

## WHO SAID CHILDREN MATTER, ANYWAY? FAMILY PRESERVATION AND CHILD PROTECTION - CONFLICTING AGENDAS FOR PRACTICIONERS

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**ABSTRACT:** Dilemmas relating to child protection and family preservation were the focus of a leadership forum at the 1993 Trieschman Conference held in March 1993 at Cambridge, Mass. The author, a participant at the forum, highlights the need for balance between the advocates of the "interventionist" approach which leaves considerable discretion in the hands of child welfare workers and the courts, and the supporters of the "family autonomy" approach which suggests that parents should be left alone to raise their children unless they fail to meet clearly defined minimum standards of care. The political rhetoric and will for change, our commitment to provide for the next generation and the dangers associated with "bandwagonism" in child welfare go a long way in determining the extent to which children truly matter in our society!

### Introduction

*"Children cannot open doors or windows, cannot see on top of counters, are stifled and trampled in crowds, hushed when they speak or cry before strangers, apologized for by harassed mothers condemned to share their ostracized condition."*

**Germaine Greer**

*"Everybody can blame somebody else, but obviously the child who has only one shot at growing up is the victim of the failure of the family and any one else who should have helped but did not."*

**Peter Forsythe**

*But it is also true that I, and a few others, know what must be done, if not to reduce the evil, at least not to add to it. Perhaps we cannot prevent this world from being a world in which children are tortured. But we can reduce the number of tortured children.*

**Albert Camus**

The extent to which our society cares about its children is unclear. We hear much rhetoric about children being "our most cherished resource" and

yet conditions appear to be getting worse from year to year. Advocacy efforts devoted to the need for reforms in the name of children arouse of adults; there will always be children who require the protection of the State; families will continue to fail and child welfare will be carried out in a way that is governed more by short-term economics than by longer term investments. Until children truly matter to the society and until their needs and issues are moved to the forefront, the debate will continue and little will change (after all it is the never-ending debate that the politicians desire most of all as it allows them to stall further remedial action and withhold or re-divert resources).

### **The Problem**

*"Nothing determines who we will become so much as those things we choose to ignore".*

**Sandor McNab**

Decisions about whether and when to intervene in an unhappy family, who does the intervening and with what long-term goals, are questions that will continue to challenge our fundamental social organizations and values. The policy makers and politicians will ask if the system that is supposedly in place to improve a child's situation is more harmful than the abuse and neglect that is suspected or known? (If it is not, then there are always ways of deliberately weakening the system and we do this all the time—note the closure of residential programs, the deprofessionalization of residence staff and the weakening of the foster care system). The fact that bureaucrats and many social workers show ambivalence bordering on contempt for foster and residential services has debilitating effects on those associated with them and the children who live in them. The admission of children into "out of home" settings is all too often the result of a crisis or a failure of planning; this has led to residential care being seen as a residual resource instead of providing the necessary element of choice among a range of other services.

During the remainder of the '90s, the focus of child welfare policy will be on attending to only the children most severely in need. This, instead of expanding the interventions in the early problem stages. Consequences of these changes will see a decline in, (and more restrictive funding for) higher cost residential services, a greater emphasis on increased fiscal accountability and an expectation of better results in shorter periods of time. We should be concerned when the costs begin to have consequences for the care, safety and treatment of children. When child welfare intervenes too late or terminates services too early or perhaps denies service that might otherwise have been beneficial, then it is not acting in an alliance with children and families, rather it is child welfare turning its back on the very constituencies it is designed to serve. *This is immoral.*

The rhetoric heard particularly from right-wing political ideologists would lead us to believe that the family is a sacred place, a refuge where

there is no place for meddling social workers who “do more harm than good.” The politicians and policy makers lead us to believe that the “least intrusive measures” are more respectful of the privacy rights of families yet we also know that “least intrusive” can be so easily interpreted to mean “least expensive.” We continue to believe the political rhetoric and as a result more and more of our attempts to help children end up as being abusive (e.g., waiting lists for investigations of abuse; servicing only those in chronic need *often after the fact* and restricting funding for a narrower spectrum of residential services).

