised constructions of problems and risks. However, this study instead highlights the more complex relationship between power, discourse, empowerment and control in reaching judgements at this site of practice.

Table 7: The family maintenance hierarchy and its 'meaning layers'
Meaning layer one: Children’s best interests

This section examines the connections between the ways ‘children’s best interests’ are defined by the actors in this study, and examines how those definitions influence decisions and judgements. The constitution of children’s best interests in this study reflects the constructions of children and childhoods at this site. These interrelate with the family maintenance schema. The production of what are ‘children’s best interests’ is an important way in which social workers produce an ‘authoritative voice’ to justify decisions made, and to do so they draw on specific discourses that render certain behaviours, relationships and events in particular ways. While others find that the legal process renders these as immutable objects and obscures their interpretive basis, in this context, social workers relied on practice tools (such as the Signs of Safety approach), the inclusion of children’s and parent’s views, and the use of theoretical ideas relating to attachment needs and children’s rights to produce certainty regarding which decision to take (King, 1997, Wilkinson, 2005). The consequences of the most prominent constructions of ‘best interests’ will be discussed, specifically the influence of constructing children as individuals versus family members; children with needs related to attachment theory; children as rights’ holders; the construction of Maori children’s needs; and differences in family definition. This discussion examines the relationships and tensions between these discourses and contends that conceptualisations of children’s best interests are primarily influenced by the construction of children as psychological beings, and as needs and rights-bearers social actors. These constructions combine to support the family maintenance default, but also influence how to decide when to depart from it. The consequences of assigning children an ‘active subjectivity’ are discussed, as this must balance concepts relating to responsibility versus rights in ways that include children’s voices while not expecting them to assume too much responsibility for contributing to safe situations.

The family maintenance position and constructions of children’s best interests as ideally met through family generally reflect the child welfare orientation of the agency, but there are some conflicts between this and the wider national policy orientation that is increasingly child protection oriented. The tensions between micro level and macro level constructions of children’s best interests are explored. The
focus on psychological needs and child and family rights excludes material provision (beyond the basics) from decisions of harm and thus avoids the imposition of middle class values from decisions, and this reflects social work’s commitment to equity and human rights. On the other hand, it also excludes a consideration of class, gender and ethnicity from an understanding of the causes of current family problems, and in doing so risks reinforcing social inequalities.

The need for who and a right to what? The use of ‘needs’ and ‘rights’ to construct children’s best interests

The main conflict in constructing children’s best interests in this study was the conflict between views of children as individuals requiring protection from their families, and children as part of families that require support in order to meet children’s needs. Rights and needs discourses were both drawn on in this complex undertaking, and both could be used in support of removal, maintenance or return decisions. Rights discourses and needs discourses interacted to ascertain whether children as individuals (and potentially removal) or children as family members (and therefore more likely maintenance) would take prominence in judgement reasoning. These concepts were consistently used to construct their best interests in any given case, as outlined in the results chapter. However, the most common direction of judgement was the use of attachment theory to explain children’s needs (and thus best interests) as relating strongly to existing attachments to biological kin, thus providing more warrant for adherence to the family maintenance schema, and therefore children viewed as part of families that require support in order to meet children’s needs.

This judgement pathway was often further supported by Maori children’s construction as both needing, and having a right to, their whanau and the genealogical connections, cultural knowledge and identity this provides access to. In terms of rights, children’s rights to their family and to have their views included in decision processes (which usually favoured staying or returning home) also favoured the family maintenance principle. On the other side of the equation, children’s individualised right to protection from harm was the only thing that could override the power of all the other needs and rights as stated in the construction of children’s best interests, although this
differed slightly for children already in long-term foster-care. This complex array of needs and rights, were described in an earlier chapter (Table five), are re-presented below to show how children’s best interests concepts interact with constructions of children, and with the family maintenance preference:

**Table 8: How children are constructed in relation to ‘best interests’ and decision-making**

<table>
<thead>
<tr>
<th>Children as family members (family maintenance more likely)</th>
<th>Children as individuals (removal more likely)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Need for attachment relationships and access to Maori identity</td>
<td>Right to Maori identity</td>
</tr>
<tr>
<td>Right to family</td>
<td>Right to have views included in DM</td>
</tr>
<tr>
<td>Right to protection from harm of removal</td>
<td>Right to protection from harm of abuse</td>
</tr>
</tbody>
</table>

Mason (2005) states that, “the way we construct or understand childhood is closely related to state policies around interventions in some families for the protection of children” (p. 91). Children in this study are constructed as both rights and needs bearing individuals, yet many rights are viewed as inherently connected to their need for attachment relationships and whanau connections with family. This latter construction is bolstered by Maori concepts regarding the importance of genealogical connections and their necessary maintenance in order to create identity within the Maori world (Durie, 1995). Needs are therefore viewed as primarily psychological and relational in nature, and many rights concepts were interpreted in ways that
reinforced this view. These constructs, in turn, are used to determine the conditions of intervention held to be in children’s ‘best interests’.

Woodhead notes that children’s needs are best conceptualised as complex and context-specific (Woodhead, 1997), yet social workers are asked to apply universalist ideals such as attachment theory (in its simplest form) and individualised rights to very idiosyncratic situations. This translation role is clear in this study, where social workers drew on a theory such as attachment, but adapted it to fit with other important practice discourses such as the law, and those presented by the contingent and complex case situations they faced. For example, social workers accepted that children could be attached to a number of adults at one time, and emphasised this in relation to Maori children. They also discussed how different kinds of family relationships were also important to children, including those with siblings. They constructed parental clients as both potentially harmful and as potentially protective and caring. In these ways, social workers considered children’s needs as complex, and mediated between those ‘needs’ and the variety of formal discourses impacting upon them.

The prominence of children’s needs as relating to their attachment relationships especially affected concepts relating to the ‘weighing up of harms’ between placement options, that is, deciding to remove children or return them. Where abuse or harm was contextualised within the parent-child relationship that contained aspects of positive relationships in addition to aspects of harm, the abuse was not viewed as a unchanging, ontological ‘thing’ that necessarily required removal, but one aspect of a holistic relationship that could still be conferring positive care for the child, and something the child had a right to (Schull, 1999). On the other side of the coin, the harm of removal in terms of having to re-form important attachment relationships with foster-carers, and grieve for absent parents, was also thus considered as holding both negative as well as positive consequences for children. In these ways, attachment concepts were used to construct children’s needs as primarily psychological and relating to a complex relational need for a specific type of care, yet interpreting this discourse in each case was specific to the child and family concerned, with the result being a ‘weighing up of harm’ comparison of each option. Thus children’s needs for
specific kinds of ‘attachment’ very much determined how parent-child relationships and prescriptions for certain kinds of care were viewed (Woodhead, 1997).

Thus, while much writing assumes that where abuse is detected, this is held as an overall determiner of removal, and foster-care is always viewed as universally good and entirely without negative consequences, this was not the case in this study. Instead, through constructing parents as complex providers of potential care as well as sources of harm, children as having relational needs and rights, and considering foster-care as also holding significant potential harm for children, social workers’ decisions resulted in a much more complex ‘weighing up’ of the alternatives for children’s care options. Thus the options were much less clear-cut, rather than one (foster-care) viewed as unproblematically positive, and abusive parents as monolithically bad.

**Children’s needs as relational**

Woodhead (1997) states that: “‘Children’s needs’ is a powerful rhetorical device for constructing images of childhood, prescribing for care and education, and judging the quality of adult-child relationships” (p. 77). The construction of relational, psychological attachment needs in this study led to several consequences. The first consequence was an attempt to shore up family as the ideal ‘carer’ for children. This resulted in a family support/child welfare response for as long as possible before more intrusive intervention in order to maintain attachment relationships, even less than ideal ones. Any expressed desire by a young child to remain with their caregiver is usually taken as evidence of a ‘strong’ attachment, even though a more traditional view of attachment behaviour might categorise expressions of intense desire for proximity when combined with other behaviours as potentially evidence of an insecure attachment (specifically as insecure – ambivalent) (Howe, 2005). However, interestingly the needs of children in long-term foster-care are differentially constructed. They are viewed as holding more individualised rights than other children, and this led to a lower threshold of harm for changing their caregiver arrangements, and more overall consideration of a range of needs beyond protection, for example, their everyday routines, identity needs and belonging needs. Thus they had more soluble caregiving arrangements than children in their biological families.
Child focused practice and children’s rights

Rights-based discourses resulted in ‘child focused practices’ used to elicit children’s stated views, and respond protectively towards children, and this acted generally to ensure children an ‘active subjectivity’ (Fattore & Turnbull 2005, p. 47) as well as meeting increasingly heightened state requirements for the protection of children in the production of children’s best interests (Cashmore, 2009). However, the underpinning family maintenance ideal means that relational needs and rights to both voice and protection are considered as often achievable within the family context, and indeed, often rights discourses were interpreted within broader needs discourses, that is, rights to voice or protection were considered unachievable without recourse to relational attachment needs. A child’s right to protection could only be considered as existing beyond their relational needs in cases of severe abuse where parents could exhibit no commitment to change – these were the only times rights could be considered dominant to needs. The general interpretation of rights as nested within relational needs was pervasive, however, there were several other interpretive issues at play that impacted on how such issues were constructed for decision-making purposes. These are best described as areas of contradiction between rights and needs, universality versus situated complexity, parents as sources of attachment need as well as harm, and the unconscious versus the conscious. These will now be discussed.

Needs and rights: confluence and conflict

While in many cases these twin drivers (needs and rights) resulted in congruent outcomes and enabled straightforward constructions of children’s best interests, in others there were serious tensions between the two. For example, children’s right to protection may clash with their stated views (and thus their right to have their views taken seriously), or their need to, ideally, retain at least some of their attachment relationships with family members. This clash reflects the, at times, contradictory nature of the discursive drivers in the context, where children’s rights exist uneasily alongside children’s need for family and protection, and family rights to participate in decision-making. As stated, usually needs won out, and rights were interpreted as ‘nested’ within children’s needs, but this was not always the case. When an ‘authoritative voice’ was needed, social workers would either reach for children’s
stated views, attachment theory and children’s relational needs, and parental change
to create authority regarding decisions to leave children or return them to their
original families, and reach for more formal constructions of harm and children’s
‘best interests’ in the long-term to justify removal.

A more fundamental conflict exists in relation to the interface between attachment
theory to construct needs, and rights based discourses. While attachment theory has
psychodynamic origins that emphasise the unconscious, rights discourses seek to take
children’s views on ‘face value’ (Beckett, 2006). Children’s stated views, based on
rights, could conflict with the construction of attachment ‘needs’, especially when
attachment concepts are used in the definition of harm. Balancing these two is
difficult. For example, attachment theory might propose that children’s expressed
views may be shaped by unconscious processes and emotional damage caused by the
abuse they have suffered. Conversely, within a rights based discourse, children are
viewed as capable of actively participating in their environments and defining for
themselves the meaning of their experiences. Thus attachment theorising, and other
psychological explanations of the consequences of child abuse, may lead to
undermining children’s stated views by promoting a view of children as helpless
victims, damaged in ways beyond their conscious ability to understand, or whose
expressed opinions have been warped by their experiences of abuse and trauma. This
means they may be viewed as less able to contribute to definitions of their own best
interests, and their ‘right’ to protection may support this more passive construction. In
these situations, social workers must decide whether psychological needs win out over
children’s own views, or vice versa. Thus, care must be taken to ensure that
attachment theory is not used in an overly deterministic way “...for the purposes of
theorizing, rather than understanding children as active social participants in their own
right” (Woodhead, 1997, p. 47). Children’s rights discourses argue that children
should be considered as part of an intersubjective dialogue with adults, as actively
constructing their world, rather than as the passive recipients of socialisation
processes, including those related to attachment precepts.

In this study, social workers drew on both rights and ‘attachment as needs’ discourses,
and many times skilfully combined the two, whereas in some there was conflict
between the interpretive capabilities each discourse offered. This depended on the
specifics of the family (case). As stated, often rights were interpreted with regard to needs, thus showing an integration between theory and the challenge to include children in the interpretation of their needs made above by Woodhead (1997) and others (Bowes & Grace, 2009). For younger children, more weight was given to their observed behaviour as indicating attachment relationships than stated views, while older children’s direct views were more likely to be taken at ‘face value’, although difficult behaviour of older children could also be explained using psychodynamic concepts (for example, avoiding rejection by prompting it). Thus, age made a difference in the weight and meaning accorded to needs and rights and how they were combined in decisions regarding children’s best interests.

**Needs and rights in context**

Tensions between children’s rights to inclusion of their views and protection from harm, versus children as psychological needs-bearers requiring ongoing attachment relationships in the production of children’s best interests in this study reflect the discursive ecology of national and international contexts. In addition to the emphasis on children’s rights in the international arena, (for example UNCROC) there has been a simultaneous rise in the expectation of the State’s duties to protect children and ensure they have adequate care (Cashmore, 2009). The influence of concepts constructing children as beings with psychological needs for stable, secure attachments to known adults has also gained traction in most western countries (Howe, 2005; Howe et al., 1999). The expression of this duty to protect children while promoting their rights and understand their needs as related to their family context has resulted in similar tensions elsewhere as found in this current study (Cashmore, 2009; C. Taylor, 2009). These discourses argue, on the one hand, that children as individuals should be viewed as legitimate social actors requiring protection and rights to a voice, while on the other, that children are inseparable from the relationship-based needs and interests of their family contexts. For example, Mason argues that: “The normative, developmental approach to childhood conceptualises children as fused with the family. This has meant that children have been invisible, existing only as minors or dependents” (p. 93). These kinds of critiques have contributed to the children’s rights movements and enactments in law and policy to consider the individual child’s perspective, experiences, and views (Fattore & Turnbull, 2005). However, in this
study both could be seen, with the normative assumptions of attachment theory and family tempered with rights-based approaches, and made more nuanced through the use of Maori concepts and considerable inclusion of both parental and children’s views.

Needs and rights concepts were therefore used to consider the child both as an individual and as a person whose needs were profoundly influenced by their family relationships. This did not necessarily mean they were invisible, but instead recognised the role of family relationships, which were combined with an understanding of them as having agency and rights. Many practices in this study, such as using child friendly practice tools, presenting children’s views in their own words in official documentation, an ability to view the situation from the child’s perspective, the observation of family relationships, and using life history narratives to interpret the psychodynamic origins of current behaviour all reflect this combination of approaches in the construction of children’s best interests.

However, in some cases that seemed to go against support of the family maintenance schema, needs and rights were constructed differently and impacted on by the legal and case context. This difference will now be discussed more fully as an example of the nuanced manner in which discourse interacted with case context to produce decision outcomes.

Stranger versus kin: defining family, whanau, and the (in)solubility of family ties

Exceptions to the usual constructions as above were made in cases of long-term foster-care placements. Some cases involved decisions to move children from a long-term foster-caregiver to another, while in one a decision was made to decrease contact between children in a long-term foster placement and their biological mother. These cases seem to contradict the general reliance on supporting existing attachments and supporting the family maintenance schema, but a closer examination reveals the mediating factors. In these cases, children’s best interests were constructed somewhat differently, and showed an interesting variation of the family maintenance schema in
terms of understanding the criteria by which exceptions could be made. In these cases, children’s best interests were constructed with a heightened emphasis on children’s need for protection, individualised children’s rights, the agency’s higher level of responsibility for those children, and the lack of legal status of foster-caregivers that meant a heightened solubility of those ties, either by foster-caregivers themselves or social workers. That is, for children already in care, their relationships with foster-caregivers were not viewed in the same way as those between children and biological parents: their new attachment relationships were viewed as more fragile, less binding, and the agency’s position as guardian meant a higher emphasis on their role as protector meant different kinds of intervention.

These differences can be related to ideas regarding family definition and importantly, the legal definitions of family as stated in the CYP&TF Act 1989. That is, it was not simply the view of the social workers that those attachments were necessarily less important, but the combination of lack of legal rights and responsibilities of foster-caregivers to children, and the heightened sense of responsibility for those children by the agency itself (as guardian) prompted actions that allowed overrides to foster-caregivers that were not applied to biological kin. The ability of the foster family to ‘end’ the placement in ways well nigh impossible for biological families created a different power relationship between social worker and caregiver, resulting sometimes in the rejection of a child by a caregiver, or the social worker limiting contact with biological parents if they felt it was upsetting the relationships with the new caregivers. If ongoing contact with biological parents threatened permanent placement stability, the soluble and inherently more fragile legal ties between foster-caregivers and their children made social workers more likely to consider going against the schema and lessening biological family contact, or being forced to change the placement. These changes were still explained using the language of children’s attachment needs as best interests to support them: in the case of changing, emphasising the negative aspects of parental rejection, and in the case of lessening contact, the need to support the new attachment relationships.

These are examples of the use of the same theory to construct children’s best interests in these instances as diverging from the family maintenance schema combined with the legal context to create exceptions to the schema instead of the usual outcomes.
These children’s rights were constructed as more individualised than other children, although they also tended to be more ambivalent in their desire to stay with foster-caregivers. Hence the legal nature of the relationships between children, their foster-caregivers, and the agency were significant mediators in the constructions of needs and rights for children in long-term foster-care (Mason, 2005). Being Maori also created some differences in the construction of needs and rights – this will be described at the end of the section.

**Defining family and whanau**

Another interesting difference in constructing children’s best interests was found in the variability of the constructions of family itself. When searching for the preferred ‘kin’ for the purposes of foster placements, if biological kin could not be found, then people with an existing affectional tie to the child or young person could also be considered a ‘kin’ placement, despite their lack of legal or biological connection to the child. This was clearly related to a desire to consider the situation from the child’s perspective, or child focused practices, related in turn to child’s rights and attachment discourses (Parton, 1999b). However, in Family Group Conferences, a legal requirement under the CYP&TF Act 1989, a different set of rules applied, where only legal kin were considered family, as one father opined: while his close friends had to leave the room at family decision-making time, distant relatives of his ex-partner, who barely knew his ex-partner let alone their child, were allowed to remain (and contribute to family decisions regarding the child’s care). In whanau Maori, both extended biological kin to the level of iwi as well as those related by partnerships (i.e. through marriage) could be considered whanau, even if they had no whakapapa link (defined below in section on Maori children) to the child concerned. Social workers (in particular but not only Maori social workers) supported this definition, as it allowed a wider range of useful supports to be drawn on, as well as providing children with identity networks. Thus, the definition of family and whanau had some flexibility, driven by legal definitions, Maori definitions, and children’s felt relationships. While these drivers could be in alignment, they could also conflict. This highlights again the tensions between official discourses and the problems of applying them to divergent case particularities (Buckley, 2003). While some families fall easily within the official discourse of family, many do not. In these circumstances, it is more
difficult to utilise guidance from policy or law, and social workers look to the client’s lived reality and available practice tools to decide which course of action to take. Thus, in reference to Mason’s quote above, it can be seen that the direction of intervention is not only guided by constructions of childhood, but also by constructions of ‘the family’. This issue is heightened in this legal context where the family is accorded a considerable amount of power in the decision-making process (Mason, 2005).

The functions of attachment theory discourse - needs, gender and policy orientation

In this study, social workers used various ways of negotiating meanings of family, childhood and children’s best interests as described above. They drew notably on attachment theory, and used it in relation to the construction of needs as related to the nature of children’s relationships with caregivers. As stated, this was one aspect of defining children’s best interests. More detail about the use of attachment theory will be explored here, in particular its intersections with political contexts and policy orientations. Social workers tended to view children’s needs as requiring stable, but not necessarily monotropic, caregiving arrangements in order to create and maintain positive psychological and relational functioning. Attachment ties were constructed in complex ways as containing both positive and negative aspects for children who had suffered abuse or neglect, and the positive aspects of them were highlighted in family maintenance decisions, even where children’s behaviour or stated views were ambiguous. Little attention or salience was given to physical provision beyond the basics of food and shelter. This was a concerted effort by social workers to resist class-based stereotypes from affecting their judgement processes. It shows a move away from a traditional focus on material provision, however, it also reinforced the psychological and relational domain over the material in terms of conceptualising the causes of the situation, the abusive behaviour of the parent, and its effects.

Solomon (2002) tracks the ways notions regarding attachment have changed over time in response to political and social conditions, in particular the changing nature of white middle class women’s engagement with the labour market. She does this to
point out the malleable and political impacts on the social construction of attachment theory, used in a variety of social service settings. She notes that attachment theory may presuppose, for example, that mothers have the power to “…provide children with primary protection, provision and guidance, (yet) women lack considerable power in negotiating their own protection, provision and guidance” (p. 141). She claims that the history of the theory with its white middle class origins, expects women to give up paid work and concentrate on fulfilling their children’s needs for security and stability. This concept had some purchase in this study, where primarily women were expected to fulfil their caregiving responsibilities above all others in order to create stability and security for children. However, on the other hand, this focus also ensured that wherever possible, they were able to maintain their guardianship rights and keep the care of children apart from in times of direct, clearly harmful behaviour or circumstances for their child. So, while on the one hand attachment theory was used to reinforce the position of women as available in what was often a strongly individualised and gendered assumption that entailed them restricting paid work, the positive effect of this was to ensure their parental rights, and the child’s right to retain their primary affectional ties, were upheld.

Therefore, in this study, the interpretation of children’s needs via their attachment relationships had three effects. Firstly, it reinforced parental responsibility and rights, by its use to create reasoning rationales to work with existing family relationships. This encouraged workers to decide to support families and focus on improving parent-child relationships via strengthening social networks, education regarding parenting, and therapeutic/supportive intervention. Removal was viewed as temporary, if needed at all. Thus attachment constructions assisted them to resist more reactionary, intrusive approaches to risk management (discussed below), and focus on micro level, supportive intervention. This was further reinforced by the strengths orientation of the agency, that encouraged the inclusion of strengths and safety in the construction of parent-child relationships. However, it had a further, differentiated effect in terms of how issues of class or material provision were considered. On the one hand, an inclusion of psychological and relational concepts as significant in children’s needs (and therefore interests) downplayed material or class based issues, with social workers consciously excluding judgements about class from their decisions. This can be considered extremely positive as it signals a change from early studies that showed
many decisions were related to middle class norms of physical care and material environment (Parton, 1996; Parton et al., 1997). However, a micro, psychological focus also directed the aims of practice to focus on parent-child relationships and personal networks that left little space for a consideration of the gendered nature of parenting work (where most families were single women as parents), nor the socioeconomic antecedents that may also be contributing to the family situation (Stokes & Schmidt, 2011; Thompson, 2006). This dynamic also has wider implications, as it leads to the subjectification of women to two quite different discourses: while their social worker may promote, affirm and expect their mothering role to take precedence as a sign of being a ‘good enough’ parent, broader welfare changes give increasingly heightened prominence to paid work. As many women were beneficiaries, the conflicts caused by these discourses can create intense pressure.

Other writers also discuss how conceptualisations of children, the family and children’s best interests reflect the differences between child welfare and child protection orientations (Connolly, 2004; Fargion, 2012; N. Gilbert et al., 2011). A ‘child protection’ orientation prevalent in the UK, USA, Australia, A/NZ and Canada has created a concomitant focus on children as individuals requiring protection from harm, and is more closely related to individualised notions of children’s rights. Conversely, a Family Service or Family Support orientation more evident in Scandinavian countries instead promotes supportive preventive approaches to family problems, focusing on the family as the site for social work practice (Connolly, 2004; Healy et al., 2011; Khoo et al., 2002). However, at this site, despite being in A/NZ, as a faith based NGO outside of the state system, supported by the CYP&TF Act 1989 with its stated focus on family responsibility, inclusion and rights, attachment concepts, and Maori whanau ideals, the focus is very much on enacting a child-welfare/family support model of practice. In this way, the construction of children’s best interests as consisting of attachment relationships that require broad ranging family support, can be viewed as reflecting a family support or child welfare orientation, where “‘best interests’ are broadly defined to include well-being with family preservation …more resources are available to support families and prevent harm” (Khoo et al., 2002, p. 465). This focus may clash, however, with the broader state imperatives emphasising, more than ever, paid work, (as opposed to valuing
parent’s unpaid work), forensic style investigation of abuse, and increasing legal sanctions (Keddell, 2012). Thus, the agency becomes an important site of mediating these pernicious influences from the state to the client.

So, attachment theory in its use to construct needs may result in the support of the family unit as part of a child welfare response, and this helps protect parent’s guardianship rights, avoid the imposition of middle class provision standards and supports children to have more satisfying family relationships. However, this may obscure the broader, conflicting messages of the broader socio-political context that expects women to be available to work as well as reduce acknowledgment of the role of poverty and gender on restricting women’s ability to parent.

The function of children’s best interests in relation to ‘good enough’ parenting

Intrinsic to judgements about the goodness of family functioning are issues relating to what constitutes ‘good enough’ parenting, and how social workers make judgements about if parenting is adequate in order to meet children’s needs, however, in this study the use of children’s rights and attachment discourses created a clear focus on the experience for the child or young person, rather than a direct focus on parenting (Woodcock, 2003). This focus on the child and their best interests assisted in creating a shared agenda with parents that attempted to support those interests, and this helped to create a platform for collaboration rather than an accusatory focus on parenting deficits (Houston & Griffiths, 2000). The exclusion of class-based factors from parenting evaluations assisted in this endeavour, as social workers were careful to remain non-judgemental about less than desirable living conditions, as long as the basics of warmth, food and adequate housing were met.

Where social workers did focus on parental behaviour, the construction of children’s needs as primarily psychological in nature meant that the primary focus was on the nature of the relationships between parent and child, (usually the mother) rather than the parent’s ability to provide physical care. Likewise, with one case of extreme neglect excepting, in most cases examples of ‘attachment behaviour’ were taken as
evidence of ‘good enough’ parenting. Proximity-seeking behaviour and children’s desire for contact with parents was taken as evidence of strong attachments and therefore interpreted as conferring positive psychological benefits on the child, even if there were also elements of harm. However, several social workers discussed the fact that defining ‘good enough’ parenting was not straightforward, and was also affected by understanding the parent’s own life history. Adding further complication was the complexity of people’s family relationships, where one parent might be viewed as providing ‘good enough’ parenting, while other parents or the situation was felt to be harmful. Nevertheless, the use of attachment theory constructions in support of the family maintenance schema was the most common way that social workers produced an authoritative ‘voice’ in regards to decisions about parenting capacity, especially in cases where abuse had occurred (Wilkinson, 2005). Attachment concepts explained and justified decisions to return or not remove children at all, despite some level of abuse or harm, and also informed rationales that explained the possible harm of removal as breaking existing attachment relationships.

**Needs, harm and parenting issues for tamariki**

How needs, harm and parenting were constructed in this study showed differential constructions of childhood between Maori and non-Maori children, and this influenced decision reasoning patterns in relation to judgements about Maori children’s best interests. The current policy to ensure children have a permanent, stable home in some cases is at odds with the CYP&TF Act 1989 that emphasises the rights and responsibilities of families to ‘care for their own’. This latter policy direction is further reinforced by Maori aspirations to have more legal protection from a child protection system that was previously viewed as promoting institutional racism that resulted in high numbers of Maori children entering state care (Connolly, 2004). For Maori children, these issues are complex, as their needs as related to ascertaining their ‘best interests’ are constructed by social workers as ‘attachment plus’, that is, maintaining their attachments in order to meet their emotional needs, but also maintaining whanau, hapu and iwi connections in order to confer them both a

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personal identity accessible only by whakapapa\textsuperscript{12}, and bolstered by the knowledge of tikanga Maori. This knowledge is considered essential to subjective identity, and recognition by others in the context of their whanau (Durie, 1995). This was not simply viewed as generic access to ‘Maori culture’, but maintaining that specific child’s specific links to their own whanau and iwi so as a Maori identity could be operationalised. Furthermore, Maori concepts were used particularly by Maori workers to conceptualise harm to Maori children, and this included aspects of Maori worldview, such as the harm caused to the mana\textsuperscript{13} of a child where he was being bullied by his step-father, or the harm caused to young people’s identity if they are unable to have access to their extended whanau. Some Maori social workers appreciated the ability of Maori models of practice to encapsulate these concepts as important in assessing ‘harm’ to children.

Many Maori workers also noted the difficulties of weighing up the actual parenting practices of individuals with due regards to the risks inherent in some broader neighbourhood situations, where an evaluation of a parent’s parenting might include their ability to prevent a young person from wearing gang colours in a context where gang culture might permeate the local neighbourhood or town. In these situations, parents were still considered accountable by social workers to protect their young people from gang influences, although the difficulties of holding parents accountable when young people are exposed to a range of contextual and systemic factors that might decrease the degree of control individual parents have over young people was also acknowledged. In this way, social workers attempted to recognise the contextual and social factors impinging on parent’s ability to keep children safe. They constructed Maori children and an acceptable Maori childhood as requiring not only attachments to a range of figures, but having positive access to broader supportive whanau ties. However, broader social systems could also be considered in the construction of harm as well as protection or needs, with some neighbourhoods or gang systems viewed as harm that was difficult to account for.

\textsuperscript{12} Whakapapa refers to one’s genealogy, the mechanism by which membership of whanau, hapu and iwi is ascertained and ensured.

\textsuperscript{13} Mana, commonly defined in English as ‘prestige’, is a complex concept that describes a person’s spiritual status and may determine one’s leadership status.
Sometimes the need for protection and the limited ability of parents to confer it within these situations was a difficulty experienced by Maori social worker in these contexts. They are caught between the whanau as the focus of their interventive role, yet cannot guarantee that whanau’s ability to protect teenagers especially from harm beyond the family system. Thus, the specific ways Maori children and Maori childhood were constructed affected interventions, as they contributed to judgements as to Maori children’s ‘best interests’ (Mason, 2005; Fattore & Turnbull, 2005). They reflected again the difficult task of keeping children safe through family accountability, often despite structural factors affecting the ability of that family to parent.

**Children’s rights and constructions of childhood – active subjectivity or too much responsibility?**

The concept of children’s rights was a powerful discourse utilised in many ways by social workers. While it gave children more influence over the decision trajectory, it may also be considered as giving them more responsibility for case outcomes than is desirable. Children’s rights notions affected practice discourses in a number of ways including ascertaining and privileging children’s views, therefore lessening the adult/child distinction, according them an ‘active subjectivity’ and affecting the level of children’s inclusion in decision-making and safety plans (Fattore & Turnbull, 2005). Furthermore, the inclusion of children’s views and use of child focused practice provided a practice and discursive vehicle that could be used as a method of resistance to a view of children as passive, non-agentic beings (Fattore & Turnbull, 2005, p. 47).

Fattorre and Turnbull’s (2005) research, as described in the literature review, outline the processes within another site of child protection, New South Wales, Australia, where the bureaucratisation of social work, and a paradigm of ‘managerialist efficiency’ conflicted with social worker’s attempts to respond to children’s needs as people and include them in meaningful ways (p. 55). Converse to this, in the current study, social workers, generally supported by their organisational culture, actively attempted to incorporate the views of children in several ways, and incorporate these
views into decisions and judgements. They achieved this by incorporating children’s actual words in court documents, used child focused practice tools and weighted children’s views in practice decisions.

One effect of this discourse/practice was the emphasis on children’s active participation in safety plans, and this assisted in maintaining or returning children to their families. A focus on managing risks in the child’s existing environment, rather than going straight to removal as the only option also challenges the extreme construction of childhood, and children, as passive, hyper-cherished beings in need of protection from their ‘dysfunctional’ families (Jackson & Scott, 1999). Instead, this practice recognises children’s agency and ability to both express their own views and contribute to their own safety, as well as recognising their embeddedness within the context of their family relationships. This construction allows for more complex evaluations of children’s needs and rights within their specific family.

While allowing for complexity, this combination of child focused practices also created other consequences. While children’s rights approaches influence the inclusion of children’s views in decision-making and their role in safety building within the family context, thus promoting inclusion and empowerment and family maintenance, they may also have a less obvious effect. Emphasising children’s agency, eliciting their felt experiences of abusive behaviour, engaging them as contributors to safety plans or therapeutic intervention, may imply they determine how the effect of abuse or harm will be evaluated, or that they are partially responsible for maintaining their own safety. This goes against many common understandings of child abuse, constructed as essentially motivated by parental and contextual factors, rather than child or interactional factors, and of actions deemed ‘abuse’ as being uniformly harmful (Corby, 2000; Schull, 1999). This commonly results in abuse being conceptualised as an adult behaviour they alone should be responsible for, the effects of abuse as always damaging, and intervention as necessarily psychological therapeutic assistance for the abusive parent. The child victim is not included in ongoing management of the abusive behaviour in any way.

Whether child abuse is understood as a unilateral act of violence from parents towards children, or as the result of negative dynamics in the adult-child relationship, as
evidenced by ‘injury’, rather than action, or an act perpetrated by a person we define as an ‘adult’ against a person we define as a ‘child’ are all matters of interpretation, or rather the consequence of the ways abuse is constructed as an ontological object (Parton, 1999b; Schull, 1999). As Schull notes (1999) there is no clear definition of emotional or psychological abuse because the ways these kinds of abuse are considered is ‘incoherent’ and points to its malleable and discursive creation rather than ontological reality. Others point to the constructed nature of all kinds of ‘abuse’ and its reliance on medical indicators or legal definitions specific to location and time to ensure its ‘reality’ and create an ‘authoritative voice’ (D'Cruz, 2004; De Swaan, 1988; Parton, 1999b). However, others point out the effects of behaviours we commonly understand as abusive and their connections to experiences of trauma in children that result in physical, psychological and behavioural negative consequences for children (see Gateway, 2008), although the lack of uniformity of experience of abuse as equally damaging to all is being argued by some (Milner, 2004; Parton, 1999). These contrasting approaches to theorising abuse and harm result in difficulties for practitioners, who must utilise an understanding of abuse as harmful to children, while simultaneously struggling with its lack of definition in a significant number of ‘grey’ cases. Children’s rights practices lead to the inclusion of children’s views in the interpretive process of defining the effects of abuse, and also encourage the active participation of children in safety plans. This process has some issues and consequences that I will now discuss.

Straightforward, practice-oriented definitions of abuse rely on a dichotomised understanding of relationships that contain an ‘adult’ and a ‘child’, where one party is clearly the victim and the other the perpetrator (Beckett, 2007). This is considered necessary to place blame for the abuse clearly with the adult, in line with their legal and moral definition as individually responsible for the care and protection of their child. This concept is so fundamental to all policy regarding children, it is difficult to adequately articulate it, but as others have noted, even in situations where responsibility for children is attempted to be broadened to either extended family or the state, this fundamental responsibility, most obviously attached to women, remains (Scourfield, 2001). Fattorre & Turnbull (2005) drawing on a child’s rights perspective, propose that adulthood and childhood should not be considered as ontologically discrete, for example, as they claim that this view renders children as
beings with potential to be adults, but not as persons in their own right. They argue it creates an artificial categorisation between adults as autonomous, competent, agentic beings, and children as the opposite (Fattore & Turnbull, 2005). Viewing children as agentic and with no clear distinctions made between adults and children, and with differences in competence critiqued as reflecting ‘adultcentric’ definitions of competence, may imply that children are somehow partially responsible for the dynamics that contributed to their own abuse or neglect. This is in contradiction to the emphasis in the child abuse literature that has long sought to avoid constructing children as culpable or responsible, either for the abuse or for responsibility for preventing it. Rather, the therapeutic abuse literature is at pains to point out the traumatic effects on children, the ways they may inappropriately take ‘responsibility’ for the abuse, and ways to minimise this in practice. Thus, through constructing children as active subjects, lessening the adult/child distinction, and including them in decisions and safety, may imply that they have some degree of responsibility for abusive behaviour or problematic family dynamics. Conversely, it may allow them increased rights and voice in the evaluation of harm and in safety building processes that may enable them to have some control over a meaningful practice response to their experiences.

