

INTRODUCTION

Child protection involvement with families after the discovery of serious injuries to infants is a matter of continual public concern and controversy. How do child protection professionals and courts undertake assessments and make judgments whether injuries are due to abuse? If injuries are considered to be the consequence of abuse, in what circumstances can it be considered safe for the infant to return home?

In the modern history of child protection practice, countless numbers of vulnerable infants have been protected from further harm through the provision of effective support and therapeutic interventions to enable their parents to care for them more appropriately. Moreover, the lives of innumerable children have undoubtedly been saved by decisions that it could not be considered safe for them to remain within their natural families. Such effective practice in child protection is largely invisible.

In contrast, child protection errors have a continual high profile as matters of public concern. Over the past four decades, tragedies have regularly made headlines in cases where children have been re-injured and even killed when parental violence recurred notwithstanding (inadequate) child protection interventions. More recently, public concern has become acute regarding miscarriages of justice in cases where child abuse was wrongly believed to be the cause of injuries or deaths of infants. Concern is also growing about the increased use of compulsory adoption as an alternative to the provision of sophisticated family support and therapeutic services.

In this book we are concerned with promoting good practice in child protection interventions in cases where infants have suffered serious injuries that give rise to child protection concerns. We assert that the consistency and quality of child protection work needs to improve in two ways:

1. Infants need more effective protection from sources of real risk.
2. Child protection systems need to be more consistent in not intervening in families in unnecessary, inappropriate, disproportionate and damaging ways.

We will highlight a conclusion from this book at this early stage in our introduction: in our view, child protection systems currently are far too inconsistent in the ways that cases of serious injuries to infants are dealt with – particularly the cases where there are ‘uncertain perpetrators’ or discrepant explanations of the cause of the injury. Essentially similar cases can be handled in contradictory ways. For example, in our own research sample (see Chapter 5), the outcomes for two seriously injured babies in very similar family circumstances were quite different although based on the same rationale: one baby was returned home to natural parents explicitly *because there was no understanding how the injuries occurred* (that is, the parents were given the benefit of the doubt). The other baby was compulsorily adopted *because there was no understanding how the injuries occurred* (parents were denied the benefit of the doubt). This cannot be considered to be satisfactory or acceptable.

How do we understand the nature of such discrepancies and inconsistencies in child protection practice? How do we make sense of the continuing level of both types of child protection errors? Just as child abuse itself is the unpredictable result of a volatile interaction of multidimensional factors, the nature of child protection practice is also determined by a range of complex (and often confusing) forces. In particular, child protection services are provided in a context of multiple influences that include political pressures, social policy expectations, legislation, government guidelines, contrasting professional cultures, technical issues relating to risk prediction, resource availability, and the idiosyncratic beliefs and behaviours of individual practitioners and professional groupings. We shall comment on these factors throughout this book.

There will be times in this book when we express our concern about inappropriate and disproportionate child protection interventions and outcomes. We are concerned that a culture of practice is developing whereby families are increasingly mistrusted by professionals, and where both motivation and resources for family support and therapeutic interventions that could keep some families intact are diminishing. Compulsory adoption is a much simpler (and cheaper) ‘solution’ than the uncertainties and more visible risks that are inevitably attached to more resource-intensive, successful reunification programmes. However, this concern about unreasonable child protection interventions also sits within a context of the undeniable reality of fatal and severe maltreatment of children.

AUTHORS’ CREDENTIALS

The professional knowledge and practice experience of the authors upon which this book is based include:

- undertaking initial investigations of reports of abuse
- providing independent specialist assessment services
- providing a range of preventive therapeutic services (e.g. a therapeutic service for adults who were abused as children, and a brief therapy service)
- providing therapeutic services for children and families after reunification
- undertaking child protection research studies
- undertaking commissioned evaluations of child protection services
- chairing and participating in Part 8 Reviews (fatal case reviews)
- management of assessment services and supervision of practitioners
- providing expert-witness, independent social work reports in care proceedings.