Child welfare specialists are also quick to succumb to “prevention” propaganda, programs that appear usually at times when the economy is weak. It is at these times for example, that we are often asked or told to question high-cost alternatives (intrusive) in favour of low-cost preventative programs (family preservation) and like lambs, we jump onto the preservation bandwagon viewing this as the new “miracle cure.” The preventative programs are naturally preferred by politicians and bureaucrats who fail to realize that not all children can or should remain with their families and that not all families can benefit from in-home family prevention programs. And yet, it is often in these families that children are left, often at great risk of abuse, by harried social workers uncertain of their mandates and confused about the placement/preservation choices. Whatever social workers do, whether it is protecting children’s rights or protecting the rights of the family to privacy, they stand to be accused of doing the wrong thing.

## The Two Opposing Camps

*“The child’s need for a safe and secure environment must somehow be balanced with his or her need for familial contact. The process involves balancing the present with the future, the known with the unknown, and the real with the intangible needs of the child.”*

**Judge Anne Russell**

Right and left wing “camps” have been developed and the debate is raging. The first are those who view the family as a sacred unit to be disrupted only in the most troubled situations. At its extreme, this camp is against “heavy handed” intrusiveness of child welfare agencies, against the removal of a child into the child welfare system and highly supportive of primary and secondary prevention programs. A major argument of this group relates to the concern of parents having their children taken away from them as a punishment for their failure to cope with society’s shortcomings and its failure to provide adequate welfare and support. This group is usually anti-residential care and is very much focused on the family of origin; in particular the poor families whose ties are threatened by the powers of the courts and social workers to remove children and keep them

away from their parents, perhaps permanently. Their creed might be “the State should not intervene into the lives of families simply because it is able to offer greater opportunities for children to achieve their potential.”

The second camp places greater confidence in the State’s intervention and argues that it is clearly the role of child welfare to advocate, protect and defend children against parental mistreatment. This group emphasizes quality of care of the child over the biological bonds or connection with the family of origin and suggests that the placement of a child should be viewed as preventative rather than seen as a failure, as it so often is by social workers. There is a high value placed on permanency planning, so that when a child is removed from home and rapid rehabilitation seems unlikely, the focus is on placement with alternative adults. At its extreme this group will claim that our society overvalues ties with the family of origin and waits far too long to sever the ties when the child is at real or perceived risk of harm. Their creed would be “where are the children’s rights to a loving and stable home, when we override in favour of the rights of abusive and neglectful parents that can not, or will not amend their ways?”

Needless to say, the radical advocates of either camp are ultimately contributing to the systemic abuse of children, for no one approach is right for all children. Regrettably, it tends to be the politicians and policy makers, those who promote the “family as sanctuary” approach and those with the most influence and clout, who sway child welfare in the most destructive direction, that being to support the natural family *at all costs* through prevention and preservation programs and to avoid the costly placement of the child. *Alas, in many situations, these programs simply preserve the pathology.*

The approach that child welfare agencies must take is to assess clearly the level of risk and determine where the child is better off. This hinges not so much on *where* the child is cared for but *who* is attending to his / her needs and *how*. If cared for under conditions where there is a broad vision and a proper understanding of the needs and the soul of the child, the child will grow and develop in a normal way; where this is lacking, the child, through no fault of his own, will suffer.

