The above publications form the basis of the recent government sponsored review of the implementation of *Children First: National Guidelines for the Protection and Welfare of Children* (Department of Health and Children, 1999) and the first carried out by the Office of the Minister for Children and Youth Affairs (OMCYA).

*Children First* is an overarching set of procedures to improve professional practice in both voluntary and statutory agencies that provide services to children and families. The guidelines were designed to assist people in identifying and reporting child abuse and to guide staff in the steps to take in response to such concerns. The Department of Health and Children (DOHC) itself adapted the *Children First* guidelines to meet the information and awareness needs of the voluntary sector with the publication in 2002 of *Our Duty to Care*; and the Department of Education and Science (DES) applied them to the youth work context in the *Code of Good Practice: Child Protection for the Youth Work Sector* (2003). Together with the Child Care Act 1991 and the Children Act 2001 they form the basis of state provision for the welfare and protection of children.
National Review

The introduction to the *National Review* document states that this review is different to other government commissioned reviews (Social Services Inspectorate, 2003; National Children’s Advisory Council, 2003) because the context and focus are different: it is based on wider consultation and partnership with relevant government departments. The publications above do suggest a comprehensive and enlightened approach to genuine partnership and consultation. The *National Review* team undertook the review along four parallel strands: a public consultation, a review of previous reports on the implementation of *Children First*, meetings with key stakeholders, and contact with the Secretaries General of each Government Department.

Of the 136 submissions received through the public consultation, the majority came from organisations rather than individuals and from service providers rather than service users. In fact, only 4% of responses came from service users. This is not uncommon in this kind of public consultation and the commissioning of a specific study on the experiences of service users in this regard is welcome.

The findings contained in the research reports will be of specific interest to those involved in the voluntary and community sector, including youth work, because the issues raised by organisations and by service users are ones which impact on their work – whether in family support, working with young people or child protection – on a daily basis. For those working with young people in a developmental capacity, welfare issues also arise. The primacy of young people’s voluntary participation, the egalitarian ethos of much youth work practice and the centrality of the value of building relationships means young people may choose to disclose abuse to youth workers.

The *National Review* highlights a key concern relating to the issue of access and engagement with the child protection services. Engagement is fraught with difficulties for children, young people, their families and those organisations who work to support them. Submissions highlighted the lack of consistency in how *Children First* is implemented across the HSE and the significant problems relating to feedback to those who report a concern, as well as problems in the availability, timeliness, quality and quantity of services available once investigation and assessment is completed. Unfortunately these findings reflect a pattern, evident over many years and continuing today, of failure to act to adequately protect children in Irish society. Central to the experience of many children and young people has been the failure of statutory authorities to act decisively in cases of neglect and abuse.

Recent events suggest that recommendations from previous reviews must be acted upon urgently by Government so that there is public confidence in the capacity to implement the recommendations of the 2008 *National Review*. As indicated above, two independent Government-commissioned reviews of the Guidelines have already been carried out (by the Social Services Inspectorate the National Children’s Advisory Council, both in 2003) and yet difficulties persist with the implementation of the Guidelines. Key recommendations from these Reviews are reiterated in the findings and recommendations of this *National Review* and require a committed government response: clearly delineated departmental responsibilities and inter-departmental working arrangements for implementing *Children First*; improved structures to promote interagency cooperation at national, regional and local level and a public education campaign to highlight child protection as a key national issue.
In addition to the above, there have been calls by children’s services to place the Guidelines on a statutory footing, and these calls were reiterated in the submissions to this Review, although such a development does not feature in its final recommendations. The refusal of Catholic Bishops to answer questions in 2008 for a HSE Audit relating to allegations of abuse, citing legal reasons, are directly related to the lack of legal backing for the Guidelines. There is little accountability, in part because there are few sanctions. As long as the protection of children relies on guidelines which have no constitutional or statutory basis, there is no obligation to report children in danger.

The second Government action must be to introduce legislation to allow for the use of ‘soft’ information in vetting procedures in relation to the suitability of individuals to work with children or vulnerable adults. Such legislation will have the support of children’s organisations throughout the country. The issue of ‘soft information’ exchange is one that was considered by the Joint Oireachtas Committee on the Constitutional Amendment on Children, which found that there is no constitutional impediment to the enactment of legislation with regard to the exchange of such information. These problems were identified more than three years ago in the Ferns Report (Murphy et al., 2005) and the government has so far failed to introduce changes in the law that it admits are necessary.