Feminists have long struggled with differences in theoretical understandings of violence, the ways they influence viewings of abuse, and what to do about it. Featherstone and Fawcett (Featherstone & Fawcett, 1994) discuss the rejection of interactional theories of child abuse in traditional feminist theorising, where all violence is often linked to men’s patriarchal power which is taken as the pervasive, causative factor to all abuse within the family. They reject this fixed, essentialist understanding of abuse as either the result of male power (whether perpetrated by men or women) and argue instead (following Wise, 1990 #484) that ‘grand’ theories of child abuse, whether based on traditional feminism, family dynamics, or structural factors:

…(do) not address the complexities of the situations that social workers, for example, frequently have to face. Generalisations about abusive men, peaceful women and powerless children are both inaccurate empirically and unhelpful to those given a
statutory mandate to intervene to protect those at risk.
(Featherstone & Fawcett, 1994, p.71; Sawicki, 1991)

Likewise, it can be concluded in this study that the responses of social workers reflect a more complex understanding of abuse that do not necessarily subscribe to a uniformly experienced effect of abuse, nor the simple imposition of power by an adult against a child, yet explanations that consider interactional factors may be accused of blaming children for the situation they find themselves in.

Goldner (1999) explores these ideas by examining the splits between feminist/structural explanations and psychological perspectives on child sexual abuse by men. She claims that the use of a single explanation does not necessarily exclude the other, claiming both can be useful sources of understanding. Goldner (2004) also examines the ways different theoretical traditions such as narrative, neurobiological, psychodynamic and feminist theories explain intimate partner violence, claiming that none are adequate, in and of themselves to explain the range of real life situations and dynamics present in families where violence occurs. Goldner (1998; 1999) goes on to critique the tendency of practitioners to stick to polarised theoretical views that are not helpful in the engagement and therapeutic processes, as well at criticising approaches to intervention that do not take account of the emotional bonds that exist between partners (Goldner, 1998, 1999). She notes that:

Some who have held a feminist position have minimized the emotional complexity of abusive relationships. There are a multitude of factors, other than the abuse of power, that operate to keep partners attached to and embroiled with each other. Leaving out the complexity of emotional attachment, for example, adds to the burden of confusion these couples experience, since they live with many intense and contradictory feelings about one another. (Goldner, 1999, p. 325)

While children and adults usually have a more substantial power imbalance, the understanding of abuse as taking place within a relational domain that is also
influenced by attachment bonds despite aspects of abuse or neglect are evident in this study also, where it was taken as a given that aspects of care and love can coexist with some level of abusive behaviour and harm. This more nuanced understanding of parent-child relationships can expand discussions of abuse, harm and the role of children’s participation in social work practice.

Goldner (1999) goes on to state that all theories can be useful, and examining psychological or interactional processes does not necessarily equate to the acceptance of violence, coercion or blaming. Many postmodern feminists, and social constructionists take issue with essentialist gender categories, and their presumed connections to power ( Featherstone & Fawcett, 1994). Many follow the work of Foucault who instead argued that no category or identity owns or holds power, but rather people within microcontexts express power in different ways, and this expression can be productive, multiple, and includes both the constraints of and resistance to dominant ways of thinking (Foucault, 1978; Sawicki, 1991). When we apply this to the position of children, we must therefore accept, as these social workers do, that to promote the views and wishes of children allows them to express some aspects of power, allows the privileging of their voices to some degree. The consequences of this construction are the acceptance of relational issues in family problems, the inclusion of children in the evaluation of the level of harm of abusive or neglectful behaviour, and active participation in safety plans. It did not, however, extend to defining what was constructed as harmful in the first place, especially for young children, or for more serious levels of abuse. I contend that in general, therefore, child focused practices in this study contributed to children’s ability to express power, rather than be experienced as blame or unreasonable levels of responsibility. However, this needs to be carefully managed.

If children are viewed as passive ‘becomings’, and this informs our understandings of society, then Fattorre and Turnbull warn that we risk “…replicating the same biases in our social institutions” (2005, p. 47). The same could be said of social work practice. If children are ruled out of participation, based on a view of them as passive victims of abuse, then they become known as victims without any other defining features, and require rescuing in the form of removal. They lack competence and require protection.
So, the inclusion of children’s views in decision-making may lessen the adult-child distinction, encourage a degree of responsibility for safety building, and allow children some degree of control over evaluating the impact of abusive behaviours. However, this view was combined with a desire to view the family situation and adult behaviour from a child’s perspective, and as acknowledgment of children’s relative powerlessness within family structures, and the impact of abuse on children’s increased vulnerability, both physically and psychologically.

Thus, the inclusion of children’s rights practices and discourse, while emphasising agency and responsibility, does not necessarily result in negative outcomes for children relating to the possibility of obscuring the harmful effects of abusive behaviour. This potential for harm may be ameliorated by the co-occurrence, within children’s rights discourses, with the construction of children as psychological beings with ‘needs’ that required certain types of caretaking in order to be met. These types of caretaking were related to understanding and empathising with children’s perspectives, understanding their perceptions of the situation, and their need for attachment relationships ideally met by people they have existing ties to. Furthermore, the inclusion of children’s voices was undertaken in order to contribute to safety building, rather than focus on identifying culpability. This may have the effect of allowing children to feel empowered as they then have some control over the process of safety building, rather than disempowered by being ‘blamed’ for the abuse. These practices, resting on concepts relating to children’s rights and inclusion in decision-making, concur in some ways with the recommendations of Fatorre and Turnbull (2005), who argue that children should be allowed to participate in their own casework, and this should be an aim of social work practice.

**Conclusion**

Constructing children’s best interests relies on interrelated concepts regarding children as having psychological needs relating to their attachment relationships, and having rights requiring both inclusion of their views and protection from harm, and right to family and identity, especially so for Maori children. These constructs contribute to whether children are viewed as individuals or as intimately embedded within their families, but generally contribute to the preference for family
maintenance by encouraging the maintenance of existing attachments and are strengthened by children’s oft-expressed desire to remain within their family. In this sense, rights are often interpreted within a broader conceptualisation of needs relating to attachment relationships. At times these constructs conflict, and are then mediated by age and context to produce judgements. Rights and needs discourses are used to create ‘authoritative’ voices regarding children’s best interests, yet in contrast to other writers, these are ‘made certain’ or justified not by legal processes, but by agency practice tools, statements regarding children’s stated wishes, children’s behaviour, attachment theory, and parental change/level of culpability to construct children’s best interests.

Exceptions to attempts to shore up existing family relationships were more common for foster children, whose legal status and that of their caregivers meant they were more likely to be viewed as individuals requiring protection instead of deeply embedded in their family system. This was especially the case for older children, who also tended to be more ambivalent about remaining with foster-carers. Attachment ideas construct children as having psychological needs relating to their relational system, however the tempering of needs with rights, Maori concepts, and the case situation ensured children’s needs were more often viewed as complex and specific, rather than universally prescribed by the theory. Social workers used attachment theory, representations of children’s own wishes, and Maori concepts to produce an authoritative ‘voice’ regarding children’s best interests in decision narratives.

In situations of conflict, how ‘family’ is defined and for what purposes also impacts on children’s best interests decisions. While legal kin are empowered by statute to contribute to the Family Group Conference decision-making process of establishing what children’s best interests are, in this study others with emotional attachments to the child were also considered as kin in sourcing foster-caregivers. For Maori children, their needs are further constructed as relating to broader kin networks as enabling a Maori identity. Thus, the defining of ‘children’s best interests’ in each case represents a site of knowledge production whereby the social worker must mediate between the official competing discourses of whether children’s best interests are individual or family oriented, who should define them, how their family should be
defined, and what the worldview, experience, and perceptions might be for the particular family concerned. Thus, determining ‘best interests’ was complex.

While this study found that ‘modes of care’ should be ‘family like’, and that decisions of who children should live with were considered as separate issues to those of family poverty, there was much less distinction made than that found in other studies between good and bad parents, or good and bad children, and less surety about the rights of the social worker to be the sole authoritative voice in terms of decisions found in other research (Wilkinson, 2005, p. 223). Instead, judgements revolved less around moral evaluations (especially those related to material provision) and more around needs and rights concepts. The construction of needs, rights and childhood resulted predominantly in attempts to support families rather than react with more intrusive intervention such as permanent removal of children. They limit the scope of practice to the micro level with little inclusion of structural or gendered understandings, yet reflect a move towards a child welfare, rather than child protection orientation. The organisation acted as an important mediator of the orientation of the practice despite the more neoliberal, child protection orientation obvious in the broader socio-political climate.

Children’s rights practices included drawing on children’s experiences of abuse to evaluate seriousness and include children in safety plans. This could be criticised as undermining efforts to protect children by implying blame or responsibility. However, I argue that in this context, the potentially oppressive consequences of this were alleviated through the construction of their psychological needs for stable attachment relationships, constructions of harm independent of young children’s views, and efforts to consider experiences from children’s perspectives. This confers on children an ‘active subjectivity’ that increases their ability to exercise power and agency in their lives. So, this section has discussed the first ‘meaning layer’ used in addition to the family maintenance schema in coming to decisions: children’s best interests. In turn, the family maintenance schema and ‘best interests’ were intrinsically related to the other meaning layers that will now be discussed.
Meaning layer two: problem construction

In addition to the family maintenance schema and children’s best interests discourses influencing the construction of decision rationales, how parental clients’ problems are viewed also influences the judgement and knowledge construction process. These ‘problems’, after all, form the basis for legitimising the involvement of child protection social work services, and can be understood as two forms: the original, often historical issues leading to the client experiencing difficulties with parenting, and those current factors present that are interpreted as exposing children to risk, harm or abuse, or conferring safety. The way these issues, both historic and current, are viewed conceptually by both social workers and clients influences the way practice judgements proceed, and is intensely reflective of the available discourses in a given social, historical, political and organisational context (Fargion, 2012; Milner & O'Byrne, 2002a). What weight is accorded each stakeholder’s constructions of these issues in turn reflects the power dynamics within the social worker-client relationship.

 Clients’ original problems are most often described as resulting from mental health problems, including depression and addiction, and lack of family support. They seldom included either psychopathological reasons such as ‘an abusive personality’, pejorative, morally demeaning explanations, such as an individual lack of responsibility or intrinsic ‘evil’, deep psychodynamic explanations, nor did they include factors relating to structural oppression and social disadvantage.

 Current risks and safety in this study are coded in specific ways that permeate the reasoning rationales of decisions and judgements. This coding takes place within both the Signs of Safety approach (Turnell & Edwards, 1999) and broader cultural and organisational narratives of what counts as risk or safety, creating both formal and informal ‘logics of risk’ with significant overlaps between the two (Broadhurst et al., 2010).

 Social workers prioritised relationship maintenance and emphasised client potential and capacity, used solution-focused approaches that defuse accusation and judgement, tried to behave in trustworthy ways, viewed clients as capable of change and honest,
and attempted to engage with the client’s wider life beyond the child protection concerns. Some Maori social workers integrated the use of a Kaupapa Maori approach that included concepts relating to Te Ao Maori or a Maori worldview. Similarly to the Signs of Safety approach, within this tool practitioners sought to identify concerns that might impact harmfully on children, and find family strengths. However, both concerns and safety were constructed in ways that included more focus on Maori spiritual concepts such as mana, and the presence or absence of extended whanau and iwi networks.

**Subject positions, investment, and the micropolitics of power**

As clients and social workers engage in a co-construction of meaning regarding the causes and consequences of family ‘problems’ in a dialectic process, they are offered positions through the discourses used to constitute them (Davies & Harre, 1999). As Burr (2003) notes:

> Different constructions of an interaction can offer radically different subject positions, which in turn entails different sets of rights and obligations for the participants…people may therefore become enmeshed in the subject positions implicit in their talk without necessarily having intended to position each other in particular ways. But we can recognise and develop an awareness of the potential implications of the discourses we adopt in our dealings with others. (p. 115)

As talk occurs, individuals are constantly monitoring what positions are being offered through discourse, and whether they want to promote or resist particular constructions of themselves. Often the claiming or resisting of subject positions reflect one’s appraisal of the moral implications of doing so which, in the child protection context where moral challenges are impossible to avoid, is fraught. Burr (2003) describes how people constantly strive to “…represent themselves in an acceptable way with respect to their culture’s local moral rules” (p. 134). Implicit is the sense that the person offering a particular interpretive discourse holds more power than the subject of those
discourses, however, patterns of power can be contested as people may resist or counter the positioning power of discourses with differing constructions of their own (Davies & Harre, 1999).

Holloway (1989) expands these ideas of positioning through the notion of subjectivity, that is, the ways people occupy subject positions in relation to powerful discourses. These discourses create one’s subjectivity, but subject positions are often multiple, contradictory and fluid, depending on the multiple discursive demands of a given context. Holloway (1989) develops these ideas with the concept of investment, that is, to explain why people are motivated to claim the implications of one position in one context, while resisting them in another. She draws heavily on Foucault’s concept that every discourse is the result of “…a practice or production which is discursive, material and complex, and is always inscribed in relationship to others” (Featherstone & Trinder, 1997, p. 152; Holloway, 1989).

In this study, the confluence of problem constructions such as mental health issues/lack of support, the narrow and specific defining of harm, searching for strengths combined with the myriad ways social workers attempted to maintain collaboration (see results) acted as powerful motivators for clients to accept the subject positions offered them via these constructions. For example, while mental illness and lack of support locate the causes of their lack of parental adequacy outside of their direct control, searching for Signs of Safety with them and promoting a belief in their ability to change offers them the ability to reconstruct a moral subjectivity, despite the challenges to that subjectivity from being a child protection ‘client’. The specific constitution of harm using the language of ‘concerns’ including frequency, conditions and experience of the child, while perhaps in some ways a challenge to a ‘good parent’ identity, constructs that harm as being context specific and largely antecedent free, rather than the result of some intrinsic, essential, permanent aspect of parental psychopathology or moral deviance. This alleviates the parent from intrinsic or pervasive culpability. Furthermore, the focus on experience of harm to the child at once forms an inarguable discourse, as it is more difficult to argue against a narrative of oneself as abusive than the outcomes of one’s actions were harmful – especially if the child confirms this directly. This focus on the child’s experience to define harm dovetails with the focus on children’s best interests described above as a significant
tool of persuasion for parental engagement. Thus, this forms a platform for collaboration between social worker and parent, further reinscribing the parent as caring and morally adequate (Keddell, 2011c).

The integration of context-specific harm to the child with acting in children’s ‘best interests’ in the future through safety planning forms a persuasive ‘moral exception’ position, and thus provides a way for them to embrace a position of being caring and protective, even though they may have been the cause of harm and abuse in the past. That is, by inviting parents to work together to ensure their children’s best interests are met, rather than framing the aim of practice around a need to get parents to accept responsibility for the abuse, offers them a much more morally defensible and desirable subject position. Thus, while there is a limited challenge to parental identity by clearly stating their actions as a concern and possibly as a future risk, the parents in this study could cope with the challenge to parental actions this may entail, where there are other subjectivity investment position trade-offs available to them. This helps maintain engagement and crucially, allows a pathway for working on safety and family maintenance for the child.

So, the concept of positioning helps develop an understanding of the subjectivities available, and why clients may choose to accept them. In turn, social workers offering these discourses are negotiating a fragile alliance that while challenging parental identities (your actions or situations are in some ways harming your child), they are also implicitly offering the shoring up of those very identities. They proffer these ways to ‘shore up’ morally defensible subject positions by searching for strengths and Signs of Safety, thus implying: that they exist; that parents have the power to ensure they are in place; and by constructing harmful episodes as exceptions to general times of care and functioning. While people in more everyday settings may resist such challenges to a parental identity that even the less judgemental language of specific concerns offers, in this context, where parents are intensely aware of the power of the social worker to seek legal remedies including possible removal of children, parents may be more motivated to accept the possible negative aspects of this moral positioning as long as there is some pathway back to a moral parent identity. These become more visible as time progresses.
Thus, accepting a definition of oneself despite some perceived negative ‘costs’ in terms of morality or competence can be understood as a trade-off of sorts, which occurs within a specific relational setting. Holloway (1989, 1994) explains why people may accept certain subject positions in relation to a particular discourse and other people that may appear to go against their interests. She explains this will provide “…some satisfaction or reward…for that person. The satisfaction may well be in contradiction to the resultant feelings. It is not necessarily conscious or rational. But there is a reason.” (Holloway, 1989, p. 238). Featherstone and Fawcett (1994) argue, therefore that investment provides a complex understanding of the claiming of subject positions that can “…help us move away from portraying women as cultural dupes or the victims of false consciousness” (p. 75). Likewise, in this context understanding the motivations and consequences for both social workers and clients to either claim, use or resist different discourses in the service of investment in particular subject positions helps move beyond simplistic accounts of the child protection practice as uniformly empowering or oppressive, risk averse intervention (Healy, 1999; 2005).

Further, the ‘psy complex’, as outlined by Foucault and applied to social work by Healy (2005) examines the ways psychological discourses may be used to surveil, control and discipline the behaviour of people. However, ideas based on a Foucauldian approach to power and governmentality alert one not only to oppressive uses of power, but also question simplistic accounts of power in knowledge production. For example, Foucault proposed that a conception of power that is essentially possessed by certain individuals or structures and is imposed on others, ignores the ways local practices influence more complex power dynamics, one where power is exercised by all people within specific microcontexts in ways that do not necessarily reflect easy dualisms. Instead, people can simultaneously be the authors and subjects of powerful concepts that can be utilised for both liberatory and oppressive impulses (Foucault, 1978, 1979a, 1980; Healy, 2005; Sawicki, 1991). Thus, this conception of power draws our attention to the exercise of power by different individuals within their context, yet recognises the ways that the “…historical and contextual location of individuals shapes the kinds of power they can possess” (Healy, 2005, p. 43).
In this study of the construction of family problems, risks and safety as they affect reasoning rationales, both social workers and clients are simultaneously exercising power as well as being constrained by it, though their types and uses of power differ. Some discourses clearly have both liberatory and regulatory functions. While social workers are drawing on what has historically been an oppressively used discourse of mental illness or drug addiction, (psy discourses) for example, to explain why children had to be removed from parents, this discourse simultaneously has emancipatory potential in that it removes a sense of direct culpability from the client. This is especially so when combined with a lack of support narrative. Furthermore, neither mental illness nor drug addiction are constructed, as they perhaps were traditionally, as permanent and unchangeable features of individual functioning, but as manageable and able to be improved aspects of life. Likewise, while social workers may exercise a significant amount of power to define, and thus, govern, the construction of harm to children through statements of concerns and risks, by asking clients what their strengths are and about exceptions to the problem behaviour occurring, they are inviting clients to express their power to resist a one-sided and negative discourse about themselves. Thus social works are both exercising power and lending power or making space for the exercise of client power in these exchanges. Likewise, by interviewing children and including their views, social workers are attempting to lend power to the voices of children, and while they remain the power holders in terms of stating ‘bottom line’ concerns, this nevertheless creates space for clients to exercise their power in some ways towards self, rather than expert definition.

While there was still some conflict at some times in many cases over definitional discourses, the process of exchange and power-sharing helped establish relationships that could cope with the degree of challenge this highly charged context often creates. Perhaps it was for this reason these cases were selected. Most parental clients agreed with constructions of their problems as described above, as these constructions allowed for clients to maintain an acceptable, caring parenting identity, even allowing for relinquishing children into the care of the agency as they could then accept it was in their children’s ‘best interests’ without them being morally culpable (Juhila, 2003). It also created a space for future return, as mental illness/family support/risk/safety constructions combined to create a focus on how parents could regain an implied
former functioning through developing strengths and networks. Non-culpable problem and safety constructions interacted with children’s needs discourses. A parent struggling with mental illness could still be constituted as having met at least some of her child’s needs for attachment, whereas this is a less acceptable recognition where parents are conceived of as intentionally cruel or morally culpable. These social constructions utilised by parents as well as workers can be understood as moral trade-offs. Parents are willing to endorse a view of themselves as suffering from mental illness and social isolation, in order to invest in, and thus maintain, a caring parent identity. It can be proposed that the stigma associated with mental illness or drug addiction, exacerbated by lack of support is preferable to being viewed as simply a ‘bad mother’, with connotations of intentional and violent harm (even in cases where violence towards children had occurred). ‘Mad’ is preferable to ‘bad’. Thus, the parameters of the ability to exercise power were controlled by social workers, but the internal patterns within these boundaries were varied, with certain relatively desirable subject positions created by the prevailing discourses used to construct original problems and risk and safety.

Client agreement and resistance

However, some parents resisted aspects of these constructions, while simultaneously relying on them for deflection of blame. One mother for example, accepted her depression and simultaneously rejected the agency implying she was an alcoholic, yet attended and ‘got something out of’ attending Alcoholic Anonymous. This is a salient reminder that, as Butler notes: “Social categories signify subordination and existence at once. In other words, within subjection the price of existence is subordination” (Butler, 1998, p. 20). This client was prepared to allow some categorisation that helped deflect blame, but was torn about the subordination required to the category ‘alcoholic’. Although she attends AA and states some personal benefit from attendance, this was tied up with her knowledge that compliance with therapeutic services was essential to ensure her children were to be returned. Another client notes how difficult it was to give up full time work when she took back the care of her children, but that she did it for ‘the kids’. She was thus opting to give up a working subjectivity, and invest in a more traditional mothering identity despite her being clearly torn about it as she had enjoyed working. She understood investment in a
position made possible by a ‘good mother’ discourse was the pathway for her to reclaim her children. This identity work of accepting traditional gendered roles and a construction of problems as relating to mental illness can also be conceptualised as parents making connections between their ‘self identities’ – their internalised view of themselves, and the socially available discourses promoted to them by both society and the child protection investigation context, where subordination to a gendered parenting role, and acceptance of ones’ ‘struggles’ with mental illness are proffered as the way back to regaining care of one’s children (Featherstone & Fawcett, 1994; Featherstone & Trinder, 1997). In turn, the lack of structural constructions such as issues of poverty or gender in problem or risk/safety constructions also had consequences in that, while clients may avoid culpability or permanent deficit, they must accept the self as the focus of change, and the self as a personal project of change in order to maintain their relationship with the social work agency and ensure ongoing parental rights. This represents both an acceptable type of ‘existence’ and with it some investment possibilities, yet also contains a requisite subordination. In this sense, the constraints and possibilities of the context create constant contradictions and complexity in terms of subject positions, investments, and trade-offs.

Through examining the problem construction of mental health/lack of family support, combined with the ways risk/safety are constructed theoretically, it can be proposed that this ‘package’ of problem constructions offers clients several moral and parental subjectivity benefits, providing options that hold investment value for parents in the form of avoiding culpability, and an acknowledgment of strengths and capacities. While there are also contradictions, trade-offs and fluidity around these processes, nevertheless the pattern of them functions in important ways that may promote less intrusive, supportive judgements and collaboration.

**Social Worker investment and subjective positions – the anti-expert**

The relationship of these subjectivities to social worker investments and identities will now be discussed more directly. Social worker investments in this study, unlike in the findings of others, were not connected to a need to make either harsh moral judgements, or apply dense psychological or sociological theories to clients’
experiences as they constructed risk (Parton et al., 1997). White (2003) for example, explores how social workers imply blame and responsibility in the ways they conceptualise cases and knowledge production that relates to a set of moral rules (S. White, 2003). Social workers in this study did not have interpretive judgement processes far removed from the official policies of their agency (as found by Buckley, 2003) nor was there a great chasm between the explicit formal ‘logics of risk’ as stated by the agency, and their informal logics (as discussed by Broadhurst et al., 2010), nor were they actively subverting the decision-making tool employed by the organisation, as was found by Gillingham (2010). Why is this so? It is certainly fair to consider the methodological issues (Was I duped? Did I just capture an overly ‘sanitised’ version? Was asking for ‘pleasing cases’ those where official policies matched practice?) Those questions aside, it may be reasonably concluded that several factors in the context shaped this particular use of discourse. In this study, the use of non-blaming constructions of problems and the use of everyday language and concrete descriptions of concerns was encouraged through both practice tools and organisational culture. Social workers were actively supportive of the tools used, and viewed them as highly congruent with their humanist/Christian value base, and also considered that they assisted them to meet their twin aims of protecting children from harm while maintaining children in their biological families – and deciding when to depart from this preference. This confluence of values and pragmatism between formal risk assessment tools and actual practice helps to reduce social worker need to operate highly divergent alternative risk logics, or invest in a professional subject position that requires the imposition of expert theory or lessons in morality. This causes social workers to de-emphasise their professional power via producing knowledge that did not require the imposition of ‘expert’ theories, restricted the use of legal interventions, and encouraged them to actively seek and include the views of both parental and child clients. This reflects Bernstein’s ‘appreciative code’, whereby clients’ own explanations and theories are included in the professional formulation of the problems at hand (Rodger, 1991). While this did not apply to ‘bottom-line’ concerns, nevertheless in many other areas clients’ views were incorporated.

Social work values such as respect and being non judgemental are actively promulgated within the organisation, and in current social work education. This discourse impacted on the ways workers constituted both themselves and their clients
in their accounts. Their sense of professional identity was not connected with a need to make moral judgements unrelated to direct harm to children: quite the opposite. Instead they were careful to reflect on their role as one that should be able to state specific harm as a way to limit the use of power in their relationship. In this way they made significant attempts to incorporate an ‘anti-expert’ discourse. They also showed an acceptance of, and ability to reflect on, broad family forms. This included diverse families that encompassed issues relating to class, ethnicity, disability and sexuality. An acceptance of the legitimacy of these family forms narrowed the range of behaviours considered harmful to children to specific experiences of threats to physical safety, or emotional concerns regarding needs and attachment. Thus, while other studies have found that social workers were implicitly promoting white, middle class, hetero-normative, nuclear family values, or valuing compliance over the actual experience of harm to the child, this was generally not the case in this study (S. Holland, 2000; Parton et al., 1997). These practitioners were more concerned about producing relative, contextual evaluations of truth regarding their clients, perhaps benefitting from the acceptance of a lack of faith in experts as proposed by Beck, (1992) but certainly in line with current rights-based practices and the values of respect and autonomy.

In this way, both their practice, and the ways they recounted it within the research context, are influenced by a notion of professional practice based in the dominant discourse of empowerment and respect for the individual. This was further underscored by the faith-based nature of the organisation, where respect for clients was often also articulated as relating to the Christian underpinnings of the organisation. Relieved of a discourse of ‘professionalism’ that may require investment in a subjectivity that demands a highly theoretical construction of clients, social workers are able to produce accounts of risk and safety that are more likely to be accessible to clients and include their views. The child protection context makes connecting values of respect and empowerment to practice difficult in many ways as workers attempt to balance both care and control in their relationships with clients (Stanford, 2010). However, the interaction between the identity investments of both parties may optimise engagement because there is enough confluence within these discourses, positions and subjectivities, despite power tensions, to create some elements of collaboration between social worker and client.
Thus both social workers and clients respond to the subject positions available to
them in response to certain discourses, and these may change over time as their
relative investment in positions changes. As they do so, both are responding to
concerns relating to identity (a professional identity and a parental identity) and
morality (how to be a good parent, or a good social worker). Discourses, positionality,
investment, and Foucault’s conceptualisations of power assist in theorising these
processes.

*Relationships and their interaction with problem construction*

Thus, subject positions influence both problem construction and the type of
relationships formed between social workers and clients (Davies & Harre, 1999). As
outlined in the literature review, the child protection context provides many
challenges for social workers hoping to practice in empowering or collaborative ways.
In this study, social workers are clearly juggling both the need to create relationships
of this nature and classify risk – similarly to Bell’s, Broadhurst et al.’s and Stanford’s
(2011). While Bell (1999) found that despite the consumer and rights-based
approaches implicit in recent child protection legislation, social workers are left with
an unachievable task due to the imperatives of risk classification, Broadhurst et al,
(2010) found workers were torn between using formal and informal logics of risk.
This study builds on those studies to highlight the interactions between the
constructions of risk, the kind of relationship formed between client and social
workers, and the power relations between social worker and parental client. They are
indivisible, with each impacting on the other as the case progresses over time.

Bundy-Fazioli et al. (2009) found in a study of power between social workers and
child protection clients, that while both social workers and parents at times felt
powerless in the child protection process, that clients appreciated workers who used
negotiated and reciprocal forms of power, rather than imposed their hierarchical
power on them. In this study, hierarchical power was limited due to the use of
‘respect’ as a construct that limited the imposition of hierarchical power, and through
the Signs of Safety approach that required explicit indication of bottom-line concerns
closely tied to children’s experience of harm. This influenced the ways social workers
consider the targets of hierarchical power as only that which was necessary in order to protect children, while all other goals fell under the reciprocal and negotiated forms of power. In turn, this limiting of power assisted in relationship maintenance and affected ongoing constructions of clients as honest, capable of change and therefore less risky.

While this was the general pattern, there were also times of coercion and conflict. For example, the invitation of clients to engage in negotiated forms of power by asking them to scale their own safety as a parent, and then that being used to remove children, was experienced as a betrayal, due to the appearance of negotiated power then changing into hierarchical power. Nevertheless, in this situation careful explanations and transparency, as well as the presence of others factors such as the social worker going above and beyond, using solution-focused approaches and resisting the most extreme forms of imposed power (such as going straight to court) ameliorated against the worst possible result that is, relationship breakdown and permanent removal (Maiter et al., 2006). Unlike Healy et al.’s (2011) findings the safety oriented practices in this study mean that generally parents were not placed in a position from which they had to answer the case ‘made to them’, thus, while there could be anger and hostility at times in the relationships, these were able to be resolved (Healy et al., 2011). Similarly to Lundy’s (2004) findings, the use of everyday language and jargon avoidance in this study were appreciated by clients who understood the concerns of the agency and built an element of trust into the relationship. Likewise, many clients felt they could cope with the level of intrusion into their lives if they believed that the worker had both their and their children’s interests at heart (Cleaver, 2007). Maiter et al. (2006) found in a study of recipients of child protection services, that they appreciated those workers who were caring, genuine, empathetic, non-judgemental, accepting, and who went out of their way to be helpful. They propose that even considering the power imbalance inherent in the child protection worker-client relationship, these qualities can help to maintain and repair damaged relationships. This study adds to this, proposing that not only are these stand alone qualities, but they shape the ongoing constitution of knowledge about clients in significant ways by causing the use of non-culpable, safety-oriented discourses for problem and risk construction as shown in the table below.
Table 9: The interrelationship between knowledge construction discourses, decisions and relationships

- Non-culpable, safety, children's needs, exceptions, respect
- Clients-worker relationship is engaged
- Parents are perceived as capable and honest
- Parents offered morally attractive subject positions
- Parents respond with less hostility, more engagement, focus on children
- Children's voices and needs are highlighted
- Parents are perceived as capable and honest
- Parent and child views are included in knowledge production
- Decisions are less risk averse as parents are viewed as less risky
- Plant and children take more responsibility for creating safety
- Risk is viewed as manageable
Positioning and power: structural considerations and the role of the ‘social worker’

As alluded to in the above section, the positions made available by the discursive environment drawn on by the study respondents require examination in regard to the structural context. As outlined above, positioning in regards to this study can be related to two fundamental meaning-making issues: the construction of original problems, and the construction of risk and safety. In terms of the construction of original problems of predominantly female parental clients as caused by mental illness and lack of family support, and risk and safety in terms of individual and family factors, it could be argued that both retain focus on the individual and family, and that this reinforces individualised and neo-liberal ideals of responsibility, pathology, and causation (Kemshall, 2002; Mullaly, 2001; Thompson, 2006). Further, from a feminist perspective, this may be considered as reinscribing notions of women as ‘mad’, rather than locating the cause of distress in complex social structures that systematically disadvantage women (Mauthner, 1999; Mullender, 2009; Scourfield, 2001; Ussher, 2010). Both family responsibility and psychological theories in general are critiqued as evidence of the encroachment of individualistic, neo-liberal ideas regarding the responsibilities of family to ‘care for their own’, rather than look to the state for assistance, and reduce complex socio-economic and gender issues to individual deficit (Milner & O'Byrne, 2002a; Solomon, 2002; Thompson, 2006).

In this study, the exclusion of structural factors functioned to maintain the focus of intervention on the parent (usually the mother), extended family, and interpersonal social networks. The exclusion of macro factors in the construction of reasoning rationales was closely related to an understanding by social workers of their role as essentially micro-level workers. The concepts of family maintenance, values of respect for the individual and constructions of problems all tended to be individualised, rather than connected to the wider socio-political climate. Thus, it may be tempting to consider these constructions as simply legitimating and constricting the focus of practice to individual pathology, thus reinscribing individualised, psychological conceptions of the causes of complex social situations, and using ‘psy’ concepts to perform control and surveillance functions (Healy, 2005; Sawicki, 1991; Thompson, 2006). Numerous writers have discussed how this risks reinforcing wider
social inequalities by reducing complex social issues within a managerialist and reductionistic conception of ‘social work’ (Milner & O’Byrne, 2002; Parton, 2009; Stokes & Schmidt, 2011; Thompson, 2006). Stokes & Schmidt (2011), in a study of social work decision-making, found that social workers did not consider structural disadvantage in their decision processes. They argue that by ignoring the wider circumstances of poverty and race on children’s lives, that child protection social workers may be assisting the individualistic formulation of the issues profoundly affecting people. They go on to state that: “The increasingly technocratic discourse in child protection blames individual parents and holds them responsible for not protecting their child from vulnerability” (Stokes & Schmidt, 2011, p. 1105). In this sense, the absence of the inclusion of poverty and discrimination is viewed negatively, and the implication is that any individual explanation of problem causation is always oppressive and blaming. However, here social workers are caught between two opposing discourses, this one described above where they should take into account social deprivation factors, and the opposing view that omission of socioeconomic factors in decision-making is a positive sign that social workers are not buying into stereotypes regarding class as a variable in decisions following abuse allegations, and thus engaging in anti-oppressive practice (see Chapter one - Moraes et al., 2006; Stokes & Schmidt, 2011). Thus, social workers are caught between opposing ideals as to the aims and scope of their practice, and whether their role as knowledge mediators should include or reject structural issues in their formulation of the causes of family issues and abuse. This conflict may also reflect a conflation of two separate modes or sites of social work practice: a rejection of structural factors when practice includes intrusive overt social control functions, and an inclusion of structural factors when considering a more holistic response to family problems. In the former, it can be quite rightly argued that when evaluations of harm include socioeconomic position or racist stereotypes, and one’s functional role at that particular site of practice is to decide whether or not to invoke legal action such as removal, then excluding these factors from the construction of ‘harm’ to children is supportive of the human rights of both parents and children. However, where one’s role is to provide a wider assessment of the family situation, and one’s responsive repertoire goes beyond assessing for grounds for legal intervention, then the inclusion of the structural causes of problems for the whole family is more supportive of humanist and social justice values. The
inclusion of structural factors therefore has differential ethical effects depending on one’s role, site or orientation of practice.