### Considerations For Care

*“These are all our children . . . we will profit by, or pay for, whatever they become.”*

James Baldwin

- The political will to reduce spending in child welfare, particularly that involving high cost group care services, is not unlike the deinstitutionalization movement of the 1970s. Sadly, the funds that are saved from the reduction of residential programs do not seem to be channelled into preventative “preservation” programs, rather the children unable to live with their families are pushed

more and more into the direction of the streets. If the streets and shelters have become the institutions of the past for many former patients, then will it not be long before children and youth are also forced in the same direction? *The trend towards the elimination of staffed programs in favour of foster care or family preservation is frightening, lacks vision and will ultimately result in higher numbers of street kids and with greater long term costs.*

- The undervaluing of foster care and residential care particularly by the “family as sanctuary” group must be addressed, for as long as we devalue and marginalize the in-care system we will simply dilute the services to a point where systemic abuse is all pervasive. We must work hard to ensure that residential services of all kinds do not become emasculated and under-resourced alternatives for children living in troubled family situations. *The attitude prevalent amongst many in the child welfare field that anything not “family-like” is bad and to be avoided at all costs, must be changed.*
- By continuing to seek “quick fix” solutions, limit our “intrusiveness” and simultaneously reduce the spectrum of services that are available to children and families (particularly those at high cost), we risk ending up with “successful operations and dead patient” scenarios. The current “burden on society. . . drain on society” debate that rages in the health care field should not become a reality in child welfare. *We should never be forced to look children in the eye and tell them that they are unproductive and unworthy of our attention (whether the attention is residential services or nonresidential services matters not).*
- Decision making in child welfare particularly with regard to the prevention/protection issue is more influenced by myths and conjecture than by facts. This results from the absence of systematic longitudinal research studies and fuzzy methodologies that vary from one province or state to another. It is only through careful and detailed research that we will be able to determine appropriate and more effective interventions that minimize the results of leaving a child in a dysfunctional family for an unduly long period of time in a high risk situation or from placing a child into the child welfare system prematurely without the correct assessment information. *The development of risk assessment tools that identify the danger signals and indicators of child abuse must be given priority; however, under no circumstances can these instruments replace the critical face to face casework assessment and plan.*

- There must be greater attempts to form allegiances with children and their families. The placement of a child has so often caused problems because the family has been left out of the process. If a child has to come into care, then symbolically the parents should enter the system as well. There must be greater attempts to form partnerships with parents—to avoid placement drift, and ensure that both children and youth and their families are involved in the decision-making process at all levels. There are, in our society, attempts to create conditions that are in the best interest of children and young people, yet there continues to be a widespread and rarely questioned assumption that it is for adults to determine what those interests are. Children and youth themselves are seldom consulted and tend to be heard with patronizing condescension on the infrequent occasions when consultation does take place. As a result when they do speak out on their own behalf they do so in a tone of frustrated revolt. *We must not only listen to children with intelligent empathy but if we are to understand their plight, we must be more open to their pain.*
- Troubled and highly stressed families are increasingly unable to get help to avert problems before they become crisis. The bureaucratic maze of discrete, unrelated programs, each with its own administrative procedures and eligibility criteria, discourages many families from seeking help and delays the provision of assistance to others. Regrettably once children have been removed from their homes the services that are offered are often fragmented and narrowly defined and as a result the child who has already suffered once is forced to suffer yet again at the hands of the system. There must be more collaborative attempts at working to prevent all of these known problems from happening. Children must have access to a continuum of services, compulsory admissions should be discouraged, formal written agreements need to be completed and roles of all involved need to be defined. *Coming into care should not be regarded as a failure* nor should the parents of adolescents be forced to “abandon” their children in order to access “out of home” support.
- Children must be moved to the forefront. Too often in the past the welfare of our children has been sacrificed to other interests, parental and societal. It is now clear that the interest of society can only be served by recognizing that every child is a human being, worthy of care, dignity and respect. Parents must be helped to come to understand that they do not own their children, they must not exploit them and, like guardians of the law, they must always put the interests of their children first. The future of our children lies not solely in the hands of governments, policy makers, politi-

cians, child welfare workers but in a very real sense lies with us all. *Child poverty, abuse and neglect are "bruises on the soul of humanity" and when the children in our society hurt, we all hurt. And when they die, we all die a little. We must work with an unrelenting commitment to stop the children from hurting and we must give politicians, policy makers and bureaucrats neither "peace nor pause" in our efforts to make children count, to make them matter.*

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