There is considerable agreement about the steps necessary to ensure the full implementation of the Children First guidelines. The political will to act is less forthcoming, as a brief perusal of the inquiry reports of recent past will testify. Before the Ferns Report, just mentioned (Murphy et al., 2005), there was the report of the Kilkenny Incest Investigation Team (1993), the Kelly Fitzgerald ‘A Child is Dead’ report (Keenan et al., 1996) and the ‘West of Ireland Farmer’ report (North Western Health Board, 1998), to name a few.

It is in the context of these and other reports that a review of compliance with the Children First guidelines and an analysis of the experience of services users is timely. One of the challenges of the National Review was to incorporate the experiences of the service-users but this did not occur to any great extent. As already stated just 4% of responses to the public consultation were from service users. The OMCYA did commission a significant piece of research into their experiences, but the findings were not incorporated into the final National Review document. While the focus of the Review was on compliance with the Children First guidelines – the responsibility of the professionals and service providers involved – very instructive and insightful information was available from service users about their experience of the Children First guidelines in operation.

Analysis of Submissions

There is a considerable convergence and some divergence between the National Review document and the Analysis of Submissions document with regard to the key findings and recommendations, which will be examined below. The provision of a detailed qualitative and quantitative analysis of the submissions gives visibility to the work of organisations and individuals who contributed to the findings of the National Review while allowing the reader to identify where differences emerged in the priorities of the non-governmental sector and the OMCYA. Many areas of good practice were highlighted in the submissions and for each area of the review there were positive comments and a proportion of responses indicating that the guidelines were working well. Inevitably in a review
attention is likely to focus on the problems and difficulties arising. Below is a summary account of common issues across the two documents, identifying where divergence occurs.

1. It is acknowledged that in every aspect of the review issues were raised about the lack of consistency in the implementation of *Children First*, including training, assessment, interventions, support services and interagency working. This forms the basis of the National Review recommendation on Standards, Integration, Monitoring and Implementation.

2. The documents share a common concern, stated in submissions and by key stakeholders time and again, with the lack of resources to implement the *Guidelines* in respect of support services for children and families, and in respect of vulnerable children. Difficulties in the lack of support services were consistently highlighted, in particular in respect of early intervention, and generated more commentary than any other area. The National Review takes cognisance of this and incorporates the call for the integration of child protection work in the context of increased support for child and family services as one of its five recommendations.

3. It is vital that people seeking to raise a specific child protection concern or make a referral are facilitated to do so, and the difficulties individuals and organisations experienced in accessing the HSE in this regard were so frequently stated in submissions that the National Review has a separate recommendation relating to it. This difficulty is in my view a very significant measure of the difference between what people outside the child protection system consider a threshold for concern, and that held by those working within it. People have specific concerns about children’s welfare and protection. When they seek to report, their efforts are often frustrated by a lack of access, a lack of protocol on feedback and above all, a lack of sensitivity to what this means for the person reporting and for the children at risk.

The National Review does not recommend mandatory reporting despite a strong call for this by major advocates in the children’s sector including the Children’s Rights Alliance, the ISPCC, Barnardo’s and others. Likewise the National Review does not recommend any changes to the *Guidelines* even though two thirds of submissions indicated that they should be revised, specifically to take into account the needs of non-Irish national children, particularly those who are unaccompanied, children whose first language is not English, children with an intellectual disability, children in care settings and teenagers as a group with separate and different needs to younger children. Notwithstanding these divergences, there is significant agreement about the need to realise the core objectives of the *Guidelines* rather than simply comply with procedures.

It is acknowledged both in the National Review and in the Analysis of Submissions that child protection work is difficult and emotionally demanding, particularly for frontline staff delivering child protection and welfare services; that the commitment and dedication of staff is significant and that awareness and commitment to child protection generally has grown considerably. Despite the technical nature of review documents such as this, it is clear that the authors and the OMCYA are committed to representing as forcefully and as accurately as possible the strategies required to enhance child welfare and protection in Irish society.
Service Users’ Perceptions

In many ways the study of service users’ perceptions is the most interesting and insightful of the three reports, containing as it does an in-depth study, one of the most comprehensive of its kind in Ireland, of the perceptions of service users of the child protection system. While many of the findings and recommendations in the National Review are framed, of necessity, in technical and systems-led language, using terms such as ‘access’, ‘integration’, ‘monitoring’ and ‘evaluation’ to describe institutional and organisational changes necessary to protect children, this study is an account of how individual people experienced the child protection system. Yet what people have to say about their experience is an enormously valuable contribution to any review of compliance with the Children First Guidelines. The findings are testament to the fact that the system is in need of radical change but also to the existence of therapeutic alliances between service users and professionals that have delivered tangible supports, enabling people to rebuild their lives. There is some remarkable congruence between the experiences outlined in submission and those recounted by service users in the child protection system.