Similarly to the Moraes (2006) study, social workers in this study were careful to specifically exclude issues to do with low socioeconomic class from their conceptions of harm or of ‘good enough’ parenting, in an effort to practice in an anti-discriminatory manner when it came to their role as a child protection social worker. The also attended to wider family network systems. This is in sharp contrast to traditional child protection, where the focus was often on material, class oriented concerns as indicators of harm and therefore intervention (Parton et al., 1997). This helped limit the inclusion of class-related values in the finding of ‘harm’. However, their general exclusion of structural factors in explaining the wider context of parenting functioned to maintain problem causation and responsibility for change at the micro level.

This contrast between opposing ideals and roles relates to broader discussions regarding the role of social work in today’s late modern societies. Marston & McDonald (2012) examine changes in the conceptualisation of social work’s role. They ably describe the influences on social work’s earlier commitment to radical social justice activism as being: a reduction in collectivist or political-economy sociological theories of society; the depoliticisation of issues such as unemployment and poverty; and simultaneous changes to the organisational structures within which social work takes place, including the heightened influence of managerial and technical approaches. They contend that:

> Overall, this framing of social problems encourages those professions working on social problems to adopt an ‘inward-looking’ perspective that minimises the connections between structural change and the manifestation of individual problems. (2012, p. 1023)

They argue that a more ‘outward-looking’ perspective is required in order to grapple with the material needs of citizens, but suggest that the assumed political agency of
social work to do this requires reconfiguration into a more realistic, achievable purpose with more “…appropriate metaphors to re-imagine the political dimension of social work practice” (2012, p. 1023). This would include recognition of the importance of organisational – level practice as a locus of policy activism. Thus, when we apply these concepts to the present study, it may be contended that these social workers are very much affected by the depoliticisation of social work more generally, and this results in the primary construction of their role as essentially a micro level role, quite distinct from the broader structural landscape. The nature of contracts that fund the organisation are primarily focused on family level outcomes. The combination of these factors lead social workers to consider their role to achieve personal and family change rather than macro level change. However, the organisation’s commitment to conceiving of and advocating a coherent set of humanistic values relating to the values of the profession (note the high numbers of qualified workers), the faith basis of the agency, the strong indigenous component and the use of strengths based models such as the Signs of Safety, provides a solid buffer of resistance to the more pernicious and de-humanising aspects of state policy. This gives further weight to the contention proposed in the children’s best interests section, that this buffer protects both social workers and clients from the worst effects of current increasingly neo-liberal and technocratic approaches advocated at the state level that tend to focus on individual sanctions and control, while still maintaining the overall focus of practice on individual agency and empowerment.

Thus, a more complex analysis helps reconstruct a traditional radical view of practice as the helpless client who is coerced and controlled back into submission to social norms, and the social worker as simply the agent of oppression and coercion. Such a simple dichotomy gives an overly simplistic analysis within which the functionality of certain subject positions, and the messy contradictions involved in investment in certain situated subject positions, are obscured (Holloway, 1994).

Healy (2005) discusses the problems with traditional critical theory in that studies of social work seldom illuminate the productivity of worker power, instead they “…tend to conflate worker power with the authoritarian use of power. This depiction has detracted from critical attention to the different use of power that activist practice entails” (Healy 2005, p. 78). Marston & Macdonald (2012) add to this, stating that
more nuanced ways of understanding how a commitment to policy activism and social work’s historical social justice commitment might be enacted, is increasingly urgent in today’s complex environments. In this study, the use of power to produce knowledge in practice has several discursive effects that while producing some potentially oppressive notions regarding mental health amongst women, simultaneously provided a vehicle for establishing non-culpable subject positions, maintaining parenting subjectivities, identifying risks and protective factors, and provided opportunities for engagement and change. This interaction of discourses, personal investments and subject positions have implications for both micro and macro theoretical analyses, and draw our attention to some of the many influences on decision and judgements within a complex relational interface. These discussions of the interface between micro/macro practice have implications for the way the role of social work is conceptualised more broadly, and the role of organisations to mediate between state and client is heightened.

**Non-culpable explanations – implications for child abuse intervention**

The use of ‘avoidance of culpability’ discourses can inform a further analysis that explores the implications for intervention in child abuse cases. Promoting non-culpable explanations and descriptions of harm as potentially helpful aspects of the production of risk and explaining family problems flies in the face of received ideas regarding child abuse interventions that rely on the notion of parent’s acceptance of responsibility for the abuse as a pre-requisite to behavioural change (Milner & O'Byrne, 2002a; Turnell & Essex, 2006). Silvester et al., (1995) for example, note that one factor relating to perceived poor progress in parents is when they do not fully acknowledge responsibility, and the child is blamed, while the concept of collusion is *de rigueur* in child abuse intervention. The implications of non-culpable explanations for intervention are important as often decisions made regarding children’s care are directly related to the ways risks are constructed, and if avoiding culpability or blame by parents is taken as a marker of risk, this is likely to influence social worker decisions. For example, several studies note that compliance in parents, and with it an acceptance of responsibility, often directs decisions to remove or return children more than the actual harm experienced by the child (S. Holland, 2000; Stanley, 2005; Turnell & Essex, 2006).
In fact, the active use of non-blaming explanations is premised on an entirely different set of assumptions regarding the causes, content and consequences of abuse. Where child abuse and family functioning are understood as: complex, containing elements of kindness, care and love as well as violence, stress, and intense emotional states both positive and negative; that these variables are influenced through a complex web of social, familial and personal context factors; that the lines of acceptable behaviour can be difficult to negotiate for all parents but that ‘most parents care for their children adequately most of the time’; and that defining problem causes within social constructionist therapeutic traditions is not especially important; informs a radically different decision-making response (Turnell & Edwards 1999; Milner, 2002b; Biestek, 1989; Dean, 1993; Monk, 1997; Graybeal, 2001; de Shazer, 1991; Turnell, 2006; Turnell, 1999).

Examining the conflict between a construction of intervention as requiring parents to take responsibility for the abuse as a pre-cursor to developing ‘insight’ into their behaviour, versus the solution-focused position of not requiring either responsibility or psychodynamic explanations for the causes of abusive behaviour leads to an examination of the evaluation of intervention literature. While a full examination of the literature is beyond the scope of this thesis, McDonald (2001) and Milner & O’Byrne (2009) note that many secondary interventions in child abuse are not well evaluated, and differ widely in their understandings of the conceptual underpinnings of causes of abuse. They tend to frame ‘good outcomes’ in diverse ways, with some focusing on social factors such as poverty and social stressors, while others focus on personal characteristics of the parent. McDonald (2001) states that many interventions of the therapeutic or interpersonal variety are poorly researched, stating that:

> Given the paucity of studies, and the methodological problems that accompany many of them…it is difficult to conclude anything other than that the available evidence base underpinning what I shall term therapeutic (as opposed to administrative or legal) interventions in child welfare is wafer-thin. (Macdonald, 2001, p. 167)
Milner (2008) adds to this discussion by pointing out the insufficiency of research into ‘risk’ factors, concluding that a search for those factors that may ascribe psychosocial commonality to violent people in an effort to separate them from non-violent is ‘fatally flawed’ (p.31). (See also Gondolf & White, 2001). She goes on to state that as there are relatively low rates of, for example, psychopathology, amongst perpetrators, attempts to either predict future behaviour or develop theories of causation are futile. She argues that lack of uniformity in problem causation therefore makes a simple intervention premise of the need for all offenders to ‘take responsibility’ is misguided. Other writers also note that while received wisdom predicates ‘good outcomes’ as related to accepting responsibility, Milner and O’Byrne (2009) overview the research and conclude:

> a persistent recommendation from the research into good outcomes …is that parents fully acknowledging responsibility for the abuse is a key factor. This is not actually the case; for example, there is no evidence that denial of responsibility has any effect on recidivism in cases of sexual abuse …(or)…physical abuse. (Milner & O’Byrne, 2009, p. 194)

In an explanation of solution-focused methods, Milner (2008) points out that an explanation is not required in order to bring about change, and therefore theories that assume part of the cause is related to an avoidance of responsibility, require an acceptance of responsibility in order for personal change to occur. However, an acknowledgment of responsibility, while sometimes helpful, does not necessarily mean change will occur, and the insistence for this in therapeutic relationships usually incurs resistance and hostility (Milner, 2008; Turnell & Edwards, 1999; Turnell & Essex, 2006). Instead, in a method resistant to the ‘hegemony’ of the Duluth model approaches to working with perpetrators of intimate partner violence (both male and female), Milner (2008) states that “Demonstrating accountability and taking responsibility for past behaviour does not necessarily help offenders work out what they need to do differently in the future” (2008, p. 32). Thus, an acceptance of responsibility may not necessarily be crucial to change efforts.  

14 See Milner & O’Byrne (2009: 194-195) for an extensive list of supportive research.
constructions used in this study therefore may assist in retaining client engagement and help parents focus on future planning, by enabling a subject position that affords them an acceptable parenting identity. While avoiding culpability is not the only function of constructions relating to problem causation, this nevertheless was an important underpinning ethos in terms of maintaining engagement, building a basis for personal change, protecting a parental identity, and allowing a focus on actual safety building practice with them.

Further, constructions in non-culpable ways relates to decisions and judgement as constructions that de-emphasise culpable subject positions influence the ways theories of causation of harm are constructed, thus determining what becomes viewed as appropriate intervention. Thus, while constructions relating to mental illness or lack of family support, even where there has been significant neglect or physical abuse, provides a basis on which to build supportive, personal change and therapeutic intervention pathways, whereas constructions that focus on abusive behaviour and risk factors may be more likely to precede more risk averse, intrusive legal and social interventions such as removal and court orders (Turnell & Edwards, 1999). Thus, ways of perceiving and interpreting client situations in relation to culpability have a direct influence on decisions made over the life of a case, as they affect the ongoing theorising of the causes, effects and best interventions for harmful parental behaviour.

**Logics of risk and safety: theorising risk and safety**

This section has so far alluded to concepts relating to risk and safety somewhat tangentially, in regards to problem construction, culpability, positioning and identity. I now turn to consider more directly the consequences of risk/safety knowledge production and how it relates to judgements. I discuss common ways of conceptualising risk, and discuss the findings with reference to ideas predominantly from:

- Broadhurst (2010) (logics of risk);
- Stanford (2009; 2007, 2011) (social workers as moral agents resisting risk);
- Gurney (2003) (considering the risk agenda and the relative acceptance of risk taking);
• Turnell (1999; 2006) (constructing safety contributes to safety);
• Stalker (2003) (risk management exists on a continuum from risk-averse, controlling practices, to empowering, risk taking ones).

In addition I will continue to draw broadly on the social constructionist literatures from a range of disciplines. I will briefly outline these theorists, more fully covered in the literature review, and apply them directly to the study findings. Each of these writers stresses the situated agency of social workers, and their role as mediators and producers of knowledge, rather than simply gatherers of information (D'Cruz & Gillingham, 2009; C. Taylor & White, 2001). Examining their role as knowledge producers allows for an investigation of how certain constructions and assumptions can have consequences for practice, specifically the construction of risk. This examination also highlights the relative inclusion of clients’ views in the sense-making process, as well as if social workers are either reacting defensively to support the individualised, blaming neo-liberal production of risks, or in ways more aligned with positive engagement, safety building, empowerment, social justice aspirations and/or collaborative work with families. Thus, the analysis of risk and safety is informed by Broadhurst’s ‘logics of risk’, Stanford’s analysis of social workers as active agents with the potential to ‘speak back’ to the fears produced by the neo-liberal ‘risk’ society; Gurney’s ideas relating to the acceptability of risk; Stalker’s risk continuum; Turnell’s ideas relating to safety building; and Bernstein’s codes as lenses that allow an analysis of the content and process of knowledge development, specifically the inclusion of clients’ views. I will now discuss these concepts in light of the current study findings.

Risk construction is impacted on by legal, organisational, theoretical and personal discourses that influence the direction of practice, as they combine to constitute the ‘logics of risk’, that is, the lens through which certain factors become interpreted as ‘risky’ in any given context (Broadhurst et al., 2010; Dean, 1999). In this study, the ways risk and safety are symbolically represented involve a number of features. Within this study, the ‘logics of risk’, that is, the interpretation and management of risks were framed by several powerful theoretical and philosophical lenses, including the Signs of Safety approach, and ethical concepts relating to respect for the client. This combination resulted in careful demarcation of issues which might legitimately
allow for imposing interventions to ameliorate risks, some inclusion of client’s views in the production of knowledge regarding risk and safety, and a focus on relationship-building as a key to both realistically evaluating risks and safety, and managing those risks/building safety over time (Turnell & Edwards, 1999). These mechanisms contained both formal logics of risk – particularly the tools used by the agency – but also informal components relating to ethical and value positions. Clients were able to engage in actively managing risks too – both those they may present to their children (through working to build safety), and advocating for ongoing access to social work services due to a sense of ‘risk’ to their ability to parent without ongoing support. One of these influencing factors, the Signs of Safety approach, is particularly significant as it was used by all but one of the social workers in this study, and affects the trajectory of practice decisions by influencing this interpretive process. It does this by defining what information is considered significant, affecting the philosophical basis underpinning how clients are engaged, and what level of control they have over the production of knowledge about them. It may be better to consider the ‘logics of safety’ due to the influence of this tool in this site of practice.

What is considered salient information to gather highlights the logic of safety operating in this context. The eliciting of ‘concerns’ and ‘strengths/safety’ attempts to consider risk within the ‘whole’ context of children’s lives. This ‘whole life’ is constructed within this approach as likely to include elements of strengths and resources although even the approach’s creator acknowledges this is not always possible (Turnell & Edwards, 1999). Clients are asked to contribute to the assessment of both concerns (risks) and safety/strengths, although they do not have complete control over either aspect, as social workers reserve the right to include ‘bottom-line concerns’, that is, issues that must be resolved to avoid direct legal intervention. Concerns are described in behavioural terms including frequency and conditions and must be related to harm to the child, and without pejorative or interpretive comments such as ‘abuse’. ‘Complicating factors’ are those that make life difficult for the parental client, but are not likely to be resolved anytime soon, and are not considered as directly harmful to the child. This includes issues such as poverty or persistent low-level mental illness. Importantly, the resolution of complicating factors is not considered imperative in order to address ‘bottom-line concerns’, thus further reinscribing the careful demarcation of the use of power as described above (in
‘positioning and power’). Following this process has several effects: it creates a
detailed, complex view of the family situation, clearly states the agency’s concerns in
terms of direct effects for the child, narrowly defines the risks that the agency views
as bottom-line, attends to the client’s other needs and issues, includes clients in the
production of knowledge about them, and constructs clients as having some areas of
competence and functioning (Keddell, 2011b).

The search for information deemed salient in conferring safety on children seeks to
elicit those aspects of the clients’ life that are competent and reflects a belief that
clients usually contain resources and strengths, as well as assessing the presence of
social networks. This is not to minimise those areas that are impacting negatively on
their children, but tries to create what is conceptualised as a more balanced, ‘accurate’
view based on a construction choice that reflects an ethical commitment (Berger &
Luckman, 1966; Burr, 2003). This ethical commitment is to construct clients, both in
the present and future, as humans with a range of strengths and capacities, in a sense,
creating a future focus on a ‘preferred reality’ (Freedman, 1996). The implicit
message underpinning a search for safety conferring factors is one of potential
positive aspects, thus resisting the negative labeling of clients as unidimensional ‘bad
guys’. This defuses hostility by allowing clients a space to counter the narrative they
may feel instantly entered into as ‘clients of a child protection service’, with all its
negative connotations (Baistow, Cooper, Hetherington, Pitts, & Spriggs, 1995). It
enabled social workers to avoid what Farnfield (2008, p. 1077) notes can become a
‘legally driven’ process that ends up as:

little more than a list of parental omissions and errors …
hopelessly stuck, with social workers relying on information
from other agencies rather than meaningful interactions with
parents themselves. (p. 1077)

The effects of a discourse of safety

Searching for ‘safety’ provides a discursive vehicle that assumes some aspects of
competence and functioning, thus allowing an opportunity for clients to feel they are
not being unfairly judged, and engages them in the co-construction of a safe family environment. This influence is not only the allaying of blame in order to protect the ‘feelings’ of clients, but as discussed above with regards to positioning and culpability, allows the construction of a complex family, one with both strengths and risks. Given the power of this construction to have significant influences on official documentation and legal decisions regarding the care of children, it has extremely powerful outcomes (Parton, 2006). Thus including both risk and safety places client’s lives on a continuum of risk, rather than clearly categorising them in absolute categories of risky/not risky only, and in doing so reflects more adequately the uncertainties and complexities of lived realities (Stalker, 2003). Thus, it creates a logic of risk that allows for risks to exist on a continuum that has safety conferring factors and thus offers a more holistic, uncertain representation of family life, as well as offering clients more desirable moral subject positions as described above.

Another effect of constructions of risk/safety in this manner is the avoidance of what Howitt calls ‘ratcheting’, (being unable to exit the system once they enter it) and what Turnell & Edwards (1999) claim often happens once parents are in the system: they struggle to be viewed as competent again (Howitt, 1992). This study found that the Signs of Safety approach helps ameliorate this negative process by suggesting parental clients can be both risk-bearing and safety-bearing subjects simultaneously – their status as ‘risky’ is not viewed as permanent, global and essential part of their character. This results in decisions more likely to not remove children, or return children after time in foster-care. While Thorpe (1994) and Holland (2000) examine the performative aspects of how a client must behave in order to be viewed as a ‘good client’, including being plausible, cooperative and not hostile or suspicious, this study contends that these attributes are not simply internal client attributes, but are more likely to be ‘found’ if the discourses used to initially engage the client are positive and non-blaming. That is, if we understand such ‘traits’ to be resulting from the discursive, dialogical environment, rather than essential client traits, or simply demanded of the client as an effect of oppressive power relations, then social workers have some power over and a responsibility to ensure their part in contributing to such behaviour. Constructing risk and safety in this way contributes to the types of discourses likely to have this effect. This finding also confers with Stanford’s
research, (Stanford, 2011) who also found that a more complex viewing of risk led to social workers more likely to make decisions that resisted the fears generated by a risk averse social context. She found that where social workers view their clients as both ‘at-risk’ in addition to ‘risky’, that the likelihood for ongoing engagement is heightened. Constructing risk and safety led to the use of safety plans, that is, the judgement that risks were manageable within the family setting. The use of safety plans in this study, where all family members are engaged in an ongoing plan to create everyday safety without removal formalised a route to creating what to Spratt & Callan (2004) describe as a covert surveillance/high engagement relationship. These relationships were found by Spratt & Callan (2004) to be most appreciated by clients and lead to better client engagement.

**Safety and judgement?**

Logics of safety were also closely related in social worker accounts to concepts regarding being ‘judgemental’. They were careful to avoid being ‘judgemental’, and embraced respect for persons that emphasised client choice and self-determination, but at the same time knew they were asked to make judgements constantly within their practice. They managed this tension by using a ‘logic of risk’ that they drew on to interpret when they should allow a client to define and determine their own life decisions, and when they should override client’s consent. Assisted by the Signs of Safety approach, social workers described this as legitimate only over bottom line concerns. While ‘harm’ was sometimes difficult to define, nevertheless the general pattern was that when children were subjected to emotional or physical harm, that this provided grounds for bottom-line concerns that then signified the parameters for imposing hierarchical power, but only over those aspects of parent’s behaviour deemed harmful (Bundy-Fazioli et al., 2009). Therefore, their moral conceptualisations regarding judgement and non-judgementalism were differentiated by a way of a ‘protecting children from harm’ discourse defined by weighing up concerns, carefully and narrowly defined areas of adult’s lives that could be defined as constituting direct harm to the child, and considering safety and strengths. This was formulated via the Signs of Safety approach used within the agency. While this was not straightforward and required often-uncertain interpretive tasks, this framed the general pattern of the logic of risk within this study.
**Safety and change**

In this study, a search for safety, as part of the ‘logic of risk’ was often intertwined with a belief in the client’s capacity to change (Broadhurst et al., 2010). Stanford (2011) found that those respondents who tended to advocate for and protect clients despite feeling their clients were either ‘at-risk’ or ‘a risk’, were those who had a belief in the client’s ability to change. The present study concurs with this finding. This study found that a belief in change was a fundamental concept within social workers’ accounts, and this was strongly linked to a view of risks as manageable within the family context, rather than a view of risks as unacceptable and thus requiring removal of children. This was further bolstered by a belief in exceptions to harmful behaviour, clearly related to the solution-focused antecedents of the Signs of Safety approach. The inclusion of exceptions and eliciting of detail about positive aspects of functioning (in this case strengths and safety factors) reflects the social constructionist therapeutic traditions underpinning the Signs of Safety approach (Turnell, 2006). Narrative and solution-focused approaches attempt to ‘thicken the counterplot’ (narrative) and create detailed pictures of times of exceptions to the problem as a method to counter and resist the dominant problem saturated story of the individual’s life (Berg & de Jong, 1996; Berg & Kelly, 2000; de Shazer, 1991; Milner & O’Byrne, 2002b; Monk, 1997). This is proposed to have a flow-on effect to behavioural change. The search for exceptions to negative behaviour and positive praise and detail building about those times all reflect therapeutic engagement practices based on social constructionist premises of co-constructing a more satisfying life with clients that do not necessitate explaining the problem causes in any great detail (Berg & de Jong, 1996; Berg & Kelly, 2000; de Shazer, 1991; Milner & O’Byrne, 2002b; Parton & O’Byrne, 2000).

Likewise, an attempt to build a complex picture of family functioning that includes aspects of safety and strength is the application of similar principles in the child protection context. In this study, the use of these approaches were clearly useful in engaging clients, and assisted them with personal change, in particular in return home cases. While social work clients often report that they feel ‘unheard’ or as if the social worker already holds a negative view of them, (Baistow et al., 1995; Bundy-Fazioli et al., 2009; Healy et al., 2011; Spratt & Callan, 2004) those practices valued by clients
in this study and others, were those that led to them feeling valued, not as if they were constantly ‘under investigation’, and those that treated them as a human, an ordinary person with a personal, as opposed to purely ‘professional’, relationship with their social workers. Eliciting safety and strengths contributes to these felt effects of clients. While Turnell & Edwards (1999) argue this gives a more accurate portrayal of client’s lives, and that may be so from a pragmatic perspective, this analysis explores this outcome not as a representation closer to ‘reality’, but a chosen construction of client’s lives that reflect a value-driven position related to both outcome and ethics.

Social workers in this study actively used discourses that led to clients positioned as much as possible as able, morally defensible and respected. This does not equate to a kind of blindness as the consequences of abuse for children – note that in most cases children were removed from their parents for both short and long-term stays in care. However, where risks could be conceptualised as not being the results of actively abusive or consciously neglectful behaviour, then interventions were more likely to counter these risks through increasing supportive social networks, ensuring parental mental health was stable, behaviourally and support oriented safety plans, as well as direct therapeutic and personal change work with parents. In these interventions, underpinned by a view of the parents as having potential aspects of safety, (among other things), the focus was on managing the risks together with the family, rather than simply removing the children. Thus the ‘logic of risk’ was one that attempted to take seriously the humanistic aspects of practice, narrowly define harm and thus risk to children, and counter the conservative, reactive management of risk with a focus on safety.

**Risk rhetoric**

A number of writers assume the ascendency of the ‘risk rhetoric’ in the ways events are represented, that is, the notion that concepts relating to risk construct and regulate conservative, neo-liberal response across a range of social policy areas within a ‘risk society’ (Beck, 1992). These include the replacement of notions relating to need with the concept of risk as the driving ethos in social service provision (Beck, 1992; Webb, 2006). Stanford (2007; 2008; 2011) notes that the result of this is a ‘catastrophe narrative’ that positions the control of the construction of risk beyond social worker’s
remit, thus exacerbating their sense of powerlessness; the moral implications, both of
the production of risk and its effects on clients are ignored; and investigation into
“...how social workers actively resist the moral and political conservatism of risk is
disregarded” (Stanford, 2011, p. 3). Stanford instead found that the social workers in
her study “...did not present themselves as duplicitous subjects of this conservative
force...nor did they speak of themselves as compliant co-conspirators of the
regulatory regimes of their organisations. Instead, they inscribed themselves as active
rationalities’ of social workers can function in ways that reduce the ‘worst excesses’
of neo-liberalisms ethics of risk (p. 1257). In this study, social workers, through the
use of the Signs of Safety approach, their Maori model and underlying values of
respect for persons attempted to indeed behave as active moral agents resisting the
worst excesses that a risk averse, conservative wider society imposes. However, this
was not simply left up to the individual, but was actively supported by the
organisational culture, including its practice tools. Gurney (2000) notes that risk-
taking can be promoted as a way in which to accept the normal risks associated with
living, and challenges “…those defensive practices which give priority to an agency’s
concern to avoid being held accountable for any possible negative outcome, and
which disregard the user’s right to take risks” (Gurney, 2000b, p. 303). Turnell &
Edwards (1999) argue that a narrow focus in child protection social work on risk
alone creates an overly negative and conservative response to risk, where it becomes
difficult for clients to demonstrate their areas of competence, strength and safety,
when those aspects are neither sought nor noticed by social workers seeking only to
establish risk (Turnell, 2006; Turnell & Edwards, 1999). In this study, careful risk
taking was enabled through the use of safety plans, and aspects of safety were
promoted as a way to resist the tendency for risk aversion and ‘knee-jerk’ reactions to
risk.

However, it should be pointed out that these cases were those that social workers felt
pleased with, where the use of such constructions had ‘worked’. The risks taken by
social workers had paid off. It may be a critique, therefore, that the analysis is overly
optimistic based on the limitations inherent in the study design. The possibilities of
children being exposed to unacceptable levels of risk, however, were also carefully
appraised through direct interviewing and observations of children, and this often led to at least initial removal of children.

Searching for safety does not eliminate the tensions involved in balancing care and control functions, but resists the essentialising and simplistic reductionism associated with the production of those deemed to be ‘at risk’ (Swadener & Lubeck, 1995). This encourages workers to resist defensive, knee-jerk responses to risk alone. It allows for the construction and coding of clients as both risky and providing safety, allowing for a more complex, uncertain understanding of human behaviour that challenges deterministic understandings (Parton, 1998; C. Taylor & White, 2001). Constructing safety as well as risks thus creates the opportunity for resistance to the dominant construct of parents within the child protection process as inherently ‘risky’, blameworthy and incapable of change, and thus creates a vehicle for ‘speaking back’ to the fears created by a risk saturated society and the defensive, reactive practice it can engender (Houston & Griffiths, 2000; Stanford, 2010). In terms of Gurney’s and Stalker’s ideas relating to risk continua, the practice of constructing risk and safety provides a mechanism that accepts the presence of risks and evaluates their ability to be managed through including a strong focus on safety and relationships (Gurney, 2000a). In this it avoids an either/or categorisation of clients and accepts the sliding scale of risk and safety that both those continua are premised upon. Accepting the ability of clients to move up and down this scale allows for more fluid and hopeful constructions of clients and their lives. It recognises the empowerment potentials in taking risks, and in the best cases, the ability to take the risk of entrusting a parent with the care of their child is viewed as a significant motivator for the parent to improve their personal and parental functioning. Thus, the possibility of empowerment outcomes associated with risk-taking is made possible via the Signs of Safety approach in this site of practice (Stalker, 2003).

**Discussion and conclusion: investment, culpability, risk and judgement**

Thus, the construction of clients’ problems and the construction of risk and safety in this study can be theorised in several ways using a constructionist lens. Constructing non-culpable subject positions can be theorised using the concepts of positioning, moral identities and investment. All types of problem definition and searching for
safety have the effect of positioning clients as active partners and sources of potentially positive caretaking behaviour for their children. A strengths-based, safety building approach enabled a construction of clients as capable of change, caring for their children despite times of inadequate and harmful parenting, worthy of respect, and morally defensible, and associated with this, a source of unacknowledged or untapped strengths that may create an acceptable level of caretaking for their children. Thus recognition of competence encourages clients to invest in the subject position a discourse of competence and care offers them, and although combined with a discourse that states they are partially ‘risky’, this trade-off becomes more attractive when the moral implications provide positive in addition to negative subject positions.

However, a recurring theme throughout is the constant focus on the micro level of practice, and the potentials and constraints this poses for social work. While the use of individualist discourses can obscure the structural constraints of gender and class on clients’ lives, nevertheless it also limits the potentially oppressive inclusion of those issues in the production of risks and harm, where those risks are used to justify intrusive intervention. The use of a solution-focused approach such as the Signs of Safety, despite the focus on individual change and family supports, allows for the inclusion of clients’ theories and expects there to be exceptions to the problem behaviour that can be drawn on to co-construct a safe future. It also produces an ‘anti-expert’ subject position for the social worker that lessens the worker-client power differential.

A micro level focus can be further explored with the ‘orientation’ literature. The package of supportive responses, a focus on family preservation, attachment/relational concepts and Maori concepts generally reflects a child welfare orientation of the agency. However, the organisation, and clients, exist within a broader socio-political climate that is increasingly focused on blame, investigation, sanctions, and paid work. Thus, the organisation acts as a buffer, or mediator between the state and client. In this manner, the organisation significantly transforms the individualisation of problem causation by including family/whanau systems as causes/solutions to problems, using tools that encourage a safety orientation, and offering more generic ongoing family support. Clients experience this as helpful, empowering and oppressive. The use of strengths and safety assists in allowing clients some power over the process, and
contributes to client engagement. When a client is well engaged and open to their
social worker moving into an educational or therapeutic role in returning children,
then ongoing risks are considered manageable within the family setting. Thus, the
intersubjectivity of knowledge production is illuminated in this study, whereby the
interactive effects of the original discursive or paradigmatic orientation of the social
worker relates in a cyclical manner to how client problems and behaviours come to be
interpreted (Parton & O’Byrne, 2000; Prus, 1996; S. White & Stancombe, 2003). This
then affects the ongoing relationship, perceptions of risk and safety within it, and
decisions made in regards to intervention.

In this study social worker and client discourses of risk and problems were more
complex than conservative conceptualisations of the ‘risk society’ or ‘psy’ discourses
might assume, and contained responses that represented both complicity and
resistance to the individualising effects of traditional responses to both (Beck, 1992;
Foucault, 1991; Healy, 2005). Like Stanford’s respondents, in this study social
workers were able to ‘speak back’ to the fears generated by the pervasive
conservative reactivity of ‘risk society’, especially conspicuous in relation to child
protection, by managing risks to children without removal, or work with parents
towards return (Houston & Griffiths, 2000; Stanford, 2010; Turnell & Edwards,
1999). However, primarily conceiving of their role as a micro level worker prompts a
reflection on the broader conceptualisation of social work.

It can be concluded that the need to define practice dichotomously as either
participatory, empowering, resisting ‘risk’, liberatory, appreciative, or oppressive,
disempowering, corrective and paternalistic is unnecessary and an overstated dualism
when actual studies of practice are considered. As Healy notes:

The problem with the oppositional construction of participation
and paternalism is that is makes it difficult to acknowledge the
complexities, particularly in relation to power, that are inherent
in child protection work. These dualisms leave little conceptual
space in which to acknowledge those elements…particularly
the productive and necessary use of statutory power, that are
outside the typical definitions of participation but must be
grappled with if participatory models of relevance to the field are to be developed. (Healy, 1999, p. 902)

Meaning layer three: theorising ethics in a relational context

Universal principles and contextual realities

This chapter has thus far discussed the meaning layers of children’s best interests and problem construction (including risk/safety) as overlays of the family maintenance schema. The final ‘meaning layer’ to be discussed is ethics. As already alluded to, many of the underpinning influences of knowledge construction in the child protection context are intrinsically ethical and moral in nature. No study of judgement would be complete without a discussion of ethics, as these are implied in any way of making social meanings (Banks, 2006; Gergen, 2001). The overarching impetus guiding the construction of risk, safety and problems must be considered as a moral ethical impulse, which will be discussed further below (Parton, 2003; Stanford, 2011).

The ethical impulses evident in this study as underpinning reasoning rationales can be related to the various ethical theory traditions, and combine elements of universal, duty-based, and consequentialist ethics, (ethics of justice) with more alternative ethical ideas related to integrated universalism and an ethic of care (Banks, 2006; Benhabib, 1987, 1992; Gray, 1995, 2010; Hudson, 2003; Hugman, 2003, 2005; Parton, 2003; Tronto, 1994). While concern for the ‘other’ is considered, it is rejected as an appropriate theory to explain this study’s findings (Bauman, 1993). I contend that the focus on duties and consequences springing from the legal and practice environment does not capture the full range of ethical ideals or practices reflected in this study, which are better theorised in combination with an ethic of care approach. The combination of universal with contextual considerations in turn may be best described using Benhabib’s ‘integrated universalism’. Thus the rationales underpinning judgement that social workers make draw on numerous ethical theories in a complex decision-making context. These include the duties created by statutory social control functions such as the protection of children and the inclusion of families in decision-making, other Kantian universalist principles such as respect for persons...
and autonomy, combined with ways to adapt these principles to the actual case and person context. In between statute and case context, social workers must navigate an array of ethical discourses in the actual world of practice (Gray, 2010). Furthermore, this section proposes that these combined ethical approaches influence the overall judgement making process, as one’s ethical position influences how information is gathered, perceived, interpreted and spoken into being. I also consider how client’s views can contribute to how we conceive of what is ‘good’ (ethical) practice.

Each meaning layer already discussed contains ethical commitments more than evidence-based approaches, as they are not issues relating to evidence as much as values. For example, commitment to the protection of children, the rights of children, the role of the family, the inclusion of safety in the formulation of the case, and the constitution of the moral, competent parent reflect moral commitments. Webb (2006) notes the need for social work to resist the conservative impulses of many conceptualisations of risk that, as described in the literature review, have resulted in excessive focus on quantifying risks, establishing culpability, and contends that if there is “…the possibility of a re-constructed ethics that stands against dominant political rule …then we need to conceive of social work as creatively animating and not merely being determined by dominant modern discourses” (Webb, 2006, p. 25).