The views expressed are the result of the cumulative professional experience of the three authors, all of whom have been involved in various facets of child protection work for nearly three decades.

THE STRUCTURE OF THE BOOK

Chapter 2 illustrates the graphic nature of severe physical maltreatment of infants, and outlines the types and consequences of errors that occur in child protection practice. *False-negative* errors result in failure to intervene effectively to protect infants in real danger. *False-positive* errors occur when child protection interventions are mistaken, unnecessary or disproportionate.

Chapter 3 is a selective research review of factors known to be associated with serious and fatal physical abuse. It considers what is known about the individual personality and family characteristics of parents who are found to be responsible for such events.

Chapter 4 discusses research into the effectiveness and ineffectiveness of child protection systems. It examines the processes and outcomes of child protection interventions after referral to social services, the issues that arise when cases become subject to legal proceedings, and communication problems between professionals and agencies that are noted to arise (in fatal cases). Finally, research is discussed that provides knowledge about *reunification rates* (the proportion of injured infants who are subsequently returned to the care of their parents) and *re-injury rates* (the proportion of such infants who are subsequently re-injured).

Chapter 5 focuses on the authors' own research in child protection case management of infants with serious injuries where there are discrepant parent/carer explanations. This was a research project sponsored by the National Society for the Prevention of Cruelty to Children (NSPCC) which examined the characteristics of two samples: first, a sample of 17 families

where 19 infants had died from suspicious injuries; second, a clinical sample of 21 families referred to an independent assessment service.

Chapter 6 examines the views of parents and other family members about child protection interventions they have been subjected to. Key themes from the body of parental perceptions research are presented and discussed, and space is provided for the voices of parents and family members to convey their (predominantly critical) views about child protection services. Some professionals will find this chapter to be an uncomfortable read.

Chapter 7 discusses diagnostic issues and dilemmas in relation to expert medical witnesses concluding whether serious injuries were caused by abuse, or whether there are less probable non-abuse explanations in certain cases where otherwise the injuries to the infant mimic abuse. This chapter also considers the varied reasons why some parents/carers 'deny' responsibility for the injuries to the infant (one of these being that they are wrongly accused on the basis of a 'false-positive' error). The chapter concludes that the notion of 'denial' is unhelpful and often counter-productive in child protection assessment and case management.

Chapter 8 outlines key approaches to undertaking child protection assessments in cases where infants have sustained serious suspicious injuries. It is noted that the Assessment Framework (the government-promoted assessment tool in England and Wales) is inadequate in this context, and specialist assessment interventions are required. We outline common specialist assessment contexts, and discuss necessary professional skills for intervening effectively with families in specialist assessment practice.

Chapter 9 highlights the necessity of assessing *potential for change*, and considers to what extent are identified family problems that are commonly associated with serious suspicious injuries amenable to change. It also considers what theories, approaches, skills and services can help facilitate such changes. The chapter provides indicators of positive change potential from assessment interventions, and outlines the factors that suggest that potential for change is absent or significantly limited.

Chapter 10 describes how in the course of child protection interventions families and child protection services may behave in either reasonable or unreasonable ways. We conclude in view of this that courts should take into account the *reasonableness* and *unreasonableness* of child protection interventions and case-management practice when forming judgments about the long-term futures of seriously harmed infants. We review the options open to courts at the final stage of care proceedings, and critically discuss the apparently increasing trend toward enforcing compulsory adoptions.

Drawing on original practice-based research and extensive experience of undertaking independent child protection assessments, this book provides an essential reference for all professionals involved in the child protection

process in cases where infants have suffered serious suspicious injuries. The book is written for a wide audience, including social workers, health workers, solicitors, barristers and the judiciary. It is hoped that it will also be a valuable resource for parents and families who find themselves involved in child protection and legal proceedings after injuries to their child.