This research study was commissioned by the Office of the Minister for Children with the overall aim of examining the views of service users on the child protection services, taking into account their experience of inclusion and having their views taken seriously. It was carried out with the input of 67 service users who were involved with the HSE’s Child and Family Services which delivers its child protection services. The service users in this research are the children, young people, caregivers and extended families involved with child protection services through their own initiative or who have been referred by others.

Of the total, 39% of respondents initiated contact themselves and 61% were referred by others. As regards gender breakdown, 28% of respondents were male and 72% were female. In terms of age, 19% of participants were 13–23 years; 46% were in the 24–40 year age group and 35% were aged 41–70 years. Most participants were from Leinster, (60%) 27% from Connacht, 10% from Munster and 3% from Ulster.

The specific focus of the research was on:

● Service users’ experience of initial contact;
● Service users’ involvement with assessment and investigation of reported concerns;
● Their genuine participation in the process;
● The quality of the child protection services they received; and
● The extent to which their needs were addressed.

It must be acknowledged that this study presented many challenges for those who volunteered their time to contribute their experiences, for the service providers who made contact with participants and for the researchers themselves, working together on a very sensitive topic. The integrity shown by all involved is to be commended.

The 83 page study is divided into sections addressing current research and literature in this field, an account of the methodology used, several chapters detailing the findings of the study and a final chapter summarising the work and making recommendations.
The literature review section makes fascinating reading, with some excellent examples of evidence-based research on child protection and family support work. I was particularly struck by research into the extent to which worker/service-user relationships in child protection cases impact on outcomes or improvements in measurable aspects of child welfare and parenting performance. In research carried out in Canada, De Boer and Coady (2007) categorise relationship qualities into two themes: ‘soft and judicious use of power’ and ‘humanistic attitude and style that stretches traditional professional ways of being’. The former consists of acknowledging power differences, responding to negativity, anger and apprehension supportively, being honest, open-minded, respectful and empathetic; while the latter category includes being down to earth, friendly, and ‘real’, strengths-focused and ‘going the extra mile’. In many ways the approach reminded me of the central qualities of good youth work discussed by Spence in an article in an earlier issue of this journal in which she identifies professionalism as involving communicating something personal so to enable young people to commit their trust. The youth workers in her study believed that ‘relationships’ were at the core of their practice and it is in this difficult area of relationships, love and friendships that youth workers do their work and challenge dominant discourses of professionalism (Spence, 2007: 14–15).

The study is detailed and the space available to a review cannot do justice to its analysis of a complex system such as child protection. What follows is a summary of some of its main findings, with a sample of service users’ own comments on their experiences, focusing both on difficulties and on the positive alliances created with workers in the system.

1. For those who were involved with the child protection system for whatever reason, the overwhelming experience is one where the system is seen as powerful and somewhat hostile institution with common misconceptions about the power of social workers to take children into care.

2. Service users experienced delays in intervention, with victims of domestic violence having particular difficulty in accessing the system or having their concerns taken seriously. The experience of perceived threats and feelings of abandonment dominated service users’ accounts of early engagement with the child protection system. This was not the case universally and positive experiences of relationships with professionals were also related, where a well managed encounter turned initial hostility into an awareness of the need for change. However, a frequently expressed sentiment is encapsulated in the following quote (respondents are identified by anonymised codes in the report; only page numbers are given here):

I think there is an awful lot of shame and stigma attached to getting involved with social work services … like there’s something wrong with you. (p. 33)

3. Respondents reported that the dynamics of living with a violent partner were not understood by the professionals; they felt too much responsibility was left to them even when they were too weak or traumatised to take action. They reported that there were unrealistic standards of parenting demanded of them. They also related examples of positive working alliances with helpful and empathetic approaches on the part of professionals.
4. In relation to Child Protection Plans, service users reported that they were not involved in drawing them up but did know what they had to do and what the consequences of not complying would be. Their acquiescence was often grudging and based on avoiding their children being placed in care. For others such plans were helpful. For example a mother whose children were considered to be neglected was required to develop a routine.