Meagher (2004), however, notes that despite attempts to invigorate contemporary practice with notions of ‘collaboration, partnership and participation’ that instead managerialist concepts continue to rule how social work is practiced. Meagher et al. (2004) argue “[a] major feature has been the failure to develop the notion of care for bringing about positive change” (2007, p.1). They use ideas from feminist ethics of care to attempt to address this. Others draw on virtue ethics to provide a balance to rule-governed approaches derived from ethical decision frameworks sourced solely from duty-based, deontological and quantifiable risk assessment frameworks (Banks, 2006; Gray & Gibbons, 2007; S. Holland, 2010; Hugman, 2003, 2005). Still others draw on Bauman’s concern for the ‘other’ as a postmodern ethical framework that might account for the ability of social workers to resist the worst aspects of risk thinking and the conservative practice it engenders (Bauman, 1993; Stanford, 2011).
This study is an example of the interrelationship of various ethical constructs, as universalist concepts relating to justice (duty and consequences) are combined with contextualised concepts relating to the application of universal principles, care and relationships, resulting from the site of practice as existing at the interface between legal, social, organisational and personal systems (Gray, 2010). Individual moral responses for the ‘other’ alone are insufficient to explain social worker’s actions in this ethical minefield. Traditional ethical approaches, focused on either duties, or consequences, are also inadequate, in and of themselves, to elucidate the complex interplay between underpinning discourses, power, and their moral consequences. The family maintenance schema, for example, and the need to consider the best interests of children, are duties created by law and policy that social workers attempt to adhere to, while conceptualisations of risk and safety are both consequentialist in nature, often reflecting utilitarian notions of procedural justice, best guesses of consequences, and the protection of public good (Banks, 2006). However, neither a duty-based or consequentialist account of this study captures either the generative power of those duties, the relational aspects of carrying them out, their contextual flexibility and uncertainty, nor the ways they are signified or symbolised in practice contexts. These aspects are more ably theorised through an inclusion of ethics of care and integrated universalism.

**Respect for persons – and constructionist consequences**

In this study, the ethical content of social workers’ accounts included ethical concerns that influenced their constructions of clients and their situations. They applied duty-based universalist principles such as promoting the best interests of the child, and adhered to a significant ‘respect for persons’ narrative that was expressed through recognition of innate human value, personal autonomy, choice, and inclusion in decision-making. They were careful to avoid blame in the construction of original problems, and remain as ‘non-judgemental’ as possible with regards to the clients’ life choices. These latter actions revolved around a fundamental respect for clients that attempted as much as possible to confirm a belief in them as capable of change, as bearers of strengths and capacities, and as inherently deserving of respect for the things they had overcome in their lives. These ethical premises were connected to an individualised, non-culpable account of client problems and promoted an ethical
response as one based on respect for the individual. These ethical impulses are clearly connected to Kantian ideals of universal respect for the individual and a promotion of them as reasoning, rational beings, capable of choice, and the ability to self-determine (Banks, 2006). Of course, not all clients are able to ‘confirm’ these propositions to social workers, just as not all clients experienced their social worker’s attitudes as reflecting this ideal all of the time.

However, social workers, supported by agency mandates and legal imperatives, are the powerful ones in this context who hold control over setting the initial discursive parameters for explanation of problems, constructing moral identities, and defining ‘appropriate’ courses of action. As Gergen (2003) notes: “…descriptions and explanations form integral parts of various social patterns. They thus serve to sustain and support certain patterns to the exclusion of others. To alter description and explanation is thus to threaten certain actions and invite others. To construct persons in such a way that they possess inherent sin is to invite certain lines of action and not others. Or to treat depression, anxiety, fear as emotions from which people involuntarily suffer is to have far different implications than to treat them as chosen, selected, or played out as on a stage” (p. 16). Thus, the concept of ‘respect for persons’, from a constructionist perspective, not only sets out a moral principle, it has generative and constitutive capabilities in terms of establishing a dialogic, mutual relationship within which the powerful mediator (the social worker) accepts as a given that the client has value, and contains considerable powers of self-definition and power. This offers the client the possibility of inhabiting the position offered to them via this discourse, which in turn affects the ongoing construction of knowledge about them as a person. While there are many critiques of universalist, individualist accounts of ethics, the constitutive power inherent in fundamental respect and the possibilities it contributes to practice should not be simply dismissed. In this study, respect for the person had an enduring effect on parental clients’ perceptions, and intervention approaches. For example, those cases where parents felt that social workers were not simply ‘investigating them’, or where social workers felt the most helpful thing would be to support the client in their change process based on their respect for the client’s abilities, were influenced by this underpinning ethical premise. Therefore this influenced the process of intervention as well as the client-social
worker relationship, increased the possibilities of collaboration and enabled social workers to maintain respect for clients in the face of anger and hostility.

Similarly to earlier theme analysis, one critique of ‘respect for persons’ has been that it reinforces individual freedoms at the expense of structural or radical critique. This critique proposes that the emphasis on individual rights and self-determination conflict with social work’s purported commitment to challenging structural oppressions. As Banks, following Jordan (1991) states: “The individual freedoms which social workers have a commitment to promote is, he claims, dependent on the structural inequalities in society which they also have a duty to challenge” (2006, p. 57). However, the provision of individual respect for a person and their right to autonomy, whether based in Kantian ethics or an ethic of care approach (see Herman (1993) for a discussion of the overlaps between these concepts), can also be utilised to protect clients from overly intrusive or oppressive state powers (Banks, 2006), as well as resist the overly controlling practices of risk aversion they may promote (Gray, 2010; Meagher & Parton, 2002). Others argue that respect for persons can be used to “…protect them (service users) against the exercise of excessive parentalism or illegitimate power by social workers or social work agencies” (Banks, 2006, p. 61). This dynamic was evident in this study, where while structural issues were not included in this construction of ethical duty, nevertheless the idea of fundamental respect for self determination was utilised to limit the imposition of hierarchical power to those areas of parental client’s lives that were directly harmful to children, while goals relating to other areas were viewed as client-driven or negotiable (Bundy-Fazioli et al., 2009). Similarly, the duty to protect children from harm was also expressed, and the interplay between these two duties, discussed in more detail in the risk and safety section, acted as two lenses used to highlight which areas of client’s lives could be intervened upon without consent and which not. In terms of theorising the ethics of this interplay, the notion of respect for people because they are humans, that they are rational actors, capable and deserving of choice and autonomy were important ideas drawn on by social workers in this study (Banks, 2006). Gray (2010) notes “It is this condition of human agency that sets the object of moral requirement in place and places limitations on our actions” (p. 1796).
Notions of respect reflected the Christian values of the organisation as an expression of the Judeo-Christian ethic of respect for humans. Social workers noted the congruence between valuing and respecting people, the values of the social work profession, and the Christian values held by both the agency and many of the social workers. The confluence of these values produced a context that encouraged a forthright expression of moral values that supported respect for clients. However, this did not rely on individual values alone, but were inscribed in philosophical notions espoused by the agency. Social workers also noted the congruence between the values of respect promoted by the Signs of Safety tool and their agency, heightening a sense of aligned value positions between the two.

In this way, the position of the agency as a faith-based NGO, outside of the state services allows it some freedoms to define its own guiding ethics and values. This special character again acts as a value buffer against the more ‘risk averse’ state organisations, and wider society. The attempt as an agency to adopt and implement practice tools throughout the agency that reflect certain philosophical values held by the agency, enabled support for social worker’s values, in particular the concept of ‘respect for persons’. This may assist in protecting social workers from the value conflicts often related to burn-out and exiting from the profession (Milner & O'Byrne, 2002a; Stanford, 2011).

**From Kant to care**

As Gray, (2010) following Herman notes, some aspects of Kantian respect for persons can allow for an ethic of care response. However, in general Kantian notions of respect for persons, as a universalist, rights-based approach, combined with duties created by the law, and a consideration of consequences, are not enough on their own to explain or prescribe decision-making in the child protection context. While the law creates duties relating to children’s best interests and parental responsibilities, evaluations of risk and safety create considerations of consequences, and respect as an ideal is held by social workers, there were also contextual and relational factors affecting judgements present in this study that cannot be adequately theorised by duties, respect, or consequences. The uncertainties created by the lack of predictability of human behaviour in interaction with a variety of systems, the
conflicting duties towards parental and child clients, the idea of moral ‘luck’, (that many unknown factors contribute to outcomes that have nothing to do with our actions or control), the unique nature of each case and its actors, and the malleable and relative nature of notions such as ‘abuse’ and ‘harm’ makes defining moral action in terms of duties, consequences or respect alone well nigh impossible, as ethical action cannot be guaranteed by any in and of themselves (Hugman, 2003; McBeath & Webb, 2002). Ethics of justice struggle to account for the contextual contingencies, relationship influences, or the negotiated, constructionist aspects of knowledge creation as seen in this study. Kemshall (2010) deals with contingency and contextual ethics when she notes that no decision makers are ‘rational actors’ that simply process information and spit out a response, but that instead decisions are always: “negotiated, collective and contingent on contextually based rationalities and perceptions of risk” (Kemshall, 2010, p. 1249). Likewise, respect alone cannot determine moral outcomes, where respect for personal empowerment, for example, may need to be limited based on harm to others or significant differences in terms of individualist vs. collective worldview or position.

In this study, the highly contingent and uncertain aspects of judgement making are evidenced, whereby the ability to compare like cases with like is extremely difficult given the lack of comparability between the many and varied factors impacting on social worker’s perceptions of risk and safety within each specific client family and their context. McBeath & Webb (2002) note, (in an echo of the judgement literature), that this is a downfall of Kantian duty-based formulations of ethics as applied to social work: that while Kantian approaches to justice exhort one to treat like cases in the same way, that complex, unforeseeable and uncertain influences make ‘correct’ moral choices (that is, those that result in a clear predictable, moral outcomes) impossible. Three additional concepts will be explored here as ways to broaden the discussion in order to account for these critiques: Bauman’s postmodern ethics, Benhabib’s integrated universalism, and ethic of care approaches.
**Hard laws, soft rules, individual morality – acting for the other, interactive universalism and ethics of care**

Baumann (1994) highlights postmodern influences that recognise context where he argues for a concern for ‘others’. He states that as social laws and norms become fragmented, we must rely more on “…spontaneous moral impulses and ... individual responsibility for the other” (Bauman, 1994, p. 44). In claiming that it is only in relation to the other that we make our choices between good and bad behaviour, he emphasises the relational situatedness of moral decision-making. By putting the person who is the recipient of our action at the heart of defining moral action, and our own moral impulse, rather than rule following as the means by which to behave morally, Bauman argues for a highly situated and individual response to questions of moral action (Hudson, 2003). Bauman (1993) contends, in response to the earlier Kantian rejection of morality and its supposed emotional, non-rational responses, that all moral action is non-rational, and that the reliance on ethical codes or universal ethical laws reduces morality, as it excuses personal moral responsibility to act for the ‘other’. He goes on to state that the law attempts to define:

> what are ‘proper’ and ‘improper’ actions in situations in which it takes a stand. It sets for itself an ideal (rarely if ever reached in practice) of churning up exhaustive and unambiguous definitions; such as would provide clear-cut rules for the choice between proper and improper and leave no ‘grey area’ of ambivalence and multiple interpretations. In other words, it acts on the assumption that in each life situation one choice can and should be decreed to be good in opposition to numerous bad ones, and so acting in all situations can be rational…but this assumption leaves out what is properly moral in morality. It shifts moral phenomena from the realm of personal autonomy into that of power-assisted heteronomy. It substitutes the learnable knowledge of rules for the moral self constituted by responsibility … answerability to the Other and to moral self-conscience, the context in which moral stand is taken. (1993, p. 11)
Bauman (1993) also examines the relativity of risk evaluation in regards to ethical responses to a postmodern world. He proposed that with the distinctions between ‘good’ and evil’ becoming increasingly fraught, that a new morality that is tentative and contingent needs to be developed. He argues that morality is not ‘universalisable’ (p.12), but this does not promote the inherently fundamentally contingent ‘anything goes’ of extreme relativism (Houston & Griffiths, 2000). Others argue that the restriction of professional judgement and ethical considerations that come with it is the outcome of overly prescribed and highly proceduralised responses to risk (Gray, 2010; Meagher & Parton, 2004). Others, most prominently Hoys, extends these common postmodern precepts of lack of trust in universal principles and attempts to theorise an ethics of resistance without recourse to such normative concepts (Hoys, 2004).

In applying Bauman’s postmodern ideas to social work, Houston and Griffiths (2000) claim that this means that we require tentative ethical ‘rules’ rather than absolutes based on some notion of objective science that will provide the solution for estimating and assessing risk within child protection social work. They propose a flexible rule governed approach that allows professional judgement, rather than pouring money and effort into more ‘effective’ ways of predicting risk. Stanford (2011) draws on Bauman’s ideas to explain why the social workers in her study acted against the conservative, defensive formulations of risk to behave in ways that bettered their clients instead, that is, acted as moral actors for the ‘other’. In this study, the use of the Signs of Safety and indigenous models as flexible, rule-governed approaches may be one such enactment of Houston and Griffith’s desire for tentative, flexible rules. They attempt to provide frameworks that can account for the specific situation of the family involved, and thus be contextually sensitive and reactive, while also rejecting quantification of risks in numeric terms. Instead, the Signs of Safety relies on negotiation, albeit with stakeholders to that negotiation holding differing levels of power, to arrive at constructions of risk, harm and safety. Further, the moral impulse of many social workers in this study to put themselves in the shoes of their client, and expressions of an empathic urge to go ‘above and beyond’, may reflect, like Stanford’s respondents, a moral response to act for the ‘other’ based on individual evaluations of a moral response rather than attention to universal laws or duties.
However, Bauman’s emphasis on individual moral responses can be criticised in that it assumes that an individual responsibility to act for the ‘other’ will protect the vulnerable ‘other’ from the ‘outrageous’ moral actions taken by those simply following laws and rules like automatons (think Nazi Germany). However, by freeing oneself from moral normative guidelines, neither social workers nor anyone can necessarily be assumed to behave in ways that act in the interests of ‘others’, and importantly, to assume so may remove significant systemic protections for the vulnerable other. In this, context is everything. To assume anyone will necessarily act for the ‘other’ based on his or her own good natures, devoid of contextual considerations, is anathema to the constructionist position. That is, while not denying some degree of agency, constructionists and systems theorists alike would argue that the context produces discourses that influence one’s ability to act for the ‘other’. This contextual influence is heightened in professional organisational contexts, where professional paradigms and policies regulate, to some extent, moral action.

Within professions such as social work, the tensions between rules, statute and individual responsibility for acting for the ‘other’ must be carefully considered. Legal provisions and Kantian ideals of respect provide default backstops that protect the vulnerable and importantly, can be seen to interact with individual conceptualisations of moral action in this study. That is, while individual moral responses were evident, these were interwoven with reference to more universal principles, such as respect for persons and organisational culture. Given this blend of individual and normative precepts guiding judgement processes, is there a better way to theorise the actions and decisions of social workers that accounts for this? Benhabib’s integrated universalism and an ethic of care provide further possible theoretical ideas for theorising ethics that may account more adequately for this.

Benhabib (1992) provides a way of examining the tensions between universalist liberal concepts such as respect for persons and the situated position of actual people. Instead of the more complete rejection of universal values and focus on individual morality Bauman (and a broad range of others, most recently Hoys) promotes, she argues instead for the reconstruction of traditional liberalism that can encompass the traditional universalist values of autonomy, freedom and respect, as these continue to be important in guaranteeing rights and resisting oppression (Benhabib, 1992).
However, she proposes instead of universal human experiences taken as an indicator of the ability for one to speak for all, instead she states this means that all should have a voice. Thus, “What Benhabib advocates is a form of interactive universalism which replaces the generalized other of Post-Kantian ethics with the concrete other of the discourse ethics she espouses” (Hudson, 2003, p. 124). Instead of imagining the generalised ‘other’ who, according to liberal universalism, should be treated the same with no special privileges accorded depending on which particular ‘other’ they are, instead a responsive attempt should be made that allows for differences in subjectivities and needs (Benhabib, 1987). In Benhabib’s reformulation, she challenges the assumption that the generalised ‘other’ has no important differences from the decision-maker, pointing out that this results in the downplaying of important differences of situated subjectivity. Thus:

If universal subjectivity is grounded in what people have in common, then any sense of difference is lost. If people are to be accorded respect because of what they have in common, then difference cannot be a basis for respect. (Hudson, 2003, p. 124)

Benhabib, in response to the need to promote some universal liberal values but fashion them in ways that pay serious attention to issues of difference and power and therefore does not replicate this assimilationist outcome, instead suggests adapting the broad values of post-Kantian thinking with an intense focus on egalitarian and situated reasoning (Benhabib, 1992). Her integrated universalism instead is based on two principles: “the principle of moral respect, and the principles of egalitarian reciprocity” (Benhabib, 1992, p. 29). The latter principle, encapsulates the idea that instead of the impartial lawmaker, that moral outcomes are obtained through real conversations between concrete others despite diverse opinions, views and positions. This approach may be more able to theorise the interface found in this study between universal and particularist drivers of discourse and practice. Firstly, the social worker’s universal embracing of a broad, unconditional respect for persons, a focus on self determination and choice, constrained only by another universal principle: the need to protect children from harm, express the use of universal Kantian type principles in the social worker responses (protection from harm and respect for
persons). Within this, the need to assess and manage both risk and safety expresses both a universal principle (protection of children) but includes aspects of situated reasoning as influenced by real conversations and negotiations with adult and child clients regarding their complex situations and behaviour, and these conversations influence case decisions and outcomes. Thus, this combination shows attention to both universal and individual/contextual factors.

Attempts by social workers to apply universal principles within the actual specific lives of clients show this dual ethical impulse, where for example the contingent line at which respect for parental autonomy is overrode, or the relative evaluations of safety in comparison to (and therefore dependent upon) the client’s life history, reflect the application of universal approaches mediated by individual case particularities and contingencies. The ability to contextualise these universal principles to the specific case, through real attempts to include client’s views, competencies, make relative evaluations of risk and safety, and the adaptation of the logic of risk and safety to indigenous Maori contexts, as well as the more empathic response of ‘putting oneself in their shoes’ might be interpreted as an impulse driven by a desire to apply a more situated ‘realistic’ response to a concrete ‘other’. In doing so, these social workers may well be embodying Benhabib’s ‘integrated universalism’. Social workers are thus the mediator between the universal principles of statute and the more context-driven case specifics of the actual family, reflecting both universal principles and situated contingencies. Thus, social workers used legal rules to establish rights, duties and basic ethical responses (respect), but ‘fill in the gaps’ between these basic rules and case realities, through the use of case related tentative rules, thus showing a contextualised, ‘integrated universalism’ response. These tentative rules were expressed through a strengths based philosophy, the Signs of Safety approach that allowed for relative and contextual responses to risk within a specific framework, Te Aho Takitoru, and the case particularities.

However, even this does not entirely account for an expression of care and empathy for clients nor the extremes of contextualised responses that sometimes overrode universal principles. Many expressed the idea that if they were in the client’s position, they would like to be treated in a certain way, showed empathy for the child’s perspective, advocated on adult client’s behalf with other agencies, or advocated for
the child’s view of the situation within case and legal processes. In some cases, decisions overrode dominant principles such as the family maintenance preference. Explaining these relies on a further ethical notion: an ethic of care.

**Ethic of care**

Another possible addition to the pieces of the puzzle of ethical influences as exhibited in this study is an ethic of care approach. What has come to be called an ethic of care approach provides another important counter to justice (or universalist) ethical approaches. Due to a focus on how the nature of relationships affects moral action and decisions rather than how universal rules or principles do, an ethic of care approach provides another way to examine the gaps between universal principles and the actual actions of practice, and with its relational focus holds some confluence with constructionist concepts. Held (2006) states that:

> An ethic of justice focuses on questions of fairness, equality, individual rights and abstract principles and a consistent application of them. An ethic of care focuses on attentiveness, trust, responsiveness to need, narrative nuance and cultivating caring relationships. (p. 15)

Gilligan’s (1982) seminal work contrasting ethics of justice and ethic of care approaches elucidates the differences between universalist and contextual approaches to ethics, proposing that universalist approaches select only universal aspects of decision rules, while care ethics fully account for a broader range of variables and contextual features in a given situation. Held (2006) proposes that the impartiality favoured by justice approaches does not recognise the salience of moral obligations to those cared for, and describes these ties as an aspect of caring strongly based in relationship, rather than the virtues of one party. She examines how values such as justice, equality, and individual rights can be integrated with such values as care, trust, mutual consideration, and solidarity (Held, 2006).
Some feminist ethical writers argue that balancing an ethic of care and ethic of justice is required in order to provide care and nurture for individuals while at the same time ensuring that there is “…an impartial, fair and universal concept of justice on the other” (Gray, 2010, p. 1805). A number of writers have applied an ethic of care to social work and specifically work with children, examining the areas of confluence and divergence between ethic of justice and ethic of care approaches (Gray, 1995, 2010; S. Holland, 2010; Hugman, 2005; Meagher & Parton, 2004). Others have addressed these issues less directly, pointing out that what parents appreciate most, and appears to contribute to engagement in an adversarial child protection context, are social workers perceived as “…caring, genuine, empathetic, exceptionally helpful, non-judgemental, and accepting”, that is, display the traits associated with an ethic of care (Maiter et al., 2006, pp. 167 - 168) (see also Healy, 2009; Healy et al., 2011; Bundy-Fazioli et al., 2009; Spratt & Callan, 2004; Thomson, 2003).

In child protection, the balance between justice and care must recognise the relational care needs of both children and their parents, while simultaneously operating within a legal framework that requires social workers to apply a legal duty that may remove parental rights – this arguably requires a response that should reflect fairness and the universal reinforcing of parenting standards. However, in this study, an acknowledgment of the complex lived experiences of clients, the inclusion of strengths, and the inclusion as a ‘sign of safety’ the gains parents had already made, results in a contextual and relative evaluation of parenting. As one social worker notes, if she had not understood how well the parents were doing in relation to their backgrounds that included institutionalisation, their own abuse, and prison, she would not have considered them as displaying any Signs of Safety. This contextual evaluation of risks and safety enabled social workers to respond more meaningfully to clients, as they could allow for a specific appreciation of the client’s own life history and how far they had come. This illustrates the constructive capacities of an ethical approach that goes beyond a universalised respect to actual appreciation and care of the individual within their life circumstances (Parton & O’Byrne, 2000). Tronto (1994) argues that an ethics of care approach allows decision-making that is able to recognise the local and particular, rather than that which is distant and impassive. Others noted the need to go ‘above and beyond’ normal duties in order to maintain positive working relationships with clients— this also expresses a more human caring
response than duties can allow for. Sometimes, however, social workers were torn between their duties and caring tasks, most notably the difficulties in caring for both children and their parents when their overriding duty is to children.

So, in conclusion, social workers in this study applied universal, Kantian justice ideals through the narrow constructions of risks as connected to harm, respect for persons, and the legal context, yet the applicability to a relative and contingent real life family and their case maybe better described using the concept of integrated universalism. They also expressed an ethic of care through a focus on constructing strengths, personal support and contextual evaluations. In this way, they combined universal duties with contextual and relational considerations in a manner that reflected the discursive demands of the child protection context, their social work training, and the values of the organisation.

**Process ethics: changes over time**

This final section examines how ethical discourses change over time as the case progresses, relationships are built, and legal processes are worked through. While this change over time generally expressed changes in the types of discourse used, beginning with more duty and consequentialist responses, changing to more contextual, ethic of care, responses. The inclusion of clients in these knowledge construction processes were more likely to occur as the case progressed, as social workers come to believe the client is being open and honest, capable of change, and workers try and behave in ways that engender trust. Thus, while social workers may respond initially with intrusive, corrective, ethic of justice based actions relating to formal logics of risk, over time the common-sense inclusion of parent’s own knowledge and solutions are actively and consciously gleaned by the social worker and included in case planning. This process is informed by the agency ethos, the legal imperative of the CYP&TF Act 1989, and the practice tools utilised that emphasise respect for people as ‘doing their best’ and as sources of competency.

That said, this is a fluid, context-driven endeavor that contains competing demands and discourses. Due to the construction of individual problems as causing the client’s current parenting difficulties, and individual behaviour as risk factors, it may be
presumed that in this context the veneer of discourses of ‘respect’ and ‘strengths’ is simply a vehicle to obscure the underlying corrective aims. However, where the construction of issues, both original and in terms of current risks, can be understood as both reinforcing individualised/family responsibility notions while simultaneously providing a function whereby clients can be constituted as creditworthy instead of blameworthy, combined with a search for safety that promotes engagement and safety building, then the picture becomes more complex. Furthermore, as the reins of control lessen over time and the social worker’s role becomes a more supportive role often focusing on family reunification or maintenance, and personal therapeutic and educational change, this may contribute to an ability over time, for the more intrusive use of ‘hierarchical power’, to change to a more appreciative, caring kind of interaction (Bundy-Fazioli et al., 2009; Rodger, 1991). Similarly, the evaluation of risk lessens over time as clients become viewed as exhibiting safety, trustworthy and capable of change. This may also be interpreted as combining ethical duties, rules, and respect with an ethic of care. As Foucault notes, care and control can exist simultaneously and often do within the child protection context (Foucault, 1980; Healy, 1999; Hugman, 2003).

**Conclusion**

This chapter discusses the major discursive influences on social worker’s judgements in this site of child protection social work, and examines their consequences. It analyses how these discursive influences affect the generation of decision options, the constitution of judgements, the positioning of social actors, and their ethical underpinnings. In keeping with the eclectic nature of knowledge relevant to social work and the nature of grounded, practice-based studies, the theoretical literatures used in this analysis have been wide-ranging (Beckett, 2006; Charmaz, 2003; Milner & O'Byrne, 2002a). Nevertheless, they can all be understood as pragmatic ways of exploring the range of social constructions used and their consequences for the reasoning rationales of judgements, thus responding logically to the stated research questions.

This analysis began by examining the way that the default family maintenance schema acts to constitute the range of decision options. This range of options is
premised on the concept that children generally are better off with their families of origin, for reasons of attachment, needs and identity. However, there can be exceptions to this general rule. The schema can be theorised using cognitive psychological ideas regarding decision-making under conditions of uncertainty and ecological rationality. The schema affects judgements by creating relevant frames and flags that affect attention and search processes within a specific environment. Framing points out the ways the context sets the parameters in reference to the broad aims of practice as family maintenance, and how technologies such as the Signs of Safety act as mechanisms by which information is gathered and used in the service of meeting these broad aims. Naturalistic decision-making emphasises lack of certainty in decision-making and contextual variations in frames. This general schema provides a way to theorise two things: the power of context to construct desirable decision outcomes, and a way to understand some aspects of the decision-making process within that context.

In addition to the family maintenance schema, the ways options are decided upon relates to a series of meaning making ‘layers’. The use of the concept of ‘layers’ draws on postmodern and social constructionist ideas to analyse the content, sources and consequences of powerful and sometimes fragmented and conflicting discourses affecting judgement processes. These layers are structured around concepts relating to children’s best interests, the construction of client ‘problems’, concepts relating to risk and safety, and ideas relating to ethics and values. Each of these layers affects the process of knowledge construction about a client, and is dynamically interrelated with the social worker-client relationship. That is, interpretive frames are initially generated by the social worker, and offer clients subjectivity positions that they respond to. Clients are more likely to respond collaboratively to positions that allow them moral adequacy, (or at least trade-offs), some degree of control over defining their behaviour and situation, focus on their children’s best interests, and implicitly construct them as having strengths and capacities. However, social workers must also construct clients as simultaneously risky as they grapple with their role as protector of children. This dynamic process co-constructs knowledge about clients with clients, who may have differing agenda and interests to that of the social worker. The social worker, through using a combination of positioning discourses, and guided by an ethical/moral consideration of their duties, consequences, care, respect and being non-
judgemental, determines how the client will come to be known and defined, and how much power the client has over the knowledge production process. The outcome is then fed back into the system that then, in turn, directs the decision process.

Within this dynamic process, social workers and clients navigate a number of powerful, and sometimes contradictory, discourses. The first of these is the concept of ‘children’s best interests’, where social workers navigate the tensions between children as rights-bearing individuals and children as needs-bearing family members. In doing so, they utilise Maori concepts of whanau, children’s needs as psychological beings requiring attachment and identity, and definitions of ‘harm’ to include both the harm of abuse and the harm to attachment relationships through either removal or separation. These concepts tended to be used to make decisions that generally support the family maintenance rules, although these can be overridden, especially for children in foster-care. Children in foster-care were viewed more as individuals, whereas children in the care of their biological parents as more embedded in their family system. Social workers drew on children’s rights discourses to inform practices that actively elicited and include the views of children as one influence on defining children’s best interests, in line with the CYP&TF Act 1989 and practice tools. Despite the potentials for over-emphasising children’s role in defining either harm or safety, these practices generally resulted in children having input into decisions and attaining an ‘active subjectivity’. Children were constructed as active participants in case decisions, although this at times conflicted with attachment concepts. In response to the inroads of children’s rights discourses, child focused practices resulted in a lessening of the child-adult distinction. This holds consequences for considering the level of responsibility conferred on children in practice processes, but nevertheless promotes their voice within practice processes.

The second ‘meaning layer’ incorporated both the construction of original problems and the construction of current issues in terms of risk and safety. The views of clients and social workers diverge and converge depending on the case specifics, point in time, and position in relation to the concerns. Creating convergence extends the possibilities for collaboration within a context of social control as well as care and empowerment. Social workers can contribute to a convergence of views by constructing original problems in ways that avoid a sense of blame, creating a practice
focus relating to children’s best interests, constructing risk in specific non-blaming language, safety in terms of client strengths, resources and behaviours that come to act symbolically as ‘signs’ of safety, and showing respect for clients as humans. These constructions offer clients positions that enable at least some aspects of a moral and parenting identity to be maintained, as they offer positions that protect client’s moral identity, support investment in an acceptable parenting identity, and deflect culpability or blame. Constructing clients in these ways were intrinsically tied most strongly to the organisational and professional value bases of social workers, and the Signs of Safety approach used in the organisation to construct risk and safety. As social workers did not need to impose technical, expert interpretations in order to shore up their own professional identities, and were able to provide ongoing personal support valued by clients. This assisted in the maintenance of a relationship that while at times was conflictual and coercive, also contained important aspects of collaboration, participation and negotiation.

Risks were constructed as specific behaviours without antecedents, either psychodynamic or structural. Risks had to be directly linked to concerns regarding direct harm to children. This lessened the blame attached to behaviour, recognised the harm those behaviours were causing children, and limited the parameters of those factors social workers could legitimately intervene on. This way of conceiving of risk and safety also maintained the focus on the individual and their immediate social networks, thus limiting the inclusion of structural or discriminatory factors present in the socio-political context that may be affecting their ability to parent. A focus on the individual and their family system is congruent with the family maintenance schema, the child welfare orientation of the organisation, and creates the aim of practice as determining the nature of parenting within the family context.

In these complex ways that contain aspects of empowerment and oppression, the production of risk, safety and causative problems focused on avoiding blame, creating hopeful collaboration with clients, limited the scope of social worker’s use of intrusive power, but obscured structural components of disadvantage. This has important implications for considering the causes and interventions for child abuse more generally, as they tend to focus on establishing culpability and encouraging abusers to accept it, rather than deflecting it. Understanding the ongoing relational
context and a focus on pragmatic outcomes however, suggests collaborative approaches that can still deal in a robust manner with harm to children, may provide more useful ways to engage with families in the process of developing safety.

Thus, social workers used both individualised constructions of behaviour ‘causation’, risk and safety, and individual respect that supported micro–level empowerment, yet arguably limited the scope of practice by obscuring structural factors impacting oppressively on clients’ situations (Bernstein, 1977; Rodger, 1991). This was especially evident at the start of a case, before relationships had an opportunity to develop. However, social workers exercised their power in productive ways that contributed to client empowerment by affording them a level of inclusion in practice decisions and sense-making. Likewise, clients were also active agents in contributing to constructions of risk, for example, as related to the withdrawal of social work support. Social workers achieved aspects of empowerment by encouraging clients to define themselves in terms of strengths and competence in regards to their parenting, avoided blame of clients, and carefully established those aspects of client’s lives that they had legitimate power over (those that were directly harmful to children). They elicited and included children’s and parents’ views in decision-making, and remained in support roles for as long as possible. By including strengths and protective factors, they were able to construct more hopeful accounts of clients and lessen the accusatory nature of much child protection practice (Swadener & Lubeck, 1995). In these ways social workers resisted the more conservative oppressive aspects of both ‘risk’ and problem construction that have been equated with oppressive, individualised, blaming and conservative practice decisions (Houston & Griffiths, 2000; Milner & O’Byrne, 2002; Thompson, 2006).

Thus, social workers in this study actively deployed both formal and informal logics of risk that resisted intrusive, reactionary responses as much as possible, and this resistance was bolstered by the agency setting, together with the personal values and practice tools utilised, in particular the Signs of Safety (Broadhurst et al., 2010; Kemshall, Parton, Walsh, & Waterson, 1997; Stanford, 2010; Turnell & Edwards, 1999). In this setting, the ‘logics of risk’, that is, the ways risk operated as a cultural lens through which risk was created within the organisational setting, operated in unexpected ways that led social workers to actively and consciously search for aspects
of clients’ lives and behaviours that had become encoded within this setting as symbolising safety (Blumer, 1986; Broadhurst et al., 2010; Charmaz, 1990). In doing so, they took as a given that risk exists on a fluctuating scale, and the taking of managed risks can result in empowering, safe outcomes for both adults and children (Gurney, 2000b; Stalker, 2003). These all assisted social workers in deciding courses of action that as much as possible supported family maintenance in terms of keeping children in their family of origin, their foster family, or returning them after periods of time in care.

In the final meaning layer of ethics, social workers drew primarily on the Kantian concept of respect for persons to guide sympathetic constructions of client problems, include strengths and safety, and limit intrusive intervention. However, in addition this universal principle promoted in their agency, they also used concepts best theorised through integrated universalism and an ethic of care to explain the contextual, relational and caring nature of many decisions. These ethical concepts helped establish the level of intrusion into family life, and thus related back to the family maintenance schema as they helped determine which decision on the hierarchy was most appropriate. The concept of respect for persons helped maintain an attitude of openness to negotiation and client choice over those aspects of clients’ lives that they defined as not defined by their social control role. Respect for persons was emphasised as a value position strongly supported by the Signs of Safety tool and the organisational culture.

The traditional social work value of respect has also been critiqued as individualising social worker responses to clients’ problems without seriously challenging social inequity. However, Fook (2002) provides a timely reminder of the ease with which micro level practices that clients experience as helpful are often dismissed as tokenistic, while Stanford (2010, 2011) encourages a view of social workers as active, value-based agents that can resist the more conservative aspects of risk society. Many writers, drawing on Foucault, remind that micro-contexts seldom contain strict dichotomies of power. In the context of this study, social workers showed a mixed approach to power, drawing on an ethical framework of respect, children’s and parent’s rights concepts to carefully delineate their intrusive or hierarchical power (able to be imposed without parental consent) from negotiated power (Bundy-Fazioli
et al., 2009). This framework is closely tied to their specific role as child protection social workers, and is a response to the need to protect children as well as support families. Healy (1999) notes that the social control functions in regards to parents in the child protection context is justified given the more pressing ethical concern to protect the most vulnerable in this specific site of practice: children. However, she also points out that every context contains both empowerment and oppressive possibilities.

