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# 1

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## CONCERNS ABOUT RISK AS A MAJOR DRIVER OF PROFESSIONAL PRACTICE

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### Introduction

An increased awareness about risk seems to constitute one of the key defining dimensions of our contemporary experience and is present in most areas of our social, economic, political and cultural lives (Mythen & Walklate, 2006; Petersen & Wilkinson, 2008; Taylor-Gooby & Zinn, 2006). Nowhere is this more evident than in the area of child protection (see for example Parton, Thorpe & Wattam, 1997; Swift & Callahan, 2009). It is, however, the central proposition of this chapter that concerns about risk in the area of child protection, and child welfare more generally, have taken a particularly narrow, negative and defensive form and that this has had an enormous impact on the priorities and nature of day-to-day policy and practice. Risk assessment, risk management and the monitoring of risk have become key issues for both practitioners and managers, and certain notions of risk have increasingly become embedded in organizational rationales and procedures for both the delivery of services and relationships with users and clients. Ideas about risk have, similarly, become central in making judgements about the quality of performance and what should be the primary focus for professional activities.

A central part of my argument is that particular ideas about risk have taken on a strategic significance for rationing services and holding professionals and others to account in a changing political and economic context where potential need and demand is increasing but where there are insufficient resources. Issues about risk in child protection have come to be intimately related to concerns about professional accountability and

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responsibility, such that overly defensive and negative organizational processes have come to dominate. The chapter begins by exploring the concept of risk before analysing how developments have impacted upon child protection more specifically.

## The concept of risk

It seems that the concept of risk emerged in the seventeenth century in the context of gambling and insurance and was used to refer to the probability of an event occurring and the size of the associated gains and losses (Douglas, 1992). Up until this time both positive and dangerous events were attributed primarily to divine or supernatural intervention; however, with the emergence of the Enlightenment, rational thought and objective knowledge were seen as crucial for bringing about progress and order (Lupton, 1999). Both the natural and social worlds were increasingly seen as subject to laws and regularities which could be identified and measured so that humans could begin to make calculations in order to intervene to improve the world. It was the time when probability and statistics emerged so that predictions could be made (Hacking, 1975). Risk comes into wide usage only in a society that is future oriented and that sees the future as a territory to be conquered or colonized – a society which *actively* tries to bring the future into the present.

Concerns about risk can be seen to characterize societies which aim to determine their own future rather than assuming the future is predetermined or subject