*The children had to be well looked after, be well dressed … not just once but every day … I had to make sure that … the house was clean … clean enough … a quick clean when the social worker was coming.* (p. 44)

5. The majority were satisfied with the out-of-home care provided and believed rapport with the child’s carer was important; nevertheless they did not have a clear understanding of the legal and administrative processes in care proceedings and thought that decisions were unchallengeable. Some service users reported being supported and informed throughout the legal process.

*I had never been in Court in my life and I didn’t know how things worked and I found the solicitors very hard to understand … but my social worker or the manager here would tell me what had been going on if I missed anything … we would go over it on the way home, which was nice.* (p. 44)

6. Young people in out-of-home care highlighted the importance of honest open communication with them to help them deal with trauma and develop a sense of identity. In this regard, a change of worker was very disruptive as relationships were central to the quality of the work. The turnover of workers and having to build new relationships was experienced as indifference by service users.

7. In reflecting on the quality of the service they received from the child protection system, the centrality of the relationships forged between themselves and professionals was central, as mentioned above, for service users. Respectful alliances were identified as those based on trust, friendliness, empathy, open-mindedness, being believed and being understood. One woman told how the workers being accessible was helpful to her during a stressful period

*She was very reassuring you know with me … said to me I could ring her any time if I was stressed out … several times I did actually have to ring her. We would have a chat about it and it would pass.* (p. 49)

8. Negative practice was identified as bossiness, intrusiveness, indifference, unreliability and lack of respect. Lack of respect was shown by telephone calls and messages not being returned, and workers being difficult to access especially at critical moments. Such unresponsiveness, delays and unreturned phone calls left people feeling insulted and abandoned. Punctuality was important to service users and several commented on how irritating they found it when appointments were broken.

*They’d make an appointment and you’re waiting and they wouldn’t turn up, you know … like ‘I’ll come on Tuesday at 3 o’clock’. We’d still be waiting for her on Friday at 3 o’clock, you know … You’re still waiting and you’re left hanging there.* (p. 49)
The implications of these findings are considered by the authors who acknowledge that it is difficult to carry out an investigation that reconciles the child’s need to be protected from danger with protecting the carer’s integrity. Nevertheless, a key implication from the research is that not all children are in dangerous circumstances and a more proportionate response would be beneficial. It is also clear from the findings that services users defined the quality of the service in terms of the manner in which it was delivered, with responsiveness and accessibility from workers highly valued. Finally the implication of discussions with children and young people is that they need the child protection system to work to keep them safe. Waiting for services for long periods even when their needs were acute and poor resourcing and planning for leaving care are very damaging to the young people.

Some of the recommendations of this study converge with those of the National Review and the Analysis of Submissions, for example in relation to: consistency in service provision; communication with service users to enhance their participation and involvement in what is a difficult and complex process; a public information campaign and competence of frontline workers on specific topics; and evidence about the most effective interventions in different situations. Valuable additional insights have been gained which add significantly to the human face of the Children First guidelines and should be incorporated into any further review of their operation.

This is a detailed analysis of a very complex process engaging parents and caregivers with an issue central to their lives, regardless of how they come in contact with the child protection system: the welfare of their children. It is instructive reading for frontline workers as well as for managers and policy makers who wish to ensure that compliance with the Children First guidelines is a matter of substance as well as form, and that the experiences of services users are well and truly incorporated into any future analysis of the work of the child protection system.

Conclusion

Taken together, the three studies reviewed here indicate significant challenges for the child protection system: in how it manages communication and information sharing among professionals directly engaged with children, either in the statutory or non-governmental sectors; in how it manages communication between the community it serves and the relevant child protection authority (in this instance the HSE) and its communication with the public who are guardians of children’s right to safety and protection and to whom the child protection system in particular is responsible. The child protection system faces a political and a practical challenge to engage the voice of the child so as to centre its decision making processes explicitly ‘in the best interests of the child’. Finally it must seek to challenge discourses about children as central to the rhetoric of our image as a nation yet marginal to ‘the national interest’ as expressed in political debate, policy formation and most crucially, in the allocation of resources. The ultimate test of a commitment to supporting families to care for their children and to the protection of children from neglect and abuse is that it is adequately and appropriately resourced at all levels, with commitment, flair and ingenuity, reflecting as only such financial commitments can the centrality of children and young people in Irish society. Political commitment is required at national level to co-ordinate implementation consistently across the HSE, and at local and regional level to ensure
protection, share information and best practice to ensure that the resources of buildings, budgets, training and staffing are focused on the implementation of the *Children First* guidelines.

**References**