This analysis discusses how social workers’ and clients’ reasoning processes in child protection creates knowledge about clients in particular ways. In this study, social worker and client accounts showed that decisions are a negotiated process related to moral reasoning, subjective positioning, discursive context and relationships as much as the neat application of knowledge about risk factors. Thus, the skilful use of certain constructions in these cases identified by workers as positive provides one way to identify and build on best practice approaches. Treating knowledge as discourse enables a description and deconstruction of the discourses used in practice that struggle in complex ways to meet the pragmatic and ethical aims of social work, rather than a positivist approach that might seek to discover an objective truth about clients that requires a prescriptive response. Burr (1995) describes this link between theory and practice where she states: “…knowledge and social action go together [where] descriptions or constructions of the world...sustain some patterns of social action and exclude others” (p. 4). Thus examining social worker and client accounts highlights the patterns of social action embedded in practice, and allows a careful examination of those we might wish to reflect on and change, and those we wish to sustain in line with social work ideals of empowerment and respect.
Chapter six: Implications of the findings for theory, research and practice

The concluding statements to this thesis aim to give a brief overview of selected findings and provide comment on their theoretical, research and practice implications. This study set out to examine the reasoning rationales for decisions in a specific site of child protection social work practice, that is, a NGO in A/NZ. Its originality and exploratory nature sprung from this context as no other study of decision-making within non-statutory contexts has been completed in A/NZ, and only one in the statutory agency. As such, this study provides an important contribution to the literature. The research questions evolved from a social constructionist perspective that sought to understand the role of certain discourses in constituting sense-making in the process of decision-making within this specific context. This philosophical position leads in three directions. Firstly, to explicate the sources of discourses within the specific social context under scrutiny; secondly, to examine how these discourses may be influenced by the range of situated social actors within a relational, dialogic sense-making process; and thirdly, to discuss the consequences of those discourses as expressed in decision and practice outcomes.

Each of these three directions can contain elements relating to political, ethical, moral, and theoretical concepts, and these elements are often highly situated, that is, affected by the specific context and the relationships between actors within it. Consequences of particular discourses refers to the way certain discourses offer positions to people in relationships that then affect the ongoing process of dialogue, practices and knowledge production. Discourses can also direct the ascription of problem causation and their interventional solutions; influence the flow of resources; constitute moral categories; and shape the ways information is framed and elicited. Thus, decision-making is not the processing of a piece of objective information through an equally objective process of differentiating between, for example, abusive and non-abusive families, but instead is an interpretive and constitutive achievement, driven by particular meanings specific to time and place, interrelated with practice processes, and intrinsically connected to moral and political concerns. A further aim of this study was not to study all practice within the given context, but to elicit an understanding of
cases that social workers identified as ‘pleasing’. In doing so, judgement processes within social worker defined ‘good’ practice can be identified.

As this study was a grounded exploration of decision-making and judgement, it used as its basis a focus on the phenomenon of decision-making itself, rather than just one of the influences acting upon it. Thus, this thesis represents as much as possible all the major constructs found to shape decisions to create an overall picture of judgement in the given context. These major constructs are: family maintenance, children’s best interests, problem construction, risk/safety, and ethics and values, all existing within a situated relational domain. While it could easily have become a study of any one of these major influences on reasoning rationales, or from a single perspective, by retaining all these aspects in the final analysis, a holistic representation is offered that remains at least partially grounded in practice realities. Even then, several smaller themes have been excluded or eclipsed.

The main research question was:
In child protection social work, what discourses are used by social workers and clients to construct reasoning rationales for decisions and judgements in social worker defined ‘pleasing cases’?

The sub questions were:
- What criteria, implicit or explicit, do social workers use to define a ‘pleasing case’, and what does this suggest about how they conceive of good or best practice?
- What do these discourses used to create reasoning rationales tell us about how social workers and clients understand concepts about the aims of practice, theoretical approaches to interpersonal practice, family functioning, psychological /sociological understandings of behaviour, risk and safety, childhood and children’s best interests, the social work role, cultural issues and power?
- What are the sources and consequences of these constructions?
- What is the relationship between the discourses used by social workers and clients, and the type of relationship between social workers and clients?
- How do these discourses influence practices used to elicit and construct information about clients?
**Relationships, discourses and knowledge production**

This study highlights the connections between relationships, power and discourses, usually considered in more singular ways in relation to decision-making. The combination of original problems as relating to mental health/lack of support, safety as possible, and an ethic of deep respect enabled social workers to offer desirable subject positions to parental clients they were more likely to invest in. Morally defensible subject positions present the possibility for parents to retain both a moral and competent parent identity. While they also have to submit themselves to some negative aspects associated with the categorisation of parental lack at some point in the past, nevertheless these discourses functioned to avoid reducing clients to unidimensionally or intrinsically pathological, incompetent, or morally deviant. When parental clients are constructed in this manner, they are more likely to respond without hostility, and in turn, be perceived as honest, capable of change, and this reduces the intrusion of ongoing decisions. Without engagement, risk evaluations rapidly rise. As decisions become more intrusive, clients become more hostile, and children are more likely to be removed. Of course, not every client will respond in this manner, and the position of the social workers as NGO workers may also assist in terms of shaping client perception towards being open to engaging. However, as social workers hold most power in the situation, the onus remains on us to provide the constructions most likely to maximise children’s safety and client engagement.

Of particular note is the change in the discourse of mental illness, which could have been used to justify permanent removal as a ‘disease’. However, the notion of mental illness as a manageable, recoverable phenomena, together with the use of solution-focused tools that search for exceptions did not result in the same oppressive use of ‘psy’ discourses as articulated by Foucault, speaking as he was in a different national and historical context. These types of constructions of clients hold potential as mechanisms for maximising the possibility of collaborative relationships that can contribute to realistic attempts to maintain or return children to their families of origin safely. Without engagement these aims are unachievable. The construction of risk as existing on a continuum, as ‘balanced’ against safety factors, and as possibly manageable within the family context further underscores the value of engaging clients through constructions that defer blame, search for strengths and safety
(implying competence), clearly and narrowly define harm to children, and focus on children’s best interests. Further, the process of practice allowed clients some contribution to, and thus control over their problem construction, and simultaneously encouraged social workers to resist the need to constitute a professional subjectivity premised on an ‘expert’ status.

The importance of the interrelationships between discourses used to constitute the nature of client behaviour and the sources and effects of these are important. The ethical, political, organisational, theoretical and moral underpinnings of those discourses, their effect on the social workers – client relationship, and social worker’s professional subjectivities deserves further exploration in the best practice research. This is an implication that crosses theoretical, research and practice boundaries, as it has implications for all three. With relationship recognised again and again as of primary importance in positive outcomes for both children and parents, but little examination of explanatory discourses and knowledge building practices that contribute to it, this is an area deserving of research and practice attention (Davidson-Arad, 2010; Healy et al., 2011; Howe, 2010; Maiter et al., 2006). Of specific interest would be research questions such as: What is the role of non-culpable problem constructions and solution-focused approaches in other sites of child protection practice? Are they better for some types of clients/problems than others? What are their consequences for decision-making trajectories and tertiary interventions? How can an understanding of positionality and offering viable moral subject positions better inform practice judgements? What are the links between traits appreciated by clients and their impact on the construction of family problems?

**Is family really best? The place of family, attachment theories and relationships in constituting children’s ‘needs’**

Another implication for theory, practice and research is the interface between concepts of family maintenance, attachment theory and children’s rights. As found, children’s best interests were most often interpreted as relating to children’s needs and rights, but with the former being more dominant. While the understanding of children’s relationships as significant in their lives is certainly important, the
confluence of children’s rights, attachment discourses and family maintenance also finds purchase with political interests that attempt to maintain family responsibility for their own and blame individuals and families for issues equally caused by complex social problems. These politics are often aligned with both neo-liberal agendas and ‘risk society’ theses (Webb, 2006). This alignment is most prominently problematic in its use to reinforce maternal availability and the responsibility of women for children where they are equally subject to another state message of the need to work for money, despite childcare responsibilities. These conflicting moral messages leave women in an invidious position. On the other hand, to remove women’s guardianship rights without serious attempts at preservation would be even more unpalatable – especially because most children do have significant ties to their parents that are generally important in their ongoing development, as well as social work’s general value of self-determination and empowerment (Lindsey, Martin, & Doh, 2002). Examining this nexus requires ongoing study.

The related assumed good of family maintenance in terms of children’s needs has relational implications as well as political ones. While Lonne et al (2008) argue strongly, based on qualitative research of care leavers, for the need to try and avoid removal, other research troubles the assumption that family preservation is always best (Biehal, 2007; Davidson - Arad & Wozner, 2001; Davidson-Arad, 2010). Davidson – Arad (2010) for example, compared children removed versus those not removed. While methodologically somewhat problematic (due to the obvious questions around the comparability of the two groups), nevertheless they found that the quality of life of children in alternative care was significantly higher than those who remained at home. Quality of life instruments were rated by four different assessors for each child (in order to examine if case worker’s evaluations were biased due to the need to justify their own decisions). Other research points out the difficulties of evaluation of family preservation given the variability in practice tools used and the specifics of the families presenting (Lindsey et al., 2002; Staudt & Drake, 2002). These all draw us to consider more carefully the underpinning assumptions of family maintenance and developing more nuanced understandings of what is best for which kinds of families presenting in the child protection system in this country. Of particular interest is which types of families and problems may be better suited for efforts at family maintenance than others (Littell & Schuerman,
2002). Research questions would ask: Is family preservation best and in what situations? How can we balance children’s rights to an active subjectivity with their right to protection? What are the pros and cons of each way of constructing children’s needs and rights, and what are the connections to politics of each in practice?

On the other hand, the primacy of a construction of children as having needs related to their primary ongoing emotional relationships, did help in this study to significantly shape constructions of children, children’s rights, harm, abuse, and risk in what could be considered positive ways. The construction of children as highly embedded within their relational context helps resist what Broadhurst et al. call ‘child-centric’ practices that tend to view children in a highly individualised manner, divorced from their ecological context (Broadhurst et al., 2010). ‘Attachment relationships as needs’ lent weight to constructions of removal as containing elements of harm, thus needing ‘weighing up’ against the benefits removal might confer. This reflected both child and parent client views of the distress of removal, and significantly affected perceptions of risk, with neither option considered as ‘risk free’. This helped construct parental clients, crucially, as having something positive to offer their children and challenged a view of placement as being without risk of harm. A focus on maintaining relational needs also allowed for the inclusion of Maori concepts relating to the importance of kin connections, and led to significant efforts to meet the fundamental need for family support required to assist parents to meet their children’s relationship needs. As other researchers have found, a heightened focus on risks as opposed to needs results in reactive, intrusive, individualising practices. The combination of discourses used in this study can be proposed as offering effective mechanisms for meeting the aims of family maintenance, resisting ‘risk thinking’, allowing parental clients opportunities to retain custody while including children’s views and maintaining a focus on family support (Christie & Mittler, 1999). Thus, implications for practice may be to recommend these practices be implemented in statutory and other NGO child protection contexts.

**Who is family?**

Another interesting finding was the differential construction of who could count as family in what contexts, with kin-based, legal definitions used in family group
conferences to define family, but anyone known to the child considered as family for the purposes of foster placement. For Maori this differed again, with anyone defined by parents as whanau (who may not be biologically related) able to contribute to the Family Group Conference process. Considering people known to the child as family clearly reflected again a belief in including children’s felt relationships in decision reasoning, and this was possible in the less formal processes around foster-caregiver selection. Examining how family is defined and operationalised in other child protection settings, or across cultures, should be followed up in further research.

**Te Ao Maori**

This study highlights many issues for Maori social work practice, both for Maori practitioners and Maori clients. The differential ways Maori children’s needs and rights were constructed as requiring access to broader kin networks and cultural practices was of much interest, as were the ways Maori social workers responded to those needs/rights. The divergence of views around appropriate practice models, with some Maori workers preferring formal Maori models, while others stating they were really to educate non-Maori is an important area for further research, especially as Maori children are overrepresented within the child protection system at every level (notification, substantiation, removal). Again, the role of the agency in establishing a egalitarian power structure between Maori and Pakeha within the organisation, developing and implementing a Maori model of practice, employing numerous Maori staff at all management levels clearly assists in the ability of all workers, especially Maori ones, to respond to Maori children in ways that recognise their particular cultural needs (Open Home Foundation NZ, 2005). As the driver of the current CYP&TF Act 1989 was in response to the ongoing unequal removal of Maori children, the attempt to work in ways acceptable to Maori social workers and clients, with a focus on safety and maintenance may assist in meeting the self-determination aims of Maori. Similarly to other themes, however, this micro level practice needs to be complemented with state attention to ongoing discrimination and the intersections between poverty, gender and ethnicity. A more systematic study of the political nature of ethnicised disadvantage, as well as dispersal of the positive aspects of practice with Maori in this site are both important implications (Roberts, 2002).
**Solutions or causes?**

The solution-focused underpinnings of the Signs of Safety approach were evident in this study. This can be seen in the concrete, descriptive statements of concerns, a search for strengths and safety factors and exceptions. This focus on behaviours as opposed to essential natures, whether conceived of in psychodynamic or cognitive terms relates to the Wittgensteinian underpinnings of SF approaches that conceive of language as constructing the realities we come to inhabit, and the impermanence of problem behaviour. For example, de Shazer, in an explanation of Wittgenstein, states that:

> Such mental-process accounts draw on certain misconceived propositions, such as sensations are private, acts of imagination are voluntary, people act on their intentions and beliefs, and so on. The propositions are misconceived, according to Wittgenstein, because they are taken as empirical claims describing interior states and causes of behaviour. In fact, their status as grammatical propositions reveals them to be norms of our psychological language games. They are propositions like "The bishop in a game of chess moves diagonally." This proposition expresses a rule of the game, not an empirical claim about how bishop-shaped figurines move in the World. (de Shazer, 2009, p. 3)

These ideas are clearly evident in this study, and are combined with social work values of respect to help shape constructions of concerns, risks, and safety. However, there are significant tensions between these concepts and other psychologically oriented theories, in particular those that are more psychodynamically oriented. Through describing actions as just actions, rather than finding ‘true’ causes for behaviour, social workers are able to create collaborative relationships, avoid blaming moral judgements, seek client’s views as to the causes of the problems at hand, and view the purpose of their practice as future and solution oriented. These are all found to be helpful in this study. Further, the use of attachment-type theories to explain children’s behaviour was used to increase sensitivity to children’s perspectives, while
solution-focused exception finding was used in future case planning and managing risk – in many cases these were successfully combined. Thus, they are not necessarily mutually exclusive, but can conflict in some cases depending on the specific issues facing the family. This tension between solution-focused and more essentialist theories, particularly in the area of risk assessment, is one that requires further theoretical development in order to clarify their respective roles in regards to reasoning rationales and judgement. Likewise, examining the disjunctions between solution-focused philosophical positions with critical, structural concerns is also an area of ongoing theoretical and research discussion, as discussed below.

**Negotiating the individual vs the structural**

A significant tension running throughout the analysis was the contrast between individualised explanatory discourses and structural discourses, and the implications of this for the politics of collaboration/empowerment versus oppression. I argue that these are not either/or arguments, but rather, represent possibilities for both. The family focus of family maintenance discourses, the use of individual/family oriented needs and rights in the construction of children’s best interests, problem causation as mental illness/lack of support, risk and safety as behaviour and family situation/networks, the specific exclusion of social inequalities as explanatory factors, a conceptualisation of the social work role as essentially a micro one focused on child welfare/support and personal/family change, and an ethical position primarily centred on respect for persons and the self-determination of individuals all held both oppressive and empowering potentials. Many of the complex ways these constructions operate can be interpreted as providing empowerment potential for clients, especially considering the opportunities within them of: non-culpable moral subject positions; the implied parental competence of a future focus on safety-building; the inclusion of children’s views in decision processes; the congruence between a practitioner focus on individual change and client’s own personally satisfying narratives of personal change and overcoming life challenges; the maintenance of parental rights and responsibilities; and a careful differentiation of those aspects of client behaviour that can be subject to hierarchical forms of power and those that cannot. Thus, the ability of social workers and parental clients to actively use their power to contribute to the joint aims of protection of children,
collaborative relationships and family maintenance is in many ways assisted by these constructions. However, the lack of analysis of in particular, the gendered position of parents within broader socio-political structures, and practice as reinforcing the gendered expectations of attachment theory with little regard for the intersections of poverty and gender also contains potential for oppression. Managing these tensions while still being able to act is an ongoing conundrum for social work practice.

Thus, while Berg and Kelly state that “We believe it is time for those in CPS and the child welfare field to institutionalise the paradigm based on respect and empowerment…This new approach encourages the worker to see the client as a repository of resources, not a pool of pathology” (Berg & Kelly, 2000, p.16), Howe (2009) offers a more politically oriented analysis of strengths-based approaches. He locates the rise of strengths-based and solution-focused approaches within the rise in most Western countries of dissatisfaction with traditional welfare approaches. He notes that the introduction of approaches that essentially view the individual as the source of solutions to their own problems came at a time where political will to pay for an expensive state system premised on the notion of state responsibility for its citizens was fast waning. In this context “…across politics and the arts, economic and the social sciences, there was a shift from the political left to the political right, from welfare to justice. The individual and her strengths were re-discovered and celebrated” (Howe, 2009, p. 85). He goes on to point out that whereas earlier theoretically informed approaches in social work such as psychodynamic, cognitive-behavioural and radical approaches had relied on social worker expertise of problem identification, explanation and intervention:

…solutions and strengths perspectives credit the service user with the best knowledge and ultimate expertise about their problems and what to do about them…thus, strengths-based approaches remained true to the liberal economic and individualistic political mood of the time. (2009, p. 87)

These divergent functions of the use of individualised discourses in social work were illustrated in this study. As discussed in the conclusion, these can be found in
Foucauldian notions of being able to express power while simultaneously constrained and oppressed by it. Foucault also acknowledges the influences of power on knowledge production. In this study social worker’s emphasis on allowing clients to influence some aspects of knowledge production, that is, lend them power, while simultaneously enforcing the boundaries of that expression of power, lays out the possibilities and limits of the exercises of power to create empowering and oppressive practices in judgement processes (Healy, 1999). Client’s own resistance to, and use of, individualised discourses of mental illness and personal change to carve out space for themselves also reflected these ideas. That social workers went above and beyond their role, stated a belief in change, used solution-focused approaches and actively engaged clients could also be viewed as examples of them using their discretionary power to effect client power, despite their simultaneous surveillance and control functions (T. Gilbert & Powell, 2010). This created relationships characterised by high engagement/covert surveillance found to be most effective in child protection in other research (Spratt & Callan, 2004). These ways of theorising assist us in developing a complex understanding of the intensely situated position of child protection social workers as agents of change that are heavily constrained by, as well as resistant to, the contextual factors that may promote or impede aspirations of social justice, human rights and empowerment. Relating aspects of micro practice back to a broader analysis of power remains a task for social work to hold fast to, especially in the current trend to define practice in ever increasing technical and clinical ways divorced from the macro context.

Thus, future development in theory and practice requires an adequate grasp of the contingencies of the child protection and NGO contexts, and must resist simplistic applications of ethical concepts relating to power (Healy, 2005). Research that examines the empowerment potentials within real sites of practice would aid in this goal.
**Organisation as buffer against the storm: the role of the organisation in mediating between state and client**

The construction of problems, the use of the Signs of Safety and indigenous models, a child welfare orientation that focuses on family support and needs, microconceptualisations of the social work role, an anti-expert professional identity, and the use of an explicit ethical and values framework are all factors that draw attention to the role of the organisation as an important mediator of meaning in judgements and decisions. This was especially important in maintaining a child welfare approach despite the broader socio-political context clearly swinging towards more punitive, child protection orientations that totally individualise problem causation. In this context, the organisation (not just the social worker) helps to create a microcontext that while performing the surveillance roles imposed on them by the legislation, attempts to ameliorate this by utilising discretionary power over those aspects they have power over: practice tools, theoretical models of practice and organisational values. In turn, social workers are part of the chain of actors involved in communicating this to clients, again with both surveillance and individual discretion possibilities. Stanford’s (2011) studies of ways that social workers resist the more conservative expressions of ‘risk’ offer valuable insights into how social workers maintain practices that express the ‘ethical will’ of the profession, but points out that these must also be supported by organisational contexts and cultural norms. These complex patterns of power require critical examination in any study of practice, and the possibilities for NGOs to act as a buffer that is able to create more empowering practice contexts for clients remains an important future direction for organisational research, theories of power, and practice.

**Ethics and reflexivity**

This study highlights the need for social workers to be able to reflect on the implicit content of their practice as a method of examining both the paradigms they are utilising in practice, to learn from practice experience, and most fundamentally, to examine the ethical content of their practice. Some have developed an approach to reflection termed ‘epistemic reflexivity’. For example, White (1997), following
Bourdieu, (1992) argues that the ways people are viewed is influenced by the position one holds in relation to them, thus:

epistemic reflexivity may only be achieved by social workers becoming aware of the dominant professional constructions influencing their practice. For example, with contemporary child-care services, these pivot around notions of parental dangerousness and fragile childhoods. This does not mean that these constructions have to be rejected wholesale, simply that workers should be explicitly aware of the need to consider the consequences of their analyses and formulations… . (pp. 748 – 9)

Such issues are directly relevant to this study, as it represents a careful examination of the dominant professional constructions existing in this context, and highlights their implication in not only knowledge production, but in the empowering and oppressive subject positions and relationships they make possible. Feeding back the findings of this study, together with the theoretical analysis, to the agency involved and child protection social workers in other contexts is therefore potentially of use as a mechanism by which they can enhance ‘epistemic reflexivity’ and improve their practice consciousness, that is, their ability to consciously draw on constructions that will assist them in their goals, both relational and practical. This feedback is a future implication for practice that is being enacted through the use of research reports, presentations at the organisation’s own national conference, as well as other conferences internationally (Keddell, 2009a, 2009b, 2009c, 2010a, 2010b, 2011a).

Reflexive concerns lead to a consideration of the ethics of the child protection system more broadly. Lonne et al (2008), for example, ask:

Why is there such an absence of discussion about ethics compared to legal and procedural matters in the child protection literature?.... Might it mean that to propose any other framework other than one that relies so heavily on the ‘best
interests’ principle, is to invite the chagrin of advocates that have fought long and hard, and largely succeeded, in highlighting the vulnerabilities and abuses of children and therefore sees themselves and children at risk if the rights or needs of other stakeholders are addressed? (Lonne et al., 2008, pp. 115 - 116)

They go on to note that ethical choices are often constrained by rigid codes for practice that do not provide adequate guidance in the messy, contested and uncertain world of practice, and furthermore, that ethical practice is not “…just about what we do (the action) – it is about how we do it” (Lonne et. al., 2008, p. 118, italics theirs).

The practice outlined in this study provides some valuable pointers in developing processes – the how - that may provide ways to ameliorate against the worst effects of the intrusive nature of the role. This attention to collaborative processes enabled some elements of empowerment and, crucially, the maintenance of relationships as decisions were made.

While many writers have explored the relative application of virtue ethics, ethics of care, and care for the ‘other’ as ethical imperatives, these all remain less than ideal in examining how the interaction of context, duties and the individual interact circumstances interact. Just as we cannot leave ethical decision-making in the hands of strict ethical codes and bureaucratic guidelines, nor is a reliance on the virtues or ‘other’ motivation of individual workers sufficient in and of itself to ensure an ethical approach that engages with the realities of protecting children, working with families and communities, and addressing the structural drivers of child abuse and the child protection systems. Multiple ethical impulses are present and these should be as transparent as possible. The important role of Kantian type duties, the potentials that still exist in universal ‘respect for persons’ concepts, and an ability to adapt ethical concepts to case particularities requires ongoing debate and development. In this role, again the agency as a power-holder able to articulate a set of coherent values is an important site of supporting social workers in their roles and assisting them to clarify the complex ethical aims of their role. Future theoretical development in this area that
includes the perspectives of practitioners and clients is crucial in order to achieve a more elegant articulation of context-specific ethical approaches.

**Methodological reflections on critical best practice**

As noted in the literature review, ideas on reflection as a method of knowledge and theory generation, beginning, in social work at least, with Schon (1983, 1991) directly challenge the “ruling epistemology, which tended to privilege knowledge created through a more ‘objective’ research process” (Fook & Askeland, 2006, p. 41). In this, his ideas underpin many attempts to build practice theory directly from practice experience. There is much interest in 'research based' practice - often reflected in social work research orthodoxy about 'what works'. However, what works is often presumed to be amenable to quantitative methods that can discover what methods are reliable, pragmatic and effective. This tends to focus on “practical means to change behaviour in order to achieve social control” (Humphries, 2009, p. 309). This narrow perspective of ‘what works’ does not examine the influence of context, ignores questions of how the behaviour came to be constructed as a problem, what standards its measured against and its meanings for those who become the targets of intervention. It also constructs practice as something to be ‘done’ to clients, rather than a mutual activity co-generated between clients and practitioners (Witkin, 2001). This study instead drew on the premises of critical best practice, using a qualitative, constructivist, grounded approach to create a detailed examination of practice defined as successful by the social worker stakeholders (Ferguson, 2008). Gaining some clients views contributed to this aim, as it took as a given the valid contribution of clients to the practice process of creating knowledge for judgement. An understanding of ‘what works’ in social work practice must take seriously the relational nature of practice in the development of best practice approaches, as well as an ability to get under the skin of policy to examine what is actually happening in practice settings. Comparing the findings of this study with qualitative examinations of practice at other sites of practice will assist in the further development of an understanding of what is currently happening in practice decision-making, assist in the creation of practice models, contribute to the debate on ethical imperatives, and develop reflexive approaches to the processes and consequences of knowledge production.
Finally, Lonne et al. (2008) propose that a reform of child protection systems is required. They state that:

we approach child protection very broadly and locate child protection systems within a contemporary understanding of what a humane civil society might look like – one in which a commitment to maximising child and family well-being rather than risk-aversion must be a central platform. (p. 102)

They also note that any new system should be based on “…core ethical principles and values of respect and justice as well as duty” (p. 102), and that a comprehensive new approach must be among other things, “…ethical, value-driven and relationship – based practice that is grounded in, and facilitative of neighbourhood and community-based social care systems” (p. 100).

Thus, a consideration of the possibilities of practice to achieve empowerment aims calls into question the current moves within child protection in this country towards justice approaches and an increase in legal interventions, at the expense of the more relational, network-oriented practice already being undertaken in the NGO context of this study (Keddell, 2012). In relation to Lonne et al.’s ideal, the NGO under study is in the right ‘ballpark’ in its emphasis on values of respect, a focus on relationship, and a resistance to risk aversion. Future legal and welfare policies however may force both it and other providers of child protection services towards more risk averse, punitive, technical, oppressive approaches. Identifying these changes, describing a more successful and effective alternative, and articulating its political and human consequences provides a valuable resource for activism and resistance.


Field, J. (2008, 3.8). [Interest in the outcomes of a study of the Signs of Safety, refusal of research access ].


Gray, M., & Gibbons, J. (2007). There are no answers, only choices: Teaching ethical decision making in social work. Australian Social Work, 60(2), 222 - 238.


James, A. (2002). The mcdonaldisation of social work - or come back florence hollis, all is (or should be) forgiven. In R. Lovelock, K. Lyons & J. Powell (Eds.), *Reflecting on social work: Discipline and profession*. Dartford: Ashgate.


Appendix one: Interview outlines

Questionnaire: Social workers
Exercising judgement: decision-making in social work practice with children and families.

Gender:
What ethnic group do you belong to? You may give more than one response.

Length of experience in social work:
Qualifications:

1. Tell me about a case you had recently that you feel pleased with. Choose a case that was fairly complex; where you had to make some kind of judgement or decision (or a number of them); and you used the Signs of Safety approach.

2. In that case, how would you explain what was causing the family’s problems?

3. In the case you’ve just told me about, can you explain your reasoning in coming to the decision or judgement you did? What helped you reach the decision?

4. In the case you’ve been telling me about, were there competing versions of ‘reality’, or different perceptions about what was happening in a family situation? How did you deal with these? Did you reach any ‘impasses’ and how did you deal with these?

7. In the case you’ve been telling me about, how do you think the family viewed the situation? How did they react to you?

8. How did you feel in the midst of this case? How did your emotional reaction contribute to your decision?

9. How did issues relating to ethics, values or culture affect the way you worked with this family?

10. How did the use of ‘Signs of Safety’ contribute to your decision-making process?
11. Did the ‘Signs of Safety’ approach affect the kind of relationship you had with the family? In what ways?

12. Has the ‘Signs of Safety’ approach changed the way you write up a case or present it to your supervisor?
13. Do you see any problems with the SOS approach?

**Questionnaire: parents**

Exercising judgement: decision-making in social work practice with children and families.

**Gender:**

**Age:**

**What ethnic group do you belong to? You may give more than one response.**

**Questions:**

1. Tell me about the decisions that have been made about your family situation during your work with the Open Home Foundation.

2. How did the decisions get made? Why were they made?

3. Did you feel you were part of making those decisions?

4. Did you feel your child’s views were part of making those decisions?

5. How did you view the situation you were in with your family?

6. How do you think the social workers you were involved with saw the situation?

7. How would you describe the attitude of your OHF social worker to you? What did you think of him/her?

8. Did you feel you had a good working relationship with your social worker? Why/why not?

**Questionnaire: foster parents**
Exercising judgement: decision-making in social work practice with children and families.

Gender:
What ethnic group do you belong to? You may give more than one response.
Length of time as foster carer:
Tell me about how X came to be in your care.
What is your view of the decisions that have been made about X?
What is your view of the causes of X’s family issues?
What kind of input have you had into the decision-making process?

Questionnaire: children and young people
Exercising judgement: decision-making in social work practice with children and families.

Gender:
Age:

What ethnic group do you belong to? You may give more than one response.

Questions:

1. Tell me about the decisions that have been made about your family situation during your work with the Open Home Foundation.

2. Why were (those decisions) made?

3. Did you feel you were part of making those decisions?

4. How do you feel about the decisions? Ie. Were they good for you? Were they good for your family? (use feeling cards if appropriate)

5. How would you describe the attitude of your OHF social worker to you? What did you think of him/her?

6. Did you feel you had a good working relationship with your social worker? Why/why not?
Appendix two: Research proposal for NGO

Research Proposal: Emily Keddell  
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1. Research Topic:

Making knowledge for exercising judgement: decision-making narratives in social work practice with children and families.

2. Significance of the problem and contribution to knowledge:

The study of how social workers actually do their job is necessary for a number of reasons. Firstly, there often exists a rather large and trenchant gap between the theory and practice aspects of social work. The academic side of social work claims theoretical rigor, and the practice side claims the pragmatic moral high ground (Beckett, 2006; Turnell & Edwards, 1999). In social work with children and families in particular, as the stakes are so high, the importance of knowing more about how social workers in this role make decisions clearly has huge ramifications for children and families, for organisational practice and wider child welfare policy (Stanley, 2005). Numerous authors, both here and overseas have noted the need for more research into the practices and organisational aspects of social work with children and families that are so influential in determining how problems are defined, and what might be done to remedy them (Buckley, 2000b; Spratt, 2000).

The Brown report (M. Brown, 2000) further illustrates the need for research into how social workers currently do assessments, and Boyne (Boyne, 2003) notes the need for more ethnographically based research into how people manage risks on a daily basis. This study seeks to help remedy this gap in knowledge by contributing to an
understanding of how social workers who work with children and families make sense of, construct into a coherent picture, and act on the information they receive. This construction of knowledge-for-action is not an individual task, but one negotiated between the worker, their role and remit, the clients and their understandings, and takes place within organisational and legal systems. It is informed by both formal and informal theories, personal and societal discourses, ethical considerations and value positions. As such, the study of this area makes an important contribution to our understanding of how social services contribute to the lives of clients.

3. Purpose:

The purpose of this project is to investigate how social workers form judgements in order to make decisions. As they do this they rely on their interpretation of available knowledge of the case, and this interpretation in turn derives from particular discourses embodied in both formal and informal theories, practice wisdom, organisational policies and culture, legal imperatives, the client’s worldview, and the worker’s own ethics, values, culture or emotional response. Drawing on and mediating between such diverse knowledge bases, themselves often contestable and changing according to historical and cultural location, social workers are required to construct ‘plausible narratives’ that they must rely on to validate and legitimate their decisions (Bull & Shaw, 1992). Such theorising is not only that derived from formal theories of, for example, human psychology or sociostructural theories, but the worker’s own sense-making of the case based on their practice experience, interactions with the clients, and organisational directives. This project aims to illuminate these sense-making processes, and provide some insights into the theory-practice interface.

The judgements that underpin decisions include an estimation of risk, analysis of the family situation, and aspects of strength or safety. In order to balance the existing emphasis on risk, itself the symptom of an increasingly ‘risk averse’ society (Lupton, 1999), the ‘Signs of Safety’ tool has been developed in Australia to encourage social workers to engage more collaboratively with families and perhaps create a space for clients to make a case for their ‘creditworthiness’ as well as ‘blameworthiness’
(Turnell & Edwards, 1999; S. White et al., 2006; S. White & Stancombe, 2003). In psychological terms, a balancing of risk and safety elements encourages social workers to avoid the cognitive pitfalls of ‘confirmation bias’ (looking for evidence to confirm one’s initial impressions) or holding fast to an ‘anchor hypothesis’ by providing a framework that emphasises looking for aspects of safety within the family situation in addition to elements of risk {Kahneman, 1982 #93;Sheppard, 1995 #92;Taylor, 2006b #71}. In such work it is usually elements of risk that has led to the family being identified as one likely to cause harm to their children, but such instances of risk are seldom the whole story with regards to that family, and often relate to the worst possible moments in that family’s life. Further, strict hypothetico–deductive approaches to decision-making in social work cannot account for the multiplicity of views that might all be ‘true’ in many respects, or reflect different people’s constructions of the truth that might need to be accounted for in the decision-making process {Taylor, 2006b #71;White, 2003 #45}.

4. Outcomes:

A. Knowledge

Deeper understanding of social worker’s everyday sense-making of cases – of interest to OHF, the researcher and wider social work communities of both practitioners and academics.

Understanding of how such sense-making/theories/values/ethics/culture/emotion impact on decision-making and judgements.

Understanding of how the process of making case decisions may be a negotiated outcome between the worker, parent, foster parents and children/young people.

Increased ability of social workers to reflect on and articulate the reasons for particular actions.

Understanding of how all stakeholders (social workers, parents, young people, foster parents) hold particular views, and how these perspectives are expressed, negotiated and integrated into decision outcomes.

Increased relevancy of teaching and thinking about theory for practice in social work education.
Greater understanding of how aspects of risk and safety are negotiated by social workers in a family situation, and how the ‘Signs of Safety’ approach might influence this.

B. Publications
Report for Open Home Foundation covering findings – qualitative analysis of social worker responses and case studies of those few cases where all stakeholders have been interviewed (see methodology).

PhD (Emily Keddell)

Publications in various journals with these extremely provisional titles: (obviously having not done the study yet, I can’t really predict what I might find out, but these are some ideas…)

“Collaborative ethnography and appreciative enquiry: appropriate tools for researching social work practice?”

“Theory from and theory for practice: social worker accounts of decision-making in work with children and families”.

“Ethics, values and culture in decision-making narratives: making the implicit explicit”.

“Risk and Safety: how the ‘Signs of Safety’ approach influences decision-making and worker-client relationships”.

“Case studies of practice: negotiating shared understandings for action”.

“Teaching social work theory: messages from practice”.

5. Methodology:
A. Justification

This study uses a qualitative methodology (see Appendix 1). Under the broad heading of qualitative research, this study draws on aspects of collaborative ethnography, appreciative enquiry/critical incident and narrative traditions. All such perspectives emphasise the need to get inside the cultural world of the participants in order to gain some understandings of their social world, social understandings and the meanings of social practices within particular contexts. Decisions are based on an evaluation of the social world as we apprehend it – therefore the meanings both social workers and other stakeholders attach to particular events are of interest in this study. Qualitative and collaborative methods are therefore best able to elucidate and explain such areas of interest. Such approaches focus not only on the ‘what’ questions (ie what was the decision outcome), but also the ‘why’ behind it. The dynamic nature of research design is also emphasised, particularly in the collaborative and grounded theory traditions. New research questions may emerge during the research process and be incorporated into the research – this is quite normal and even desirable in this kind of research, as it acknowledges the exploratory nature of such a project, and provides flexibility as the research proceeds.

Method

• Building relationships with key informants within the organization, finding out about the legal, social, organizational and cultural factors that influence practice in this particular organization/field/country.

• Interviewing social workers at 3 - 4 sites around the country – 15 – 40 workers if possible. My general approach will be to arrange 2-3 days with a site manager to spend in their office. I will begin at each site with a brief overview (30 mins) of the research, then invite social workers to participate – those interested will then be able to make appointments for interviews over the following days. In the times I am not interviewing, I will be available to answer any questions, and probably ask lots of annoying questions as part of finding out in a more informal manner the ways practice is ‘done’ in each office. This ‘everyday practice’, taken for granted by most social workers, is often missing in the social work academic world, and part of my agenda is to drag some of it back with me. As (Latour, 1999) notes: “Actors know what
they do and we have to learn from them not only what they do but how and why they do it. It is us, the social scientists, who lack knowledge of what they do, not they who are missing the explanation of why they are unwittingly manipulated by forces exterior to themselves…” (p. 19). Further, often organisational cultures are taken for granted in practice accounts, but this is often at least as influential as theories or individual factors, so informal observation is of interest in gaining an understanding of the context of practice.

- Interviewing all stakeholders of 1 – 2 cases at each site as a ‘theoretical sample’ – including, where appropriate, parents, foster parents, young people (aged 8 or older). I will rely on managers/workers to identify these people in the first instance, but I will explain the research to them and then ask them if they would like to take part as per the consent process.
- Follow up social worker focus groups (either in person or online depending on funding) – the initial findings will be presented to social workers and they will be invited to analyse, reflect and comment on them.
- Sending by post a copy of the transcripts from the interviews to young people, parents and foster parents, inviting them to correct or add comment to anything covered in the interview.
- Continuing contact with 2-3 people in the organization as a reference group available for discussion/questions/input.

**Potential Risks and Protections for your organization and clients.**

**Risk:** Either social workers or clients might be compelled in some way to take part in the research.

**Protection:** Firstly, you can be assured that the University ethics process is rigorous in terms of ensuring ethical processes are adhered to. Consent is gained directly from each participant, and consent can be revoked by individuals at any time. Each participant will be provided with an information sheet and consent form. Consent forms specifically designed for the young people involved will be ‘talked through’ with the young person to ensure they understand the meaning of consent and their
ability to withdraw at any time. Social Workers will be reassured that they are not compelled to take part despite organisational approval of the project.

**Risk:** Participants might be identified in some way.

**Protection:** Anonymity is guaranteed to all participants in any resulting publication, although participants might recognise their own comments if quoted directly. Given the small number of case studies of decisions, workers, clients and foster parents may recognise each other’s comments in publication. These particular participants will be alerted of this possibility in the consent process. In terms of your organization, I am happy to agree not to name your organization directly in any resulting publications, although again New Zealand readers may deduce your organisational identity. Likewise, if you would like to be named I am agreeable to that too.

**Risk:** Negative findings might be published about your social workers’ practice.

**Protection:** While I can’t promise you that I won’t find out anything negative, nor agree to not publish it, there are several protections in place for your organization, workers and clients. Firstly, my general approach is one of appreciative enquiry, where my questions consist of a social worker telling me about a complex case they are ‘pleased with’ (see Appendix 1). Thus the whole interview is framed around a best practice approach that seeks to focus on social worker expertise that result in positive outcomes.

Further, I acknowledge that in a child protection context ‘perfect’ outcomes are nearly unheard of, and choices between several courses of action, each of which may have unavoidable negative consequences, is recognised. A ‘good decision’ doesn’t necessarily mean that everyone involved is happy with it, but that it was a justifiable course of action given the options and likely outcomes. While some evaluation of the ‘rightness’ of particular decisions is unavoidable and may be deduced by readers of the study outcomes, I am more interested in the processes of reasoning, influence, meaning-making, and knowledge construction that result in a decision, rather than evaluating whether a decision was ‘right’ or not. Many times this can never be established, because we can never know how the situation might have developed if a different decision was made. However, in this study, the various stakeholders
perceptions of rightness and their reasoning behind this is of interest. This wider context of child protection work will be made clear in any publication.

Another protection for your organization is the collaborative methodology whereby you have some input into the analysis of the initial findings through the focus group and reference group processes.

**Bio – just so you know a bit about me…**

I am a social work lecturer at the University of Otago’s department of Social Work and Community Development. I was born and raised in Dunedin, and did my initial training here, qualifying in social work following a double major BA in Maori Studies and Social work. During my study I volunteered with Te Hou Ora, helping with their girls’ program. I then went to Britain, and spent two years there holding a range of social service positions, including: care and protection social worker, children’s residential social worker, community worker. I returned to A/NZ in 1998 in time for the birth of my first child, completing my Masters thesis between him and my next one 18 months later. I then worked part time for Barnardos as a Family Support worker and Parent Education Co-ordinator for 18 months before staying at home for several years following the birth of my third child in 2002. I gained a position here at the University in 2005, and continue to work on a part time basis. For the last 3 years I have also provided respite, emergency and short –term foster care for CYFS.

My teaching responsibilities are loosely related to interpersonal theories for social work practice; and fields of practice. My research interests include social work policy and practice with children and families, cultural identities, and the use of the arts in social work education.

Should you have any further questions, please feel free to contact me:

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Ph. 03 479 9019.
Appendix three: Deed of Confidentiality

DEED OF CONFIDENTIALITY

THIS DEED is made this 11th day of September 2008

BY ("The Researcher") Emily Kedell

Background

A The Researcher is undertaking a Project:

Making knowledge for exercising
judgement: decision-making narratives
in social work practice with children
and families.

B For the purposes of the Project, the Researcher requires access to Confidential Information held by the Open Home Foundation of New Zealand (OHF).

C For the purposes of the Project the Researcher may also need to observe, question, or conduct interviews.

D OHF is willing to give the Researcher access to Confidential Information it holds subject to the terms of this Deed.

The Terms of this Deed are as follows:

1 Definition

1.1 "Confidential Information" means any confidential information held by OHF or obtained through the observation, questioning or interviewing of OHF staff, clients or other persons dealing with OHF and includes but is not limited to confidential information:

(a) relating to the organisation, methods, administration, operation, business affairs, or financial or commercial arrangements of OHF clients or other persons dealing with OHF

(b) relating to any OHF clients or other persons dealing with OHF, including name, address, personal, medical or business affairs or any other information; and
The XYZ Company

CONFIDENTIAL INFORMATION

Protection of Confidential Information

1. Access and display of Confidential Information:
   a. Employees and other authorized personnel must access and display Confidential Information only under the guidance of the appropriate supervisor or authorized representative.
   b. Unauthorized access or display of Confidential Information is strictly prohibited.

2. Use of Confidential Information:
   a. Confidential Information may be used only for the purposes authorized by the Company.
   b. Unauthorized use of Confidential Information is strictly prohibited.

3. Protection of Confidential Information:
   a. Confidential Information must be protected against unauthorized access and display.
   b. Unauthorized access or display of Confidential Information is strictly prohibited.

4. Confidential Information:
   a. Confidential Information must be protected against unauthorized access and display.
   b. Unauthorized access or display of Confidential Information is strictly prohibited.

The XYZ Company
Appendix four: Ethics application and approval letter

Application to the University of Otago HUMAN Ethics Committee for Ethical Approval of a Research or Teaching Proposal involving Human Participants

PLEASE read carefully the important notes on the last page of this form. Provide a response to each question; failure to do so may delay the consideration of your application.

1. University of Otago staff member responsible for project: Walker, Peter, (Dr.) AND Barusch, Amanda, (Prof.)

2. Department: Social Work and Community Development

3. Contact details of staff member responsible: Ph. (479) 7651
   peter.walker@otago.ac.nz   amanda.barusch@otago.ac.nz

Title of project: Making knowledge for exercising judgement: decision-making narratives in social work practice with children and families.

4. Brief description in lay terms of the purpose of the project:

The purpose of this project is to investigate how social workers form judgements in order to make decisions. As they do this they rely on their interpretation of available knowledge of the case, and this interpretation in turn derives from particular discourses embodied in both formal and informal theories, organisational policies, legal imperatives, the client’s worldview, the worker’s own ethical, value-based or cultural position, and human cognitive processes. Drawing
on and mediating between such diverse knowledge bases, themselves often contestable and changing according to historical and cultural location, social workers are required to construct ‘plausible narratives’ that they must rely on to validate and legitimate their decisions (Bull & Shaw, 1992). Such theorising is not only that derived from formal theories of, for example, human psychology or sociostructural theories, but the worker’s own sense-making of the case based on their practice experience and organisational directives. This project aims to illuminate these sense-making processes, and provide some insights into the theory-practice interface.

Such ‘plausible accounts’ that become decisions include an estimation of ‘risk’, analysis of the family situation, and aspects of strength or ‘safety’. In order to balance the existing emphasis on risk, itself the symptom of an increasingly ‘risk averse’ society (Lupton, 1999) a new approach called the ‘Signs of Safety’ has been developed in Australia to encourage social workers to engage more collaboratively with families and perhaps create a space for clients to make a case for their ‘creditworthiness’ as well as ‘blameworthiness’ (Turnell & Edwards, 1999; S. White et al., 2006; S. White & Stancombe, 2003). In psychological terms, a balanced approach purportedly encourages social workers to avoid the cognitive pitfalls of confirmation bias or holding fast to an ‘anchor hypothesis’ by providing a framework that emphasises looking for aspects of safety within the family situation in addition to elements of risk (Kahneman, 1982; Sheppard, 1995; Taylor, 2006). In such work it is usually the latter that has led to the family being identified as one likely to cause harm to their children, but such instances of risk are seldom the whole story with regards to that family, and often relate to the worst possible moments in that family’s life. Further, strict hypothetico-deductive approaches to decision-making in social work cannot account for the multiplicity of views that might all be ‘true’ in many respects, or reflect different people’s constructions of the truth that might need to be accounted for in the decision-making process (Taylor, 2006; White, 2003).
While some aspects of social work practice require the acceptance of some facts as being objectively ‘real’ (for example, injuries to a child), many ‘facts’ that we might draw on to explain why the injuries occurred, and what the chance is of them happening again cannot be approached in such a realist manner. For example, is a parent’s hostile and aggressive presentation due to their feelings of guilt over a child’s injuries, a lack of trust for authority figures, a fear of the children being removed regardless of the cause, or because of other stressors such as the death of a friend, a migraine, financial pressures? How do the way clients convey their interpretation of the situation affect social worker’s response to them? If social workers subscribe to particular ideas about the cause of human behaviour, for example from psychodynamic theory, these ideas are likely to impact on how clients are perceived, how decisions are ‘framed’, and their problems constituted in the professional discourse. How do social workers interpret a family situation, and what kinds of knowledge for practice are useful in terms of building relationships with clients that allow for not only identification of problems, but positive change?

The growing emphasis on critical reflection in the social work literature encourages social work practitioners and researchers towards investigating the ways that relationships and outcomes are influenced by the available discourses and knowledge bases used to define client problems, needs and responses (Adams, 2002; Fook, 2002a; Fook & Askeland, 2006; Hall et al., 2003; Schon, 1991; C. Taylor & White, 2000; S. White et al., 2006).

There are few ethnographic, narrative studies of how social workers actually do their job and the processes involved in constructing knowledge for action. This construction of knowledge-for-action is not an individual task, but takes place within organisational and legal systems, negotiated between the worker, their role and remit, and the client. As such, the study of this area makes an important contribution to our understanding of how social services contribute to the lives of clients.
6. Indicate type of project and names of other investigators and students:
   Staff Research
   [ ]
   Student Research  [x]
   Multi-Centre trial [ ]

7. Is this a repeated class teaching activity?
   [ ]
   [x]

If applying to continue a previously approved repeated class teaching activity, please provide Reference Number:

8. Intended start date of project: August 1st, 2008.

Projected end date of project: Nov 30th, 2009.

9. Funding of project.
   Is the project to be funded:
   (a) Internally  [x]
   (b) Externally

Please specify who is funding the project:

10. Aim and description of project: (Clearly specify aims)

The aim of the project is to answer the following loosely related research questions:

1. How do social workers construction decision-making narratives in work with children and families? In what ways do they draw on ideas, reasoning and understandings from the following sources:
- case information details
- knowledge of dynamics of child abuse
- theories of family systems, human development and behaviour (formal theory)
- theories of wider social systems such as class, gender, ethnicity
- practice wisdom
- popular psychology or ‘common sense’ views
- emotional response
- aspects of what might contribute to risk and safety
- family presentation/negotiation
- organisational policy and practice guidelines
- ethics, values, culture
- own sense-making/theorising re all of the above
- localised cultural knowledge
- Discourse and discourse/power dynamics

2. In what ways do other case stakeholders, that is, children, parents and foster parents contribute to and perceive the decisions reached?

3. What aspects of practice reflexivity are displayed by social workers? How do they build practice wisdom and theory from practice (as opposed to theory for practice), and how does the interaction with others affect this?

11. Researcher or instructor experience and qualifications in this research area:

MCApSc. Child protection, Family support and Residential social work positions.

12. Participants

A. Social Workers currently working with children and families through the Open Home Foundation at 2 - 3 sites around NZ.
B. Clients and co-workers in the organization, specifically parents, children and young people (aged 8 and above), and foster parents.
12(a) Population from which participants are drawn:

A. Social workers currently employed in this role with Open Home Foundation – 15 - 40

B. Parents of families who have worked with OHF on care and protection issues for 3 months or longer.

C. Children and young people who OHF have worked with on care and protection issues, aged 8 - 17, for 3 months or longer.

D. Foster carers, where applicable, who may have cared for a child or young person.

12(b) Specify inclusion and exclusion criteria:

A. Must be currently employed in this role.

B/C May be either present or past clients. Will be identified by the organisation – those with significant mental health problems excluded.

B. Participants from B, C, and D all to be from the same case (see methodology)

12(c) Number of participants:

15 – 40 social workers
3 – 5 parents
3 – 5 children/young people
3 – 5 foster carers

12(d) Age range of participants:

8 plus for children/young people
18 and older for all other populations

12(e) Method of recruitment:

I have negotiated access to the Open Home Foundation via the Christchurch and National Offices. They have approved my
proposal. I am hoping to interview workers based in three of their offices. Clients and foster parents will be approached initially by the organization, then asked by me if they would like to participate.

12(f) Please specify any payment or reward to be offered:

If funding is approved, I will offer a koha of $500 to the organization.

13. Methods and Procedures:

The study employs a critical incident technique and case study approach, loosely framed in ethnographic traditions (Boyne, 2003; Clandinin, 2007; Fook et al., 2006; Geertz, 1973; Silverman, 1993; Stanley, 2005; A. Turnell, 2007). The format begins with some relationship building with the organisation, including site visits and negotiation with the organization about the aims and methods of the study. In the course of this, some field notes will be made as to organisational culture and practices. I also hope to form a reference group of 3 – 4 employees of the organisation for checking of details and analysis discussions throughout the process.

Then individual social workers will be invited to participate, making it clear to them that they can choose to consent, despite their organisational mandate for the research. Basic demographic data will be taken, such as gender, ethnicity, experience and qualifications. As per the Ngai Tahu research consultation committee’s response to this project, an adaptation of the Census question on ethnicity will be used (adapted for verbal nature of interviews – see Appendix 5). Social workers will be interviewed at their workplaces using an open-ended ‘critical incident’ questioning technique. They will be asked to describe a case they feel pleased with, and one in which they used the Signs of Safety approach. They will simply be asked how they reached the decision or judgement in that case, and several follow up questions designed to add more detail to the initial answer (see Appendix 1).
At each site, 1-2 cases will be identified (total = 3 – 6) as potential intensive case studies in order to provide a ‘theoretical sample’ to add trustworthiness to the main method of interviewing social workers (Ferguson, 2004). This will function to gain as complete a picture as possible into the nature of decision and intervention processes, illuminating the unique meanings brought to the decisions by all actors involved. This recognises the intersubjective domain of meaning making, as all these stakeholders will have contributed to the decision made, and are affected by the outcomes: parents, children/young people and foster carers. These stakeholders will be asked: their perception of the family situation; their view of the decisions made; what influence they felt they had over the decision-making process; and what kind of relationships they had with other stakeholders (see Appendices 2, 3, and 4). These will be one-off interviews, and include basic demographic information: age, gender, ethnicity. The adults will be invited (by post) to check and provide any additional comment on the transcribed interview. The stakeholder interviews will be analysed together with the responses of the social worker who worked with them as a case study.

The initial results of the social worker interviews will be collated according to descriptive themes and the social worker participants will be invited to take part in a focus group to further discuss the initial data. The focus groups will take place in person if funds allow, or else could possibly be done on Blackboard for those participants who wish to take part. This will allow the social work participants to collaborate in an initial analysis of the results and discuss them in a reflective manner with their peers. It gives them the opportunity to analyse their own words, and allows for the ‘thick description’ of their reasoning and practices (Geertz, 1973). Such inclusion of participants in the analytic process is common in ethnographic, narrative and qualitative enquiry in general (Clandinin, 2007).

If an online group is used, participants would still not be anonymous. They would be identified by name and informed of this when being asked if they would like to take part in the focus group follow up. As many practitioners within the organization will be taking part, it is unlikely this would cause any discomfort or feelings of exposure: they already know most workers will be participating. The data will be presented as general themes to the focus groups so that individual workers will not be linked with any specific comment.
The analysis of the data will be undertaken using microsociological techniques, (C. Taylor, 2006) with a focus on narratives as constructing and performing knowledge, based on a social constructionist epistemology. I will be examining the ways that social workers and other stakeholders view the information available to them, the ways they make sense of that information, how the particular context contributes to such sense-making, and the ways they ‘perform’ or present that information for particular ends. I will also be examining the ways events were interpreted by the social workers, and how these interpretations impacted on decisions made. The workers themselves will be involved in a collaborative process around this analysis. Following on from this, I will examine the language devices or discursive methods they use to construct that information. I will discuss how the inclusion of the ‘Signs of Safety’ approach and other tools used by the organization (for example they have a strong Christian basis and a well-developed framework for working with Maori) might influence such narratives, and if these can create more collaborative working relationships with clients by offering different discursive elements to an often problem-saturated context.

Following this, the organization (and any stakeholders who indicate they would like a copy) will be given a formal report, and both the organization and the participants will be asked if they would like to be informed of other resulting publications. Joint publication between myself and members of the staff of the organization will also be explored if appropriate.

14.Compliance with The Privacy Act 1993 and the Health Information Privacy Code 1994 imposes strict requirements concerning the collection, use and disclosure of personal information. These questions allow the Committee to assess compliance.

14(a) Are you collecting personal information directly from the individual concerned?

YES

If you are collecting the information indirectly, please explain why:
14(b) If you are collecting personal information directly from the individual concerned, specify the steps taken to make participants aware of the following points:

- the fact that you are collecting the information:
  Use of consent forms and information sheets for each kind of participants (social workers, parents and foster parents, children/young people) will explain this (see pages 14 - 24)

- the purpose for which you are collecting the information and the uses you propose to make of it:
  See above

- who will receive the information:
  Only myself and the transcriber will have access to the data in its raw form, but all focus group participants will have access to general themes – also explained in the info sheet.

- the consequences, if any, of not supplying the information:
  Carefully explained that they have individual rights of refusal of consent, despite organisational mandate or parental consent.

- the individual's rights of access to and correction of personal information:
  See attached information sheet

14(c) If you are not making participants aware of any of the points in (b), please explain why:

14(d) Does the research or teaching project involve any form of deception?

NO
14(e) Please outline your storage and security procedures to guard against unauthorised access, use or disclosure and how long you propose to keep personal information:

All recordings will be stored in a locked cabinet in my office, and destroyed at the end of the project. Transcribed interviews will be kept on my work computer, accessible only with password, for the required 5 years, at the end of which, I, Emily Keddell, will dispose of them (I am a staff member (lecturer) as well as a student). Any personal information, such as email and home addresses for the purpose of organising the focus group will be destroyed at the end of the project.

14(f) Please explain how you will ensure that the personal information you collect is accurate, up to date, complete, relevant and not misleading:

Provided by the participants

14(g) Who do you propose will have access to personal information, under what conditions, and subject to what safeguards against unauthorised disclosure?

Participants will be able to amend their own personal information. All data stored as above will protect against unauthorised disclosure.

14(h) Do you intend to publish any personal information and in what form do you intend to do this?

Direct quotes will be published but these will be fully anonymised. The locations of the offices will not be named. The organization will be asked if they would prefer to be named in resulting publications or not. Demographic descriptive statistics may be published (eg. ‘60% of the participants were women’ etc).
14(i) Do you propose to collect information on ethnicity?

Yes, using an adaptation of the census question as per the NTRCC’s recommendations (see Appendix 5).

15. Potential problems: Explain whether there will be harm or discomfort to participants, medical or legal problems, or problems of community relations or controversy, or whether any conflicts of interest might arise.

Participants may be uncomfortable with scrutiny of their practice decisions, given the highly political, public and high stakes decisions they make every day. Because of this, I will be using an approach that seeks to establish positive aspects of practice, outlining the difficult, skilful decisions that social workers must make all the time. I am also framing the research in a ‘collaborative ethnography’ tradition that seeks to work with the participants as much as possible and to include them in the analysis process. This is why I have included the use of a focus and reference groups to allow the participants to exercise some control over the initial analysis. This also adds elements of rigor and trustworthiness to the findings.

The discussion of cases by all concerned might be seen to be breaching individual privacy rights. I am currently negotiating a deed of confidentiality (see draft attached as Appendix 6) with the organisation to protect all participants from exposure. Social workers will be asked to anonymise their comments regarding the case they are describing, unless the client is one of the case study participants and has given consent to be named.

The other potential problem also relates to anonymity of the people involved in the intensive case studies. In any resulting publication, it may be possible, for example, for the social worker to identify their client’s comments and vice versa, as the case particulars and specific description of the case may make identification possible. To avoid any potential harm due to this, all participants will be alerted to this possibility in the information sheet and consent forms.
Finally, the other major ethical issue is the interviewing of children and young people. I consider this an important part of the project, as obviously they are the ones whose lives are most affected by decisions made about them. However, as a vulnerable population, I have decided to only ask young people aged 8 and older – this age group are most likely to understand the meanings of consent and be able to articulate their views. Further, the case study approach means that the maximum number of children/young people interviewed would be 5. The children/young people, as part of their family, will be identified by the agency. Their parent will be invited to participate and interviewed first, and asked to give consent for the child to be approached. Following this, the child/young person will be asked by me directly if they would like to take part, and the information and consent forms ‘talked through’ at the beginning of the interview to ensure understanding. Obviously these young people may have strong feelings about the decisions that have affected them, however, I bring to this work extensive experience working with children and young people in professional settings, and am able to approach this in a sensitive manner. Further, the agency who knows these clients well will have ‘screened’ them first by identifying those who will be least affected by participating in a research interview.

16. Informed consent

See information and consent forms, pp. 14 – 24.

*Please attach the information sheet and the consent form to this application. The information sheet and consent form must be separate.*

At a minimum the Information Sheet must describe in lay terms:

- the nature and purpose of the research;
- the procedure and how long it will take;
- any risk or discomfort involved;
- who will have access and under what conditions to any personal information;
- the eventual disposal of data collected;
The Information Sheet must conclude with the statement: "The University of Otago Human Ethics Committee has reviewed and approved this project."

The Consent Form must make it clear that a participant:

- understands the nature of the proposal;
- has had all questions satisfactorily answered;
- is aware of what will become of the data (including video or audio tapes and data held electronically) at the conclusion of the project;
- knows that he or she is free to withdraw from the project at any time without disadvantage;
- is aware of risks, remuneration and compensation;
- is aware that the data may be published;
- is aware that a third party (i.e. transcriber) may have access to the data;
- is aware that every effort will be made to preserve the anonymity of the participant unless the participant gives an express waiver, which must be in addition to and separate from this consent form.

17. Fast-Track procedure
Do you request fast-track consideration? (See Important Notes to Applicants attached)

NO

If yes, please state specific reasons:-

18. Other committees
If any other ethics committee has considered or will consider the proposal which is the subject of this application, please give details:
While the Open Home Foundation does not have a formal ethics process, I have been to both Christchurch and the National office in Wellington, and received verbal approval from their National practice manager, their national Cultural Services manager and their Director.

19. Applicant's Signature: .................................................................
Date: .................................

20. Departmental approval:  I have read this application and believe it to be scientifically and ethically sound. I approve the research design. The Research proposed in this application is compatible with the University of Otago policies and I give my consent for the application to be forwarded to the University of Otago Human Ethics Committee with my recommendation that it be approved.

Signature of *Head of Department: .................................................................
Date: .................................
*(In cases where the Head of Department is also the principal researcher then the appropriate Dean or Pro-Vice-Chancellor must sign)

Please attach copies of the Information Sheet and Consent Form
Dr P Walker  
Department of Social Work and Community Development  
Division of Humanities  
520 Castle Street  

22 August 2008

Dear Dr Walker,

I am again writing to you concerning your proposal entitled “Making knowledge for exercising judgement: decision-making narratives in social work practice with children and families”, Ethics Committee reference number 08/142.

Thank you for sending to me a letter addressing the concerns of the Committee.

On the basis of this response, I am pleased to confirm that the proposal now has full ethical approval to proceed.

Approval is for up to three years. If this project has not been completed within three years from the date of this letter, re-approval must be requested. If the nature, consent, location, procedures or personnel of your approved application change, please advise me in writing.

Yours sincerely,

[Signature]

Mr Gary Witte  
Manager, Academic Committees  
Tel: 479 8256  
Email: gary.witte@otago.ac.nz

Mr Gary Witte  
Manager, Academic Committees  
Tel: 479 8256  
Email: gary.witte@otago.ac.nz

cc.  Department of Social Work and Community Development
Appendix five: Information and consent forms

[Reference Number: 8/42]  [8.8.08]

Exercising judgement: decision-making in social work practice with children and families.

INFORMATION SHEET FOR PARTICIPANTS: SOCIAL WORKERS

Thank you for showing an interest in this project. Please read this information sheet carefully before deciding whether or not to participate. If you decide to participate we thank you. If you decide not to take part there will be no disadvantage to you of any kind and we thank you for considering our request.

What is the Aim of the Project?
The main aim of this project is to find out how decisions are made in child protection social work with children and families. It seeks to find out how social workers make sense of a case, and how this reasoning contributes to making decisions and forming judgements in social work with children and families. It also aims to find out about how young people, parents and foster parents contribute to and feel about decisions made.

As part of finding out about how decisions are arrived at, an additional aim is to find out how social workers are using the ‘Signs of Safety’ approach as one of the ways they make sense of client’s lives.

What Type of Participants are being sought?

• Social workers employed by the Open Home Foundation.
• Parents and children/young people aged 8 and over who have been or are clients of the Open Home Foundation.
• Foster carers employed by the Open Home Foundation.

What will Participants be Asked to Do?
Should you agree to take part in this project, you will be asked to participate in an interview (45 mins – 1 hour) and a follow up focus group.

The interviewer will ask you some open-ended questions about a case you were involved in recently that you:
   a) Were pleased with;
   b) Where you had to make a decision or form a judgement of some kind;
   c) You used the ‘Signs of Safety’ approach.

All interviews will be taped and transcribed (written down).
At the focus group, the initial themes from the interviews will be presented, then you will be invited to comment on these. They will also be taped and transcribed.

A small number of parents, young people and foster carers will also be interviewed. Please be aware that if your case is selected for interviews with other stakeholders (I.E. parents, child/young person and foster parents) then even using pseudonyms, those other stakeholders may recognise their own case in resulting publications, and therefore your comments about them. Please bear this in mind.

Please be aware that you may decide not to take part in the project without any disadvantage to yourself of any kind.

Can Participants Change their Mind and Withdraw from the Project?
You may withdraw from participation in the project at any time and without any disadvantage to yourself of any kind.

What Data or Information will be Collected and What Use will be Made of it?
The answers you give will be recorded and transcribed, then published initially as a report for the Open Home Foundation and other interested social services. The data will also be used as a contribution to a PhD project and other publications in academic journals. The knowledge gained will also be useful to social work educators and other social workers working with children and families.

This project involves an open-questioning technique where the precise nature of the questions which will be asked have not been determined in advance, but will depend on the way in which the interview develops. Consequently, although the University of Otago Human Ethics Committee is aware of the general areas to be explored in the interview, the Committee has not been able to review the precise questions to be used.

In the event that the line of questioning does develop in such a way that you feel hesitant or uncomfortable you are reminded of your right to decline to answer any particular question(s) and also that you may withdraw from the project at any stage without any disadvantage to yourself of any kind.

Who will have access to the data and where will it be stored?
Two people will have access to this data in its raw form: Emily Keddell, and for a limited time, a transcriber employed by me.

The results of the project may be published and will be available in the University of Otago library but every attempt will be made to preserve your anonymity. You are most welcome to request a copy of the results of the project should you wish.

The data collected will be securely stored in such a way that only those mentioned below and the transcriber will be able to gain access to it. At the end of the project any personal information will be destroyed immediately except that, as required by the University's research policy, any raw data on which the results of the project
depend will be retained in secure storage for five years, after which it will be destroyed.

Reasonable precautions will be taken to protect and destroy data gathered by email. However, the security of electronically transmitted information cannot be guaranteed. Caution is advised in the electronic transmission of sensitive material.

**What if Participants have any Questions?**

If you have any questions about our project, either now or in the future, please feel free to contact:

Emily Keddell  
Department of Social Work and Community Development

or

Peter Walker/Amanda Barusch  
Department of Social Work and Community Development

University Telephone Number: 479 9019

Emily.keddell@otago.ac.nz

Peter Walker/Amanda Barusch  
Department of Social Work and Community Development

University Telephone Number: 4797651/479 5479

peter.walker@otago.ac.nz

amanda.barusch@otago.ac.nz

This project has been reviewed and approved by the University of Otago Human Ethics Committee
8.8.08

Exercising judgement: decision-making in social work practice with children and families.

CONSENT FORM FOR PARTICIPANTS: SOCIAL WORKERS

I have read the Information Sheet concerning this project and understand what it is about. All my questions have been answered to my satisfaction. I understand that I am free to request further information at any stage.

I know that:-

1. My participation in the project is entirely voluntary;

2. I am free to withdraw from the project at any time without any disadvantage;

3. Interviews and the focus group will be taped, but personal identifying information such as audiotapes will be destroyed at the conclusion of the project. Any raw data on which the results of the project depend will be retained in secure storage for five years, after which they will be destroyed;

4. This project involves an open-ended questioning technique where the precise nature of the questions which will be asked have not been determined in advance, but will depend on the way in which the interview develops and that in the event that the line of questioning develops in such a way that I feel hesitant or uncomfortable I may decline to answer any particular question(s) and/or may withdraw from the project without any disadvantage of any kind;

5. The results of the project may be published and will be available in the University of Otago library but every attempt will be made to preserve my anonymity; I am aware that if my case is selected for interviews with all stakeholders, they may recognise my comments in published form.

6. I understand that reasonable precautions have been taken to protect data transmitted by email but that the security of the information cannot be guaranteed.

I agree to take part in this project.

...............................................................................

...............................

(Signature of participant)

(Date)

This project has been reviewed and approved by the University of Otago Human Ethics Committee
Exercising judgement: decision-making in social work practice with children and families.

INFORMATION SHEET FOR
PARTICIPANTS: PARENTS AND FOSTER PARENTS

Thank you for showing an interest in this project. Please read this information sheet carefully before deciding whether or not to participate. If you decide to participate we thank you. If you decide not to take part there will be no disadvantage to you of any kind and we thank you for considering our request.

What is the Aim of the Project?
The main aim of this project is to find out how decisions are made in social work with children and families. It seeks to find out how social workers make sense of a case, and how this sense-making contributes to making decisions and forming judgements in social work with children and families. It also aims to find out about how young people, parents and foster parents contribute to and feel about decisions made.

As part of finding out about how decisions are arrived at, an additional aim is to find out how social workers are using the ‘Signs of Safety’ approach as one of the ways they find out about client’s lives.

What Type of Participants are being sought?
• Social workers employed by the Open Home Foundation.
• Parents and children/young people aged 8 and over who have been or are clients of the Open Home Foundation.
• Foster carers employed by the Open Home Foundation.

What will Participants be Asked to Do?
Should you agree to take part in this project, you will be asked to participate in an interview that will take 30 – 45 mins.

You will be asked about how decisions were made, what input you had into them, and how you felt about them.

All interviews will be taped and transcribed (written down). You will be sent a copy of the interview to see if you agree with the transcription, and you will be able to provide further written comments at that time.

Please be aware that you may decide not to take part in the project without any disadvantage to yourself of any kind.

Can Participants Change their Mind and Withdraw from the Project?
You may withdraw from participation in the project at any time and without any disadvantage to yourself of any kind.
What Data or Information will be Collected and What Use will be made of it?
The answers you give will be recorded and transcribed, (written down) then published initially as a report for the Open Home Foundation and other interested social services. The data will also be used as a contribution to a PhD project and other publications in academic journals. The knowledge gained will also be useful to social work educators and other social workers working with children and families.

This project involves an open-questioning technique where the precise nature of the questions which will be asked have not been determined in advance, but will depend on the way in which the interview develops. Consequently, although the University of Otago Human Ethics Committee is aware of the general areas to be explored in the interview, the Committee has not been able to review the precise questions to be used.

In the event that the line of questioning does develop in such a way that you feel hesitant or uncomfortable you are reminded of your right to decline to answer any particular question(s) and also that you may withdraw from the project at any stage without any disadvantage to yourself of any kind.

Who will have access to the data and where will it be stored?
Two people will have access to this data in its raw form: Emily Keddell, and for a limited time, a transcriber employed by Emily.

The results of the project may be published and will be available in the University of Otago library but every attempt will be made to preserve your anonymity.

Because a case study approach is being used, others involved in your case (for example, your social worker) may be able to identify you from the published data, however, no one outside those working with your family will be able to. Please bear this in mind in the interview.

You are most welcome to request a copy of the results of the project should you wish.

The data collected will be securely stored in such a way that only those mentioned above will be able to gain access to it. At the end of the project any personal information will be destroyed immediately except that, as required by the University's research policy, any raw data on which the results of the project depend will be retained in secure storage for five years, after which it will be destroyed.

Reasonable precautions will be taken to protect and destroy data gathered by email. However, the security of electronically transmitted information cannot be guaranteed. Caution is advised in the electronic transmission of sensitive material.

What if Participants have any Questions?
If you have any questions about our project, either now or in the future, please feel free to contact:

Emily Keddell or Peter Walker/Amanda Barusch
Department of Social Work and Community Development Department of Social Work and Community Development
Email: Emily.keddell2otago.ac.nz  Peter.walker@otago.ac.nz  amanda.barusch@otago.ac.nz
This project has been reviewed and approved by the University of Otago Human Ethics Committee
CONSENT FORM FOR PARTICIPANTS: PARENTS AND FOSTER PARENTS

I have read the Information Sheet concerning this project and understand what it is about. All my questions have been answered to my satisfaction. I understand that I am free to request further information at any stage.

I know that:

1. My participation in the project is entirely voluntary;

2. I am free to withdraw from the project at any time without any disadvantage;

3. Interviews will be taped, but personal identifying information such as audiotapes will be destroyed at the conclusion of the project. Any raw data on which the results of the project depend will be retained in secure storage for five years, after which they will be destroyed;

7. This project involves an open-questioning technique where the precise nature of the questions which will be asked have not been determined in advance, but will depend on the way in which the interview develops and that in the event that the line of questioning develops in such a way that I feel hesitant or uncomfortable I may decline to answer any particular question(s) and/or may withdraw from the project without any disadvantage of any kind;

8. The results of the project may be published and will be available in the University of Otago library but every attempt will be made to preserve my anonymity. Others directly involved in my case may recognise my comments and views in published form;

9. I understand that reasonable precautions have been taken to protect data transmitted by email but that the security of the information cannot be guaranteed.

I agree to take part in this project.

...........................................................................................................  ......................................................
(Signature of participant)  (Date)

This project has been reviewed and approved by the University of Otago Human Ethics Committee
Exercising judgement: decision-making in social work practice with children and families.

INFORMATION SHEET FOR PARTICIPANTS: CHILDREN/YOUNG PEOPLE

Thank you for showing an interest in this project. Please read this information sheet carefully before deciding whether or not you want to take part in it. If you decide to take part we thank you. If you decide not to take part, that’s fine too and we thank you for thinking about it.

What is the Aim of the Project?
The main aim of this project is to find out how decisions are made in social work with children and families. As part of this, we want to find out what children and young people think.

What Type of Participants are being sought?
• Social workers employed by the Open Home Foundation.
• Parents and young people aged 8 and over who have worked with the Open Home Foundation.
• Foster carers employed by the Open Home Foundation.

What will Participants be Asked to Do?
If you agree to take part in this project, you will be asked to participate in an interview that will take 30 – 45 mins.

You will be asked about how decisions were made, what input you had into them, and how you felt about them.

All interviews will be taped and transcribed (written down).

It’s fine to decide not to take part in the project.

Can Participants Change their Mind and Withdraw from the Project?
You can decide you don’t want to take part in the project at any time, even if at first you decided you wanted to.

What Data or Information will be Collected and What Use will be Made of it?
The answers you give will be recorded and transcribed, then used to contribute to reports for Open Home and other social services, and academic articles. Your real name will not be used, so most other people won’t be able to tell it’s you.

The only exception to this is that other people involved in your case such as your parents, foster parents and social worker might be able to tell it’s you from the things you say. Try and remember this while we’re talking.

This project involves an open-questioning technique where the exact questions are not known, but will depend on the way in which the interview develops. So although the University of Otago Human Ethics Committee is aware of the general areas to be explored in the interview, the Committee has not been able to review the precise questions to be used.

If you feel uncomfortable about any particular question, you don’t have to answer it. Nothing bad will happen to you and no one will be upset or angry with you if you decide you don’t want to answer it.

Who will have access to the data and where will it be stored?
Two people will have access to the interviews after they are written down: Emily Keddell, and for a limited time, a transcriber (person who listens to the tapes and writes it down) employed by me.

The results of the project may be published and will be available in the library but every attempt will be made to make sure no one recognises you. As stated above, those involved in your case (for example, your social worker) may be able to identify you from the published reports and articles, however, no one outside those working with your family will be able to.

You can ask for a copy of the results of the project if you want to.

The written interviews will be securely stored in locked rooms and on computers protected with passwords so that only those mentioned above will be able to gain access to it. At the end of the project any personal information (like the tapes and your name and address) will be destroyed straight away. The transcripts, as required by the University's research policy, will be kept in secure storage for five years, after which it will be destroyed.

What if Participants have any Questions?
If you have any questions about our project, either now or in the future, please feel free to contact:

Emily Keddell or Peter Walker/Amanda Barusch
Department of Social Work and Community Development Department of Social Work and Community Development

University Phone No: 479 9019 University Phone No: 479 7651/479 5479
Email: Emily.keddell@otago.ac.nz    Peter.walker@otago.ac.nz    amanda.barusch@otago.ac.nz
This project has been reviewed and approved by the University of Otago Human Ethics Committee
Exercising judgement: decision-making in social work practice with children and families.

CONSENT FORM FOR PARTICIPANTS: CHILDREN AND YOUNG PEOPLE

I have read the Information Sheet about this project and understand what it is about. All my questions about it have been answered. I understand that I am free to ask more about it at any time.

I know that:-

1. It’s up to me if I want to take part;

2. I can withdraw from the project at any time without anything bad happening;

3. Interviews will be taped, but personal identifying information such as audiotapes will be destroyed at the end of the project. Any raw data on which the results of the project depend will be kept in secure storage for five years, after which they will be destroyed;

10. This project involves an open-questioning technique where the exact questions which will be asked have not been decided yet, but will depend on the way in which the interview develops. If a question makes me feel hesitant or uncomfortable I may decide not to answer any particular question, or may stop the interview at any time;

11. The results of the project may be published and will be available in the library but every attempt will be made to make sure most other people can’t recognise me from what I said. Others directly involved in my case may recognise my comments and views in published form;

I agree to take part in this project.

............................................................................................... ....................................
(Signature of participant) (Date)

............................................................................................... ......................
(Guardian) (Date)

This project has been reviewed and approved by the University of Otago Human Ethics Committee
Appendix six: Final report for Open Home Foundation NZ

Decision- Making and Judgment in Child Protection Social Work

Research Report prepared for: Open Home Foundation NZ

Emily Keddell
Department of Social Work and Community Development,
University of Otago.
December, 2010.
Acknowledgements

Many thanks to the staff and clients of Open Home Foundation for allowing me to undertake this research, discussing their work and lives so openly, and providing valuable feedback along the way. I would also like to thank the University of Otago for supporting this study with a University of Otago Research Grant.
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Introduction

This study examines the process of decision making in child protection social work within Open Home Foundation NZ as a discreet provider of child protection services. It investigates the ways social workers interpret the life situations, behaviours and experiences of clients during the process of their interaction with them. These interpretations are never solely about simply ‘knowing information’ but reflect the socially constructed ‘ways of viewing’ promoted by the context of practice. This context of interpretation reflects personal factors, such as the workers’ own background and experience, contextual factors springing from the organizational, theoretical, legal and socio-political environment, the influence of power dynamics, and the dialogic process of negotiating meanings through relationships with clients, co-workers and managers. All these aspects shape the plans and decisions made regarding the lives of children. Furthermore, in order to discover what aspects of practice workers might consider positive, this study elicited accounts of practice that workers were ‘pleased with.’ This is based on the underlying rationale that as workers are actively co-constructing practice with their clients, that certain ways of reasoning or assigning meaning might be more helpful than others in producing practice deemed positive to workers.

Methodology overview

The study set out to examine the decision making processes of social workers and clients in child protection social work. It used a qualitative, constructivist research methodology emphasising the importance of context, and investigated the meanings the social actors within that context, in this instance social workers and clients attributed to their social environment (Creswell, 2007; Rodwell, 1998).
Sample
The direct sample was a convenience sample drawn from the Open Home Foundation NZ, a large NGO providing child protection services in Aotearoa/New Zealand. It is a registered ‘child and family service’ under the relevant legislation – the Children, Young Person’s and their Families Act 1989, and was conducted between 2007 - 2010. Access was negotiated with the organisation via the National office, who contacted the managers of regional offices. Most workers from five different offices were invited to participate and most agreed, as did one worker each from two additional offices. In total, twenty-two workers were interviewed, as well as fifteen other stakeholders from ten of the cases identified by workers. This group included parents (7) foster parents (5) and young people (3). The study was approved by the University of Otago Ethics Committee.

In terms of the characteristics of the sample, of the twenty-two social workers interviewed, 86% were female. The range of experience in social work was from one to twenty years, with a mean of 7.1 years (SD 5.5). Nineteen (86%) had professional qualifications in social work, and/or professional competency as determined by the Association of Social Workers. They had a range of ethnic and national characteristics: Thirteen were NZ European/Pakeha, five NZ Maori, one Pacific Islander, three were other European, and one Canadian metisse (one person gave two ethnic groups). In the heterogeneous group of other stakeholders interviewed, twelve were female and three were male. Eleven were NZ European/Pakeha and four were NZ Maori. Six out of twenty three cases discussed concerned children with at least one Maori parent.

Other sources of background data to gain a contextual understanding included: informal observations of team meetings; case consultations and literature pertaining to the structure of the agency. This included their practice guidelines, aims, theoretical underpinnings and practice approaches. Field notes were recorded as each office was visited. Another source of data was research into the wider child protection context in Aotearoa/NZ including knowledge of current legislation, the political context, and government funding priorities that impact on how practice is enacted.
Design

Offices were visited for a period of several days each. Social workers who agreed to take part were interviewed using a semi-structured interview template based on a ‘critical incident’ technique in order to elicit a concrete, naturalistic account of a case (Fook, 2002b) (Appendix 1). A critical incident technique aims to access practice experience in as natural a way as possible rather than rely on more artificial prescriptive measures (Flanagan, 1954; Norman, 1992). No method is able to access a ‘pure’ reflection of practice, but some methods are more likely to elicit the ‘tacit knowledges’ implicit in practice than others – thus a semi-structured interview based on the critical incident technique was chosen as a more informal way of accessing social worker’s reasoning (Lincoln & Guba, 1985). In this case, the ‘critical’ aspects of the incident or case identified was simply a case they felt ‘pleased with’, and they had to make decisions relating to child protection concerns.

This methodological choice was influenced by ideas from Critical Best Practice (CBP) that aims to: “promote positive learning about social work by setting out examples of best practice; that is, outlining and analyzing instances where it is argued that what social workers did was done well, with all the benefits that can accrue from this for service users” (Ferguson, 2008: 15). In addition to the naturalistic description of the case, follow up ‘probe’ questions examined in more detail why they took particular actions, the influence of ethical concerns, their emotional reactions, the worker-client relationship and how they used the Signs of Safety (SoS) practice tool to determine case decisions and plans.

Clients were also interviewed where possible. The addition of clients’ perspectives to create collective case studies strengthens the reliability of the research by providing a depth of data grounded in a multiplicity of viewings of the situation (Stake, 1998; Strauss & Corbin, 1994). Clients were asked their views of the reasons for the decisions made about their family, and their view of the relationship they had with the worker (Appendix 2). All interviews were transcribed verbatim. Member checking was achieved in several ways. Client participants had their full transcripts returned to them to check. Social worker participants had a brief summary of all their responses made and used to shape a number of follow up questions that they
were given an opportunity to respond to, and one office did so. Initial findings were discussed with a reference group from within the organisation consisting of several members of the National management team, including the National Practice manager and the National Cultural Manager. This was an aid to analysis of the data.

**Analysis**

A thematic analysis was undertaken of the data. Both data sets (social worker accounts and cases studies) were coded, using Nvivo software, for dominant patterns in the ways practitioners and clients explained the decisions that were made. Codes were developed both inductively and deductively from the research questions and relevant literature (Fereday & Muir-Cochrane, 2006). These preliminary deductive codes were broad, as they were informed by previous research and theoretical ideas such as ‘risk’, and then a fine-grained coding of more detailed patterns and areas of linkages between categories was undertaken (Denzin & Lincoln, 2005; Gilgun, 1994). For example within a broad category of ‘Signs of Safety,’ specific discourses and practices were further coded as subthemes, while the myriad of factors taken as indicators of abuse, risk or protection for the child were also broken down within a general category of ‘risk’ as more detailed patterns emerged. However the more inductive codes often began narrowly and built up in a grounded manner to develop into themes. For example, ‘interpretations of children’s behaviour,’ ‘children’s best interests,’ and ‘children’s wishes’ became a single theme called child’s best interests, as did the less expected theme of ‘building collaborative relationships’ and ‘balancing care and control’ which both became more central as the study progressed as key influences on the decision making process. All coding was undertaken by a single researcher to ensure consistency.

**Results**

This section begins with a broad overview of the kinds of decisions discussed by social workers. Then several of the main themes of the social workers’ and clients’ accounts are discussed, with examples given to illustrate these points.

**Types of decisions and their main rationales**
Table 1 shows the kinds of decisions social workers discussed in cases, the original, historic causes of clients’ problems as identified by the workers, and the basic reasons for the current decision. The most interesting aspect of this table is that in those cases where children were returned home after short term stays in care, and in those deciding which parent a child should live with following parental separation, is the existence of mother’s mental health problems, primarily depression. While mother’s depression was also evident in cases where children had been removed for longer periods, this tended to be combined with more extreme, overtly abusive behaviour such as physical abuse or neglect. While this is not a quantitative study and this cannot be treated as an association, it does suggest, as you would expect, higher levels of child protection concerns in cases where children had been removed for longer periods.

(Note: While 22 workers were interviewed, one gave accounts relating to two cases, while two of them discussed the same case (the worker and the manager), so the total number of cases discussed is 22, and the total accounts by social workers are 23. Furthermore, two cases in the following table were placed in two categories, for example, one case was deciding which parent a child should be placed with on her return home from care – thus that case was placed in both ‘return a child from short term care’ and ‘decide which parent a child should live with’).

Table 1. Nature of decisions made, the original causes of clients’ problems, and reasons for current decisions.

<table>
<thead>
<tr>
<th>Type of current decision</th>
<th>N</th>
<th>Causes of original problem</th>
<th>Reason for current decision (where different from original problem)</th>
</tr>
</thead>
<tbody>
<tr>
<td>To return children from long term care (more than 2 yrs) to their natural parents</td>
<td>3</td>
<td>• Mother’s abuse, depression, not able to meet child’s needs as baby/toddler, attachment</td>
<td>• Improvement in mental health, stable relationship, engagement in tertiary education, child wanting to go home, problematic behaviour in foster care, mother’s honesty with worker</td>
</tr>
</tbody>
</table>
|   | • Possible sexual abuse, not protecting older children already in care, neglect  
|   | • Drug dependency, parental conflict, anger/physical abuse  
|   | • Safety plan in place, mother’s motivation, counseling, improvement in parenting style  
|   | • Ceasing drug dependency, anger management strategies, parenting education courses, parental honesty and engagement  
| To return a child from short term care (less than 2 yrs) to their natural parents | 6  
|   | • Depression, suicidal and homicidal thoughts, lack of family support, financial pressures  
|   | • Father leaving, mother’s depression  
|   | • Mother’s mental health, depression, accusations of sexual abuse  
|   | • Father’s abusive/violent behavior, mother’s mental health (bipolar)  
|   | • No family support, depression of mother, violent partner relationship, asking for respite, physical abuse  
|   | • Mother’s sexual abuse, PTSD, depression, dominating partner, possible abuse from partner to child  
|   | • Increase in energy and improvement in mental health, wanting to work on relationship with child, mentor, counselling, child wanting to go home, close monitoring of mental health  
|   | • Mother’s mental health improving, given ultimatum to have them back, reluctant but finally convinced  
|   | • Father open and honest, new partner, allegations of sexual abuse unfounded  
|   | • Parents separating, mother motivated.  
|   | • Identification of family supports, separation from partner, safety plan, support from partner’s whanau  
|   | • Improvement in mental health, engagement in range of support services, separation from partner, honesty with worker
| To change a child’s caregiver placement | 2 | - Extreme neglect.  
- Mother separated from natural family, in foster care, disconnected from ‘roots’, lack of wider whanau connections. | - Teenagers difficult behavior, foster parents viewing of her as ‘just like her mother’, child’s risky behavior against FP’s values  
- Mother going to prison, not trusting either her own or partner’s extended family due to drug and alcohol abuse |
| To allow a child to remain with their parents or caregivers following ‘smacking’ incident | 1 | - Neglect, malnourishment (original) | - Overall positive parenting, child’s perception, child’s progress in the placement, harm associated with removal, caregivers honesty and attitude |
| To decide which parent a child should live with following parental separation | 2 | - Mother’s mental health, depression, accusations of sexual abuse against father  
- Mother’s mental health, conflict between the parents, (mother violent to father), concerns around father’s beliefs, (controlling) family dynamics | - Father open and honest, new partner, allegations of sexual abuse unfounded.  
- Father’s beliefs viewed as non-harmful, conflict lessened, mother’s mental health slightly improved, father given custody. |
| To bring children into care | 4 | - Drug and alcohol addiction, intergenerational addiction and poverty (one of two children with kin)  
- Drug addiction, mental health, constant litigation between natural mother | - Drug and alcohol addiction, intergenerational addiction and poverty (one of two children with kin)  
- Drug addiction, mental health, constant litigation bw natural |
| To decide to not uplift children and work with the family to ensure safety | 5 | • Blended family, stepmother’s unrealistic expectations, physical abuse  
• Solo motherhood, stressed, difficult child, attachment issues, (physical abuse)  
• Father’s history of extreme abuse and foster care, intergenerational abuse, PTSD, ‘like a child himself’ crying baby agitating young father, threats to hurt baby.  
• Mother hospitalization, on-off partner relationship, fraught parental relationship, hospital queried violence, began as respite, wider family = drug and alcohol problems.  
• Lack of parenting skills, disability limiting parental control, lack of family support at all |
| | | • Father engaged with service, safety plan in place  
• Child lives with grandparents with extensive access with mother, safety plan.  
• Parents engaged well with service, father in counselling, safety plan/contract in place.  
• Indepth parental assessment found no partner violence, improvement in mother’s health, exit from hospital.  
• Other options for care explored, family disengaged with service with informal respite arrangement in place, child no longer |
<table>
<thead>
<tr>
<th>Changing access arrangements for children already in care</th>
<th>1</th>
<th>• Neglect, malnourishment (original)</th>
<th>• Too frequent access was upsetting children, threatening placement stability, so access was lessened.</th>
</tr>
</thead>
<tbody>
<tr>
<td>TOTAL :</td>
<td>24*</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

While this table gives a broad overview of cases, I will now explore some themes of the research in more depth. I will explore the commonalities of cases that workers selected, then examine how judgment rationales were ‘arrived at’, the interrelationship between clients and workers in the negotiation of these reasons, areas of agreement and disagreement, case development over time, how such reasons played out in practice, and the kinds of creative and positive aspects of practice experienced by both workers and clients.

**Cases that workers were ‘pleased with’**

An aspect of the study was leaving it open as to what cases workers selected. By allowing them to select cases they felt ‘pleased with’ allowed some investigation of what criteria workers attributed to decide if a case was experienced as positive. The characteristics of the cases selected by workers as those they felt ‘pleased with’ had the following common themes:

- Those where children had been kept safe, it was felt that their ‘best interests’ were protected, and were viewed as ‘settled’;
- Those where relationships with clients were able to be maintained;
- Moderate to high levels of child protection concerns – most had had children removed at some time for at least a short period of time (19/22);
- Most were cases where children were either maintained in their family of origin, returned home after both short and long term care, or maintained in their usual long-term caregiver placement (18/22);
- For children who were coming into care, in three of the four cases, children were placed with kin caregivers.
- They were often cases that were unusual in some way or had a particularly challenging issue that was eventually overcome to gain a positive outcome, most commonly as above, the maintenance of children’s safety and family relationships.

Thus, workers valued family maintenance and viewed this as a desirable outcome. This worker’s comment exemplifies the attitude, connected by other workers with the CYP&TF Act 1989, that children were best off in their families of origin, or with those whom they had a lasting attachment:

“...and talking with foster parents to explaining to them why you know – they’re great parents and they’re a great family, (but it) still isn’t the best option for a child – that even in that great environment they won’t – they still grieve for the family that they want to be with. That going home to a mum who – who isn’t perfect – and, um, who probably can’t meet all their needs – that is still probably better for them than a perfect foster home ... and I think for someone like D (client – parent) that’s why we would fight harder to put the supports around her so that she could keep on parenting her children, rather than put them into, you know, a long term foster placement” (SW 14).

How this played out in practice, however, was often complex, idiosyncratic, and applied in ways that emphasized the child’s perspective, for example, including as ‘kin’ people that children had some kind of relationship with, even if they were not biologically related. Where family maintenance was not possible, for example when a child had to be removed or moved from one foster carer to another, the overriding criteria was child safety and wellbeing. The particular circumstances of each case, based on ideas regarding the risk to the child, the child’s perspective of the situation, and the kind of relationship the worker felt they had with the parent all shaped the case trajectories and which ultimate aim was most applicable at the time. All the cases selected were those where the relationship with parents had been able to be maintained, despite numerous periods of hostility and conflict.
Making judgments – defining a child’s ‘best interests’

While a focus on family maintenance was clearly of importance in decision reasoning, this was often enacted in complex ways in practice with due regard for another important concept: children’s ‘best interests’. As workers and managers decide what action will maximize and protect a child’s ‘best interests’, they must interpret parent’s and children’s behavior, evaluate the context, and utilize theory in order to come to the point of decision. Furthermore, they must also consider the ongoing need to maintain a relationship with the parents for future work with the family. The directive for the child’s best interests to be the paramount consideration in decision making comes directly from the CYP&TF Act 1989, but determining what this means in day to day practice is not always straightforward. The idea of a child’s ‘best interests’ relies on conceptual underpinnings pertaining to how children’s interests can be defined and ascertained, and is connected most noticeably to other concepts such as needs, abuse, harm, and what might constitute ‘good enough’ parenting. This study found that social workers defined children’s best interests in two main ways that determined both the course of practice and decisions relating to children’s futures: through ‘child focused’ practice and a belief in maintaining children’s family connections.

Child focused practice

In terms of focusing on the child, practitioners sought consistently to maintain a focus on children’s perspectives, wishes, a broad view of their needs, including those in the future, and a focus on children’s own experience of their life events. Workers generally showed a sensitivity to children’s timeframes and perceptions. They endeavored to talk to children directly to find out how the child viewed the situation, often using child focused tools such as the ‘three houses’ to do so. Where that was not possible, they observed young children’s behaviour as well as talking with others involved in children’s lives. They often spoke of advocating for children’s perspectives with parents and other professionals such as lawyers to encourage them to consider the situation from the child’s view. For example, in one case, where a court decision was made to return a child to her father’s care, the worker
advocated for a gradual transition rather than the immediate return demanded by the father’s lawyer. In another, despite the natural family’s lack of material wealth, the fact that both young person and mother wanted the boy to return home, and the improvement in the mother’s mental health and lifestyle, meant that the worker felt “he was 14 at the time and I just said ‘well, we have to start taking what he wants into account,’ and he’s going to vote with his feet and sabotage placements to get there and so with this really good plan around him he returned home to mum” (SW 3, Case 5).

In another example, where the father was torn between his children and his new partner who was physically and emotionally abusive towards his children, the worker focused on encouraging him to see the situation from the children’s perspective. In another, in a typical sentiment, the worker stressed the need to make decisions relatively quickly because delay would have caused “more emotional problems” (SW.20) for the child involved. All clients except one accepted that the decisions made had been in their children’s ‘best interests’ even if they had not agreed with them at the time. Only one client felt her worker had been insensitive to her foster son’s perspective:

“Exactly, and the last thing I remember Z (worker) saying to me was, ‘I wish the decision could have been made in the favour of the other child, (to stay in her care) it really would have been good if he could have stopped moving around’, I’m like, I felt guilt tripped basically, into making the decision that we made. Someone was going to lose out somewhere, and as much as I didn’t want this child to go down a bad path, there wasn’t anything I could do about it, I did not feel supported in the decision that we had made” (Caregiver, Case 3, (brackets mine)).

**Maintaining children’s family connections**

The second main theme found in this study was that children’s best interests were viewed as fundamentally connected to maintaining children’s connection to family, or their permanent caregiver where they had to be removed from family. This was a delicate balancing act, but children were viewed as benefiting from ongoing contact with family members post removal, and should be returned home where possible. This was taken as the automatic default in decision making processes, and much
effort was taken to explore if this was possible and what supports would be necessary to make it possible. For example, one worker commented on the damage of foster care and the need as much as possible in the case she discussed to ‘put supports around her’ (the mother) to maintain the children with her, as even a ‘perfect’ foster family is still not preferable to a child’s own except where there is clear harm.

For Maori children, (6/22 cases) maintaining connections to whanau included an emphasis on extended whanau and marae in order to provide practical support to parents as well as identity, belonging and cultural knowledge for Maori children. For example, one child was moved from a foster placement to another for a number of reasons relating to him feeling like he did not ‘fit in’. The two main reasons he gave for not fitting in (according to the social worker) was because he felt that he was viewed as the ‘foster boy’ and treated differently from his (natural) sibling, and because he was Maori and the family was Pakeha. He felt ashamed when they went to Maori events and his caregivers did not behave appropriately, and he was displaying difficult behaviour in his placement. The caregivers viewed his behaviour as requiring a medical diagnosis and medication, whereas the social worker viewed his behaviour as relating to his need for a structured environment with lots of outside space, and where he felt he belonged, rather than to medicate him. It was clear the caregivers did not view his connections to either his marae or his family members as important. The worker comments:

‘It was also voiced to me, (from the caregivers) ‘why would he miss his marae because he has hardly been on there?’". Because I actually said to them, I took this boy down to see his dad, to have a visit, and as we came down the valley he said, ‘this is like coming home, I remember this place’, you know, and, ‘I remember being on the marae’, even though he would have been quite small, he said that, and I talked to them about that, trying perhaps so they could get some understanding of what it actually meant to him, and that even though he had not spent a lot of time on the marae there was still that pull, you know, that need; but it was brushed aside, they didn’t acknowledge it or understand it…” (SW 20, (brackets mine)).

His placement was changed despite a long legal battle for custody from the caregivers. Perhaps ironically, his new placement is also with a Pakeha family, but
one who is much more open to providing him with the level of connection to his own whanau than the former, as well as providing a more structured routine and outdoor activities.

**Interpreting children's behaviour: attachment and resilience?**

In order to maintain family connections, and make decisions about who is most suitable to care for a child, workers are required to ascertain the nature of the emotional bonds they have with those who care for them. While historically the focus of child protection work was to ascertain children’s physical needs were met, in current times there is an increasing focus on children’s attachment patterns. To ascertain that children’s emotional needs are met, workers are required to interpret children’s behavior as an indicator of these attachments. Workers generally understood children’s needs as including those for attachment, security and belonging and these ideas underpinned many practice decisions relating to a child’s ‘best interests’.

However, sometimes the idea of attachment and maintaining connections with family conflicted. For example, in one case a worker acted to decrease the amount of contact between a natural mother and her children in order to try and stabilize the caregiver placement, despite the conflicting aims. In this case, it was felt that promoting the new attachment and having a focus on the attachment needs of the child overrode the mother’s legal rights:

“...and it’s about, I’m going, ‘I am taking a mother’s child away from her’, what she regards as legal access and that is big, to me that’s quite big stand up stuff because she was expecting it and here am I saying, ‘no’, and that was according to the information that was given to me from a professional, several professionals, that I had to move on, so that my decisions are made according to what’s right for the child, as you can imagine ... and so when I’ve had to challenge her it has been with some anxiety within myself however I’ve stayed true to what the call and what I needed to do and I won’t move away from that”. SW 11.

In another, a worker commented regarding the struggle of trying to keep a child out of care when for that child, to live ‘with family’ meant being cared for by a number
of different family members, which combined with short periods in care meant for many changes of caregiver. The difficulties of balancing the child’s ‘best interests’ with due regard for attachment concepts, against the child’s ‘best interests’ with due regard for maintaining his family connections was evident:

“There was a point at that second family group conference, that there was some question around the child’s right to not have to go between the two homes and be emotionally abused, when is it their right to say, ok, the child has a right to permanency, which is part of the Act that says, they have a right to stabilise in one place, they have a right to have a life where they can emotionally attach to someone, you couldn’t achieve that by carting them back and forth, back and forth all the time, so that was a dilemma at one stage, yeah, because I was never questioned about when ... that was a, I suppose a ... because there’s no hard facts anywhere, there’s only suggestions around what should happen, so it was about making a decision at the time about well ok, what’s in the child’s best interests right now, at this time, and that was a hard thing” (SW 12).

Older children’s problematic behaviour was also interpreted in terms of attachment as a possible emotional reaction to rejection, rather than simply them being ‘bad’:

“... and she was sort of left, ‘well, I don’t really know what to do’, and there was a lot of – she felt pushed away like, ‘I’m the bad one, my sister is the good one, I’m the bad one, they send me to respite care, they send me to counselling, they send me –’, you know, so she was starting to just feel like, they see me as bad, I’m going to be bad because I can’t change it” (SW 2, Case 2).

Sometimes, the ideas of attachment and resilience conflicted: a child might be perceived as ‘resilient’ when they showed what was described as ‘flexibility and adaptability’ in being cared for by a range of people without any sign of distress. On the other hand, this was also viewed negatively as evidence of poor attachment - sometimes within the same case. These conflicting ways of interpreting children’s behaviour show the contestability and fluidity around the kinds of knowledge bases used to explain children’s reactions to caregivers. Another area this was obvious was where children were upset to be parted from their parent. These were viewed as
having ‘strong attachments’ whereas many children with ambivalent attachment styles may also display this behaviour.
Thus, the ideas of attachment and resilience were clearly used to explain children’s behavior, although at times there seemed to be some confusion about how they may apply.
Overall, the idea of children’s best interests were defined as their current and future needs for family, connection and belonging, and emotional needs that could be met through attention to these aspects. In practice, most workers placed a strong emphasis on gaining both the child’s and other people significant to the child’s views on how these might be met, with due regard for children’s developmental level and timeframes.

Constructing the client: how clients and their problems were viewed
How parental problems, issues and situations are explained and interpreted impacts heavily on decision outcomes. The kinds of reasoning processes workers use, and the process of negotiation of these meanings with clients and colleagues are another important aspect of formulating decisions about clients’ lives. There were patterns observed in the accounts of how workers constructed clients and the causes of their problems. Notably, the causes of clients’ problems were attributed at inception to factors beyond client’s control, most often in terms of mental health problems and/or lack of family support. While in one sense these may be viewed as ‘commonsense ‘facts, any interpretation functions in some way to exclude other possible interpretations, and shapes the nature of the intervention and the worker/client relationship in significant ways.

Constructing the client as lacking culpability
As noted above, many workers explained the original causes of client problems as mental health issues, exacerbated by lack of support:

“Interviewer: So how would you explain the cause of the family’s problems?
Respondent: ... the drug and alcohol problems, and lifestyle, often prostituting to get money... I found the whole situation quite sad because you get in a vicious cycle. I think personally she probably wanted to be a good mother, but she had a sickness of the alcohol, and to maintain food coming into the house and that, because she was sick and that, she had two children, and also she had huge self esteem problems” (SW 5).

The construction of depression, drug and alcohol issues and other mental health issues as illnesses affected by lack of supports, isolation and a ‘cycle’ were significant ways in which workers were able to exempt clients from the category of ‘blameworthy’, in particular when discussing clients’ histories (Silverman, 1998; D. E. Smith, 1978). This way of constructing them functioned to allow a viewing of them as lacking culpability, and in need of support, rather than culpable, and in need of correction or punishment. The explanations of individual psychological problems, for example, ‘self-esteem problems’, creates a psychological discourse about clients that avoids directly blaming them and maintains a sympathetic viewing of them. The reluctance to label client’s behaviour in blaming ways was strongly connected to a viewing of the client’s situation as part of a ‘whole picture’ that was complex and contained other important elements, including client strengths and resilience.

The next most common reason given was lack of family support. Maori workers in particular mentioned this:

“...there was a lot of reasons actually, because mum was separated from her natural family, she went into foster care when she was quite young, so she was raised by people separate from her family, she doesn’t really know – she’s not familiar with her roots, she knows a little bit about it but she doesn’t actually know people in it so she doesn’t have that connection. The dad is far more connected to his roots and when the children want to have contact with the dad, it’s about having contact with the whole family, it’s not just about the dad, but when they have contact with mum it’s about mum, yeah.

Interviewer: And do you see that as contributing to her not coping at times, like did she not have that kind of family support?
Yes. Definitely, definitely. Because if she’d had that family support I don’t believe she would have actually come to Open Home Foundation when she went inside ...” (SW 20).

These interpretations functioned to explain harm to children but also function to describe parents as lacking culpability or blame. They allowed workers to maintain a position of respect and lack of moral judgment of clients, viewing them as struggling through no fault of their own, rather than as inherently morally deficient or lacking in parenting skills.

Client Views
Clients in general reported a similar reaction of experiencing the worker’s relationship as non-judgmental:

“Respondent: I think they sort of – I felt as though they sort of like listened, that I suppose they’ve seen all sorts, haven’t they, and I felt as though I wasn’t made to feel guilty for what - for how things had developed and things like that, because I had done my best... you didn’t feel as though whatever I said or did was under a microscope so to speak ... I didn’t feel like she was sort of investigating me every time we sort of got together” (Parent, Case 5).

This felt experience of lack of blame or judgment, as someone who had ‘done her best’ was important in her ability to maintain an adequate mothering identity, especially as she had her child returned to her after a number of years in care. Most clients agreed with psychological constructions of their problems, and accepted that at the time of intervention they were ‘not coping’. They gave a variety of reasons for it, most notably in terms of mental health and drug abuse:

“Before I went to Open Home I was quite - well, I needed to go to rehab, I needed some help. I found I wasn’t there for my kids emotionally, physically just there as a parent because of my own problems with drug abuse, and – Interviewer: It’s a very brave place to come to.

Respondent: Yeah, and I just thought they needed more than that, they needed love and support, which I was self centred and I couldn’t give them that at the time, as much as I wanted to ... because I really was struggling and wanting some help,
sometimes you just can’t go to people and say ‘look, can you come and take my child’, you know, you’ve got to have proper help, and I knew it was something professional that you did, and if I was going to go back to treatment again I’d need that professional help for my children and I wanted to do it properly…” (Parent, Case 4).

However, others were not so comfortable with a psychological/medical explanation for their problems. This quote outlines the careful and complex negotiations of meaning workers and clients engaged in:

“And... they were concerned about my drinking as well, as well other things – which was another concern that they brought up...I was attending... a Prime and Purpose group, which is like an Alcoholics Anonymous ...I still don’t agree entirely that I’m an alcoholic because... I haven’t had a drink for a month and I’m fine ... I’d go to the pub once a week and do karaoke and they said that was a problem ...and when I could get a little extra earning I would have a drink in the evening after the kids have gone to bed and she said that was, um, a warning sign of me not coping....which I agree with, but I don’t feel it was fair for them to class me as an alcoholic or that I had a drinking problem” (Parent, Case 8).

Lack of macro analysis
While workers used many constructions relating to mental health and lack of family support, few workers spoke of macro level structural factors relating to class, gender or ethnicity to explain why clients were ‘not coping’. This was surprising given that in 20/22 accounts, the clients were single parents (19 women and one man) parenting with very limited material supports, yet only two workers mentioned financial strain specifically, and only one solo parenthood. The focus on individual psychological and immediate systems of support was therefore the main focus of intervention.

Capable of change and honest
However, the use of ideas about mental illness and lack of support as causing client’s problems did not stop workers from holding a belief in a client’s ability to change, and their perceived openness and honesty with the worker. A perception of honesty often affected decision-making as clients were more likely to be entrusted with their
children despite some elements of risk where workers felt it was more likely they would be honest if they were struggling with the care of their children. This was a strong theme through most cases workers discussed, illustrating the influential nature of the worker-client relationship. Examples of the worker’s, mother’s and young person’s perspectives in a case where a child went into care at age 8, and was returned at age 14 illustrates this interrelationship. The first three quotes provide some contextual background.

The worker states:

“Interviewer: So in that case ... how would you explain what was causing the family’s problems?

Respondent: I think a lot of it was the mother was abused as a child, she was depressed as an adult, and she was depressed around the time of D’s birth, and since he was three and four, and I just think that that affected her ability to relate to D, and I think that he didn’t get his emotional and psychological needs met at that right stage, as a very young child, so he felt quite alienated” (Social Worker, Case 5).

The young person’s views of why he went into care were:

“I was being a little brat I suppose while mum was on antidepressants...she slept most of the time...while she was asleep I was getting into things...whatever I liked” (Young Person, Case 5).

When the decision was made to return this child home at age 14, several reasons were given by the social worker, such as: mother requesting more access, finding better accommodation, an improvement in her mental health, the child’s desire to go home and “...needing to take his views into account...otherwise he’s going sabotage this placement” (Social Worker, Case 5).

She states her belief in change as fundamental to her course of action:

Respondent: I guess my ... response that made the biggest difference was my belief - if it was an emotional response or not - in the mother’s potential to actually do it and my belief that getting behind her would be the thing that would yield something positive” ” (Social Worker, Case 5).

This case received further challenges when soon after the boy’s return, he brought marijuana seeds to school, saying he had found them at home. He began to truant and wander at night, prompting major concerns from a number of other
professionals about the appropriateness of the decision to return him home. However, the worker maintained her decision to return the boy, mostly in response to how the mother reacted to being challenged about the drugs. She perceived the mother to be “...really sensible, she didn’t duck and shove, she didn’t do any of that, she just accepted it...the way she handled it gave me hope to believe that this is something she could move on from”. The worker resisted what she called a ‘knee-jerk’ reaction to remove the child again, and was prepared to persist due to her perception of the mother as honest and capable of ‘moving on’. These ways of viewing the mother could be construed as contributing to the relationship within which the worker was able to actively work with the mother to help create safety on an ongoing basis.

Interrelationship between views of the problem, worker’s attitude and parental experience of the relationship

This interrelationship between the worker’s attitude, her construction of original causes, her view of the parent as capable of change and honest, and the client’s experience of her as non-judgmental appears to have a cyclical effect in that the client feels more able to be transparent and open about possible areas of risk. This pattern of trust, negotiation, openness and the resultant ability to manage risk, rather than remove children immediately from homes, was a common pattern to emerge and shaped decision making through the life of the case, as it allowed workers to be less restrictive and able to negotiate decisions with clients, rather than act unilaterally and intrusively. Furthermore, taking an element of ‘calculated risk’ was often given as a factor that helped provide parents with the motivation to engage in personal change:

“... you know, and I think for me the pleasure is in seeing him walking in the culture of his family, and the family have progressed, just seeing that movement in mum and you know I largely see the movement in mum, is because I guess she was entrusted with the care of her child again ...that was impetus for her to actually build on that, so that’s in a nutshell ...she really did rise to the occasion.” (SW3, Case 5).
Thus, elements of trust and empowerment are also present in social workers’ justifications for decisions made – they viewed parents being entrusted with the care of their children as one element motivating further personal change.

In another case, clients (in this case foster caregivers) were viewed as open and honest, and again this shaped workers responses. They felt it helped them resist overly reactive actions and focus on the actual harm or safety of the child. In this case a child has been struck (‘smacked’) by a caregiver in an out of the ordinary incident, and the worker eventually decided to leave the child in their care. There were various reasons for this, but one was as follows:

“What was on that Signs of Safety assessment that reassured you that she was going to be safe?

Respondent: Well I think it was actually the fact that X and Y (caregivers) had rung and told us, for a start, so they’d been absolutely up front that it had happened, they told us why it had happened, and then there are points that they are saying, that it’s not ok that it happened, that was one of the main things that they were actually saying, ‘we don’t want this to happen’, so there was all of that around it” (SW7, Case 6).

In summary, when examining the ways workers explained the cases of clients’ problems, there was often a lack of judgment expressed by workers about clients, in this instance defined as ‘negative moral evaluation’. This was expressed through the use of discourses relating to mental health problems, lack of family support, and a viewing of the person’s problem or behaviour as separate from them as a person to allow a sympathetic, supportive attitude towards clients where they were viewed as not culpable or to blame for their problems. There was little use of structural analyses to explain client’s predicaments, that is, factors relating to poverty, gender, class or ethnicity, despite most cases at least in part relating to women raising children in poverty. These were viewed as givens that little could be done about.
Workers also tended to view clients as capable of change and honest. This shaped case decisions and the nature of the worker-parent relationship.

**Strengths based approaches**

So, the construction of original and current issues, and children’s best interests resulted in the individual and their immediate systems as the focus of the intervention. The way these were intervened on could broadly be described as ‘strengths based’ and included the use of both the Signs of Safety (SoS) approach and Te Aho Takitoru (TAT) to define needs, identify areas of concern, state risk, formulate goals, and define strengths, resources and things that conferred safety on a child. These practice tools and their underlying philosophical bases affect the ways cases are conceptualized, how decisions are framed, who contributes to the decision making process and the nature of the relationship between workers and parents.

This strengths focus has several influences on case trajectories. Firstly, it attempts to include clients in forming goals and emphasizes the need for clients to define some of their own goals, or at least, personalize what a general goal might ‘look like’ for them. For example, while all clients might agree that a goal would be to be a ‘good parent’ or for their children to ‘be safe’, workers often reported creative ways of engaging with clients so as clients had control over the detail of what that might mean for the particular client. For example, this client, although unhappy with her definition of ‘alcoholic’ above, when asked what had helped make her the new ‘strong’ person she reported, she replied:

“*Well, it was something that L (worker) was talking to me about, she said, uh, I want you to paint me a picture of the kind of mother that you want to be. Like, the kind of woman that you want to become. And… that became like a goal. It became like a plan that I could see myself. And she said that when... oh, she said when we know that you’ll be at then we’ll be able to put the kids back in your care. And I sorted out all the things that I wanted to be – I wanted to be strong, independent, um a great –*
a great mother, good with money, you know all the kind of things that you – you want to have. And then afterwards it hit home and I thought, oh that person just seems so far away – you know, I just didn’t even know how I was gonna possibly achieve it. Because like, there was a huge river raging between me and where I’m supposed to be and um... but then I thought, no I can do this. I’m gonna do this for me.

And what is the way that you managed to get over the river?
Um…it’s just a matter of building up the stones, really. And getting the confidence to make the little steps and to get out of your comfort zone” (Parent Case 8, (brackets mine)).

While this creative way of working with a future focus was appreciated by most clients and helped to assist in personal change, some clients were not so happy as they felt the constant pressure to ‘move forward’ as unrealistic:

“But I said to her – I told Open Home that I’m not sure what to think about it. So they know that I have some – some concerns about it, yeah. About him, but – I feel there is always a pressure to move things ahead, you know? ... And I always, I – I’m like, ‘Hey, hey, let’s just... wait. Things are going well now, let’s just wait it out a bit,’ I do feel like there was a bit – there is a bit of pressure to move things ahead.
Right.
You, like ... they want P (mother) to take M (child) – well, P wants to take M over the hill to (town) again, on – over the weekends, and they’re like ‘Yeah, maybe she’s ready for that,’ and you know I’m – maybe I’m paranoid about what happened last time she took M there” (parent, Case 10).

**Signs of Safety**
One practice tool used within the agency, based on solution focused philosophical ideas and developed for the child protection context, is the Signs of Safety (SoS) approach (Turnell, 2008; Turnell & Edwards, 1999). As a method of decision-making and case planning it is obviously of interest in this study of decision making processes. The format of the SoS approach lays out the concerns, strengths, Signs of
Safety and risk statements on one form, then provides a vehicle for the worker together with the family to identify the strengths and safety factors that can be used to work on the concerns and lessen the risk of harm as outlined in the risk statement. It is this use of strengths and safety to work on the concerns and risks to develop future goals and ‘next steps’ that give the SoS approach its special character. It is fundamentally solution focused in this respect.

Within workers’ accounts of practice a number of themes were identified in respect of the ways the SoS impacted on the nature of knowledge produced about clients, and how this impacted on the pathways of practice. Every identification of themes, while attempting to be a reliable indicator of the dominant messages of the data, is always guided by the researcher’s anterior categories of interest. In my case, my theoretical interest led me to be especially interested in how notions of risk and safety were evaluated by workers, and how these notions impacted on two subsequent areas: decisions made about the case, and the relationships able to be formed with clients.

**Safety**

Workers reported actively searching or looking for things that could be interpreted as conferring safety on the child. These events or behaviours generally included things like seeking support, actively seeing other professionals, self awareness, an understanding of children’s needs and development, and attendance and engagement with education groups such as parenting courses. For example, in this case, the fact that although a client was deeply depressed and suicidal, the fact she had visited her GP and was taking medication was viewed as contributing to the child’s safety:

“**Interviewer:** Ok. And what was on the safety side there?

**Respondent:** Yeah, *S* admitted she was concerned about her suicidal thoughts and that she went to her GP, and she … one day she was quite surprised about her thoughts and said, ‘ok, well actually I really need to get some support’, so she started to take antidepressants and she can see a little improvement in her emotional wellbeing…” (SW1, Case 1).
Here, another worker comments on how the SoS approach encourages a search for a broad range of information relating to the family, and how the search for safety changes the focus of the assessment to focus on finding solutions rather than solely identifying culpability and establishing risk:

“Amazing, I think - oh, I’ve just loved it from the first time I’ve had a chance to work on it, not just working from a strength base, but the whole concept, not just that narrow … but the wide, whole concept, I think it just brings up the opportunity to do a lot more searching and digging - quite often in this line of work we were problem saturated; everyone comes to you because they’ve got a problem, they get locked in to what’s not working, instead of what is working … searching wider … not narrow … going wider and asking questions (and) because we’ve done the history, we’ve done the family stuff … you know, just more questions that actually give you a better picture of the risk, not just the risk but, if the child stays with you, then how is it going to be safe” (SW10, Case 2 (italics mine)).

Utilizing strengths
This method of looking at both strengths/safety and concern/risks and then trying to use some of the existing strengths to actually address the concerns was another aspect outlined by workers of the way they used the SoS approach. This is clearly linked to the general premises of solution focused approaches in general, where exceptions and strengths are actively drawn on to –co-construct’ a more useful (and safe) version of future life.

“Respondent: I think in this family, using the Signs of Safety for me was looking constantly at … because there was so much positive in this family, but sure, we had to do the negatives, decided to do a family group conference, because we had the positive going over into the negatives it made it easier … we got some really good stuff out of it…it was like when you come into a drug and alcohol situation, it was pretty clouded by addictions, the negatives but there were a lot of – I felt there were a lot of positives happening, like … grandmother … maternal one, sure she had to give her children up but she’d kind of grown past that too, so we kind of looked at that, we looked at X’s behaviour … that, but hey, there were enough support networks there who wanted to do the same thing for X as well as Y, so looking at
both sides helped us to gain some real ground work in assessing it with the positive points and then seeing the negative things, and then being able to draw out from the positives what we can do about the negatives” (SW9, Case 4).

Risk
The use of risk statements to clearly describe the actual behaviour that in the worker’s view was creating a risk of emotional, physical or sexual harm for the child is stated in addition to the outline of more general concerns. This risk statement clarifies the areas of potential harm to the child and provides a way for parents to understand the nature of the agency’s care and protection concerns, rather than being vague and therefore unclear and impossible for the parents to do much about. This way of constructing risk, while being somewhat directive, has several effects on the way knowledge is produced and acted upon in decision making. Firstly, it limits the intrusion of the agency to those aspects of family functioning that are actually of direct harm to the child. This delimits those areas of legitimate use of powerful intervention in children’s and family’s lives. This is not to say that social workers did not attend to the wider needs of children and families, but the area of behaviour that they could use their statutory power is clearly defined and ‘demystified’ for parents:

“So straight away we do our Signs of Safety consultations; initially with the social worker, so what’s working well, what are you worried about, what is the risk statement. So straight away we do a consult, supervisor and social worker, we do a consult, and then also talk with the family so they understand what the risk statement is; because what I have found is you can think you are talking the same language to a family, but you actually could be talking past each other, you can be talking about two different things, like I can think of a family we worked with a while ago and the child was always getting out of the gate, the toddler was always getting out of the gate and running out onto the road, and we would have thought that the risk and the danger concerns were very clear, so when we put the risk statement up there on the board for them to see, ‘Open Home Foundation is concerned that little Johnny is going to get out of the gate when you are drinking
and when you are abusing substances, because the gate is never locked; Open Home Foundation is concerned that he is going to get killed on the road, he is going to wander away and get picked up by strangers, Open Home Foundation is concerned that you do not understand the risks; all of these things and we spelled them out, I’ll never forget their mouths dropping - ‘so that’s what you’re worried about - we thought you wanted us to stop drinking, we thought you wanted us to stop taking drugs’, well actually we do, as well, however this is the safety … this is what we are worried about … ” (SW8).

Describing the concrete details of behaviour has several effects on practice. It lessens parental defensiveness, as it avoids the use of pejorative terms such as ‘abuse’, and avoids ‘expert’ explanations or labels for current issues the family is facing. This can encourage parental participation and inclusion in the process. It may, however, obscure longstanding patterns of behaviour or promote an individualistic viewing of behavior. This in turn may suggest it’s all in parent’s direct control, whereas behaviour that is due to either historical traumatic events or complex interrelationship of multiple contextual factors may not be so easily changed through parental effort.

Interrelationship between Te Aho Takitoru and the SoS

While there were only a small number of Maori workers interviewed, there were interesting variations on the use of TAT and the SoS within this group. Some workers used the SoS in conjunction with TAT, especially at decisions points, while others felt the TAT was superior in some ways by conceptualizing concerns in a broader way than descriptions of purely behavioural type and frequency could capture:

“ You can cover things – you can cover facts but you can also cover more like spiritual things, whereas in the Signs of Safety it is very difficult to put a spiritual issue into a Signs of Safety, I find, that’s just me personally; because Signs of Safety is more around fact … ‘this is a danger because dad threatens to hit boy and he has three times done it’ … so if you’ve got an issue of a boy feeling as though he is not valued within the family because, I don’t know, for whatever reason – where do you put that? Where do we put that in the Signs of Safety thing? ” (SW 20).
This issue is part of a wider debate about the consequences of defining behavior in purely descriptive terms of frequency and type as described above.

Others felt that if the worker and client were both Maori, then the SoS could be more useful than the TAT in direct work as it cut quickly to the heart of the child protection concerns:

“...because most of our social workers are Māori, they do struggle with having to use a Māori model, because they work from a Māori framework anyway – sometimes the fact that they’re Māori and they work with a Māori family is enough, to sometimes just bring the Signs of Safety straight in ... some of the families that - some of the families that we work with, the Signs of Safety or the Te Aho Takitoru kopu - you do want to be more definitive quite quickly, with Signs of Safety, than the broader Te Aho Takitoru, that is what the social workers have told me that use it, so - and I think ‘cause they are Māori they just want – I don’t think they come up with any barriers, I suppose, around going in and using the Signs of Safety tool, do you know what I mean, I think the barrier might be that maybe they’re European or they’re another ethnicity and they’re going in to use a Signs of Safety tool. Interviewer: Right, you think that’s harder?
Respondent: I think it is harder ... I think a lot of that, and this is just me personally now, a lot of that’s around if you’re Māori working with Māori, you know you’re there for a reason and let’s just cut to the chase ... you know, let’s do all the stuff, let’s have our mihi, let’s say where we’re from, let’s make everything noa and have a cup of tea and everything ... but you’re there for a reason, spit it out, you know, and so for our social workers they actually find the Signs of Safety is better, however (if the worker wasn’t Maori) I’m quite keen to see what that might look like and whether Te Aho Takitoru would be needed for that person to take that tool into that family to work with ...” (SW 23, (brackets mine)).

Lessens ‘reactive’ practice decisions
Alongside this search for the whole, detailed picture of children’s lives through investigating risk and safety factors was an associated belief in the need to respond in a planned, reasoned manner to events, rather than just act reactively to the immediate concern:

“Respondent: Yeah, and I think it’s harder as a social worker to talk about the risks associated with foster care itself if you haven’t got something that’s really defined to follow, because you think, ‘oh well we’ll just take them out and put them somewhere else’, because then you get, if this happens again, then what, and if this happens again and we have to be answerable to police, or if this happens again and we have to be answerable to the law, so ...I think that the Signs of Safety enables you to make the decisions without being – and to put that whole stuff around you know, ‘what happens if?’ aside, you’re actually really focused on the child and the situation rather than creating something that’s not likely to happen” (SW7. Case 6).

Thus, ‘safety’ is constructed as an aspect of future planning, and locates the focus of practice in conversations with families about how they might make the child safe, rather than get stuck in battles over who is culpable for a child’s abuse. It presupposes they have control over creating safety for the child. This impacts on the trajectory of practice by progressing rapidly to discussing future solution building with the family, and identifies them as the site for change. This search for safety is not merely a linguistic exercise designed to avoid the perception of blame or judgment – it acts as an intensely pragmatic, intentional vehicle for finding out about aspects that may actually create protection and safety for the children.

**Child’s safety and perspective**

It was clear that a focus on the child’s safety also helped the worker and parent share a common goal, as ‘let’s work together to keep your child safe’ is much less contentious than ‘let’s stop your violent behaviour’. This changes the constructions of the parameters for intervention while still achieving the desired outcome: a safe, violence free environment for children. This clearly intersects with the ‘best
interests’ discussion above as it includes a focus on children’s perspectives regarding their own safety as a method of maintaining relationships with parents:

“So how did the use of Signs of Safety contribute to your work with this family?

“Um… I guess… the focus on safety really helps… to help them to focus in on the fact that C (child) was feeling unsafe at times and was in danger at times with M (mother) hitting him…I suspect that she probably appreciated me focusing in on C’s safety, because it became a safety issue and not, I don’t know … you’re not allowed to hit him. Because the law says so. It’s like more – C feels unsafe. Cause she saw that C felt unsafe at times. She recognized that. Yeah”. (SW 15, Case 9).

Children’s views were actively sought as well – their perception of the behavior was also viewed as important, rather than just either the parent’s or worker’s view of that behavior:

“Interviewer: It’s a really tricky line to walk isn’t it sometimes between saying quite clearly that smacking is not ok but at the same time your behaviour was not ok either, it’s that tricky line between who’s responsible for what.

Respondent: Yeah, well that’s it, and certainly it is that whole thing of saying to a child, you know - and it’s also a sense of how unsafe did L (child) feel, like did she feel incredibly unsafe and really, really frightened, and all of those sorts of things, so it’s also getting a sense of how frightened she was of going back or of that happening again, and in talking to her I didn’t get a sense that she was frightened of that, she was saying, ‘adults aren’t allowed to do that are they” (SW7.Case 6).

**Safety Plans**

The use of safety plans within the SoS approach was commented on by most workers in return home cases as a particularly useful method of working with families to ensure children’s safety. This use of safety plans was key in several cases to enable children to return to, or remain at home. It provides a practical way to monitor parental behaviour, ascertain children’s experiences, provide practical plans if a parent becomes abusive, enlist the support of other family members and agencies, and work on family dynamics. While this was at times intrusive, it allowed children to remain in or be returned to their parent’s care in a number of cases that would
previously have not been the case. This use of safety plans further highlights the paradoxical nature of care and control, of participation/empowerment and paternalism or intrusion that child protection workers and clients must continually negotiate.

“Interviewer: She wanted to be back but she was… Yup. She was scared about it. And … She was also able to – like I asked her “if you were worried about something, who would the people you would talk to be?” you know, in other words, she found – she identified her own safety people. Um, so when I talked with X and Y (parents), um, and Z (child)... I was able to say ‘One of the things that, um, the kids have said to me is that they get scared when there’s yelling and fighting,’ and so on. So, when we wrote that safety plan, Mum and Dad agree that there won’t be yelling and swearing in the house. Um, the other thing that X and Y had come up with themselves – through the Incredible Years program I think it was part of it – was that um, the core value was to agree to disagree, so that was also about taking their stuff between the two of them... away from the kids. So if they had a disagreement about something they wouldn’t disagree about it then and there, they would talk about it when the kids had gone to bed at night. So we put that in the safety plan…” (SW13, Case 7).

Noticing achievements
The final aspect of the SoS to be discussed in the way it encourages workers to focus on success and achievements of parents as a way to assist clients in creating personal change momentum, and create a collaborative relationship with parents. This affects the crucial production of knowledge about a client, and when introduced in key decision making forums such as Family Group conferences or SoS consults, impacts on future decisions as it creates a picture of clients that includes elements of personal change efforts and strengths:

“Um, and it (SoS) kind of meant that at the beginning of the FGC I could start off by saying, you know, we’re really proud of N (mother) for all the stuff she’s done, you know, I’ve got a list here for everybody to have a look at… – about all the stuff that she’s done, which has been really hard, but look at what a great job she’s done, and to really build her up. SO that even at the beginning, something
could see it and say... ‘You’re a child basher and you’ve done a terrible job and you’ve been a bad mother’, and you know, so it kind of changes the tenor of the conversation as well. Yeah, so even... FGC coordinator was like, and she was like ‘Wow! I’ve never seen anything like this before!’” (SW.14.C8).

This worker, in a case involving the return home of children who had been in care for some time, comments on how noticing achievements helps the client-worker relationship:

“Yeah, that was really around the looking for the... looking for the things that were going well. But also, you know, holding the – the safety of the children as the main thing, as well ...(so) she (mother) didn’t feel under attack” (SW 13, C7).

This was the parent’s view of the relationship and how the worker’s noticing and encouragement of their efforts contributed to her personal change efforts:

“Interviewer: And, um, did you feel like you had lost your confidence about your parenting as well ... you hadn’t parented in two years...

Yeah, it took a lot, well, I took a – well, we went and did our parenting course again...

Revising of everything. But, I think having Open Home there just to say – you know – you’re doing OK. Everything’s going OK. This could be switched a little bit, but you’re doing good. You know having that input – it’s a load off the old shoulders.

Interviewer: How do you think the social workers you’re involved with viewed your family – such as Open Home Foundation?

Um, I’m not sure how they’d think – like, the first time we come along. But, um, they have commented that, you know, we are doing awesome with the kids. So, I mean, that in itself was just ‘whew!’ . At least someone had seen that we were doing ok ...and like I’ve told Open Home, I said ‘You know, I don’t think I would be where we are today if you hadn’t have been there,’ so they know that they played a big – well, a HUGE part in us having the kids home” (Parent, Case 7).

**Client-worker relationship**

**Balancing care and control**

The role of workers in child protection social work contains aspects of both care and control: they are expected to maintain collaborative working relationships with
people and make decisions that lead to empowerment and self-determination, while simultaneously making continual evaluations of the child’s safety and the possible use of their statutory power to intervene in family life. This power context is unavoidable in child protection work, and both workers and clients must deal with its effects on their relationship and the decisions made. Many workers and clients discussed this issue. One finding was the way power dynamics changed over the course of the case ‘life’. Often action may have begun quite intrusively, with children removed, but then slowly power is returned to parents as children are returned to their care. Another main finding was that in all the cases discussed, the worker’s attempted to limit the use of their removal power and use it only as a last resort, rather than as a first, ‘default’ option. The reasons for this were often explained in terms of the child’s experience and the potential damage to the relationship between the worker and parent. This worker’s comments are typical:

“...so talking, basically, the decision over it, you know, what the kids need for safety, what’s the best way to do that, cause we want to keep working with the family. We don’t want to just pull the kids out and for that to be that. We want to pull these kids out so that they’re safe, then help to fix things up at home, yeah, and pull them back together. Because the kids love their mum – really really attached to her, you know, they do really love her. She really loves them. It’s just all the other issues that stop it from working. Um, so it was about – and, and going in there and just pulling the kids out would have meant that she would no longer trust us – you know, all of the relationship stuff you’d done to build that up to be able to work with her. Yeah. So it was about trying to get her to see what needed to happen and then empower her to make the right choice. You know so a lot of – a lot of work, in reality, has been around being her cheering squad...” (SW14 Case 8).

In the case above, the worker worked really hard to gain assent to a decision to put the children in care, even though she could easily have gone directly to court given the nature of the concerns about the children. However, she felt that taking that course of action would have alienated the mother and impeded future work. However, the mother, not realizing how much worse it could have been, felt somewhat dismayed at the outcome of her honesty:
“...she said OK, um, ‘OK, um, on this scale, where would you put yourself ... meeting your children’s needs?’ How well do you think you’re meeting your children’s safety – how well do you think that you’re coping?’ and I had to put a 3 because I wasn’t coping, and because of that answer she always said I have to remember the children, and I just felt really gutted, because I was honest and I felt like I’d sort of been...too honest, you know?

Interviewer: Did you regret having said that?

Yes.

Interviewer: Or did you think at that moment it was probably true and it was...

Yeah, well, at the time I said that I was really really low, and I wanted out of my relationship, I wanted out. I wanted him to move out – I just didn’t want anything to do with him anymore ...and I thought I was doing the right thing, but later on I realized that I was just so depressed, and not coping with everything but it was sort of awful – I mean, it went to the next stage because she had that discussion with me...I mean, but I didn’t want the kids to go” (Parent, Case 8).

In this sense the client experienced the action as oppressive and the use of scaling questions as coercing her to agree to a decision she was not capable of making at the time. However, even this marginal consent was enough to at least maintain some semblance of a relationship, however fraught, to work with her towards the eventual return of her children.

Communication

Another way the worker in this case acted as a mediator between the client and the wider system was through ensuring a level of communication with the client that enabled her to be aware of the process, know exactly what was going to happen, and be informed of events coming up that are likely to be experienced as difficult, distressing and intrusive:

“And I think that’s where trying to be as honest as possible, you know, like always... yeah, like actually saying to her, you know, ‘I know it’s really awkward to talk about this stuff, and the things that you tell me I’m not going to tell everyone else, but at times I’m going to have to write this stuff and submit it to the court ... you know, and letting her know in advance that this is what was gonna happen, even though she
was so gutted, you know, just for her the shame of people knowing, yeah. That would be terrible. Yeah, but time gave her a heads up on everything, like taking all the – all the court documents to her before they go into the court, and saying this is what I’ve written, you know, this is what this means, this is what’s gonna happen, um, so that she wasn’t left wondering. And little things like, A (child) was sick recently, and B (mother) took her to the doctor (during access) and the doctor fobbed her off, and the foster parent said the next day that she really is sick she needs to go back to the doctor so she went back to the doctor, so she called B and said ‘What happened at the doctor yesterday?’ oh, yeah, good. OK, so we’re gonna take her back to the doctor today … I didn’t realize that the foster parent took her so then I ring up to let B know what the doctor said and what was gonna happen. You know, so that at least she knows, rather than ‘Oh, well I said she was sick’ … and I’ve tried to her to be above and beyond the call of duty because I think that’s what’s meant – that’s what’s made her keep working” (SW 14, Case 8, (bold mine)).

This worker also described how engaging in a lot of communication with a mother who’s children were in care helped keep her engaged in the process, and the negotiation of the parameters of that power where those ideas were seen as unsafe for the child:

“The amount of communication, I think, because I did communicate with her a lot. And I did always give her the power, actually, to be a part of the decision making, so I would say to her ‘look, ok, this is what I’m thinking, I’d really like your view on it’, and she would put her view forward and I would say, ‘well, ok, yes, well you know your child better than I do, we’ll go with this and how can we make this happen’, etc., etc., so then, if there’s anything that I thought was unsafe then I would go back and say, ‘this is what I know, can I add this to the mix’, and so we kind of made those decisions together. When it conflicted hugely with what I saw as being safe, then I just had to say, ‘no, look, I had to make this decision because of this, this and this” (SW 20).

**Values and ethics**

All aspects of decisions are inseparable from issues of values
and ethics, as these underpin the use of knowledge and theory, and the attitudes of workers to clients that can heavily influence the worker-client relationship. For example, the use of communication as a method of including clients as much as possible in the processes of decision-making, even those that were outside of their power, in turn was informed by a particular value position expressed by many workers. These generally included an ethic of respect for clients, an appreciation of them as people and human beings separate from their problems, and a commitment to trustworthiness as a way to ameliorate the impact of intrusive actions in clients’ lives.

**Respect for clients**
Avoiding overt judgments about clients was often combined with an attitude of respect for clients and an appreciation of their struggles. Many workers voiced the perspective that clients were not to be judged for their situations, and to view the person as having inherent value separate from their behaviour or issues.

“...yeah, and accept her for what the stuff she’s done, yes it’s not right but that doesn’t make you a bad person, it’s just bad things that you are doing, and how do we work through those...” (SW 2, Case 2).

Some workers went on to relate their reluctance to judge clients to their Christian faith:
“I think that yeah, it might be that as a Christian, another thing that ... we never judge ... judgment, and that’s not always the case outside, it’s not ever perceived like that, I know Christianity is not perceived like that at all so yeah, it was a chance for me to say it should be like this, so yeah, it was” (SW 9, Case 4).
While most clients (as described above) felt that they were viewed with respect by their workers, one felt somewhat distanced from his worker. He wished that the worker would:

“sit here ... and just hear my story – like a human being. You know? ... I don’t feel... That’s happened. But maybe that’s... unrealistic ... I don’t know.... Just a slight ... sense that ... I’m not quite like a human being. (laughs) That I’m just a... yeah, I’m someone to be managed – someone to look after my – this child. Someone who has a job to do. It’s more like a professional relationship than a human being one. And I don’t know if that’s just my issue or not, but that’s just a little – a little bit of the feeling I get” (Parent, Case 10).

Trustworthiness

Most workers stated the importance of trustworthiness in building collaborative relationships with clients. This trustworthiness was defined by many as ‘doing as you say you’re going to do’ and keeping open avenues of communication. Being trustworthy was another way workers attempted to alleviate the power differential, and was also a way that workers could control some aspects of their role as well. Even if they were called upon to exert powerful and intrusive interventions, one way they could ameliorate the worst effects of this was by being trustworthy:

“Respondent: Well, there’s always a question mark when you’re working with these sort of people about whether they can ever trust, because their trust has been broken right through their lives, when – just with who they are as people, and there is some sort of trust established, I will say that, in our relationship, we do have a relationship, however I’m very aware that these people are always never sure whether they can ever really trust anybody, because of who they are and their lifestyles that they’ve had. But there is some form of trust there, ever slowly, like a spider’s web, it’s enough for her to hang on to, with some hope in there...” (SW9, Case 4).
Only one client commented that they felt their worker was not trustworthy, as they had not attended important events such as court hearings and other appointments. The client was no longer working with that social worker.

**Conclusion**

In conclusion, there are many influences shaping the course of practice decisions in child protection cases. These influences, in turn, shape the ways cases play out in complex and sometimes conflicting ways. Social workers and clients operate within particular social, theoretical, cultural, organizational, personal and family systems that affect this case process. The kinds of cases workers selected were those where they felt children had been kept safe and their best interests had been protected, but the relationship with parents had also been able to be maintained. Children’s best interests were mostly defined as manifested through child focused practice and maintaining children’s family connections. The original causes of parental problems were often viewed as psychological or lack of family support, and this helped workers hold a non-judgmental view of clients. The strengths based approaches used in the agency were evident, and especially so in the Signs of Safety tool used throughout the agency. This enabled workers to gain a full picture of clients lives that included elements of strength and safety for the child as well as those factors that represented risks. However, even in approaches aimed as much as possible at empowerment, the worker and client must always balance the care and control aspects of this kind of work in ways that seek to protect children but empower parents where possible. Finally, issues relating to values and ethics were also clearly expressed in this study, with workers often discussing elements relating to a need for respect for clients and being as trustworthy as possible. Any study of social work practice should endeavor to give a picture of practice that provides a broad summary of main themes, but does not exclude voices of participants where they may contradict those primary findings. While this may produce a less coherent picture of practice, it provides a more honest one that grapples more meaningfully with the
complexities inherent in the work. This report aims to do this as it explores the processes of decision making in child protection social work practice.

Appendices: questionnaires (as above in appendix one)
Appendix seven: ‘Three Houses’ tool

(Weld & Greening, 2005: 35).
Appendix eight: Signs of Safety assessment form

(Durnell & Edwards, 1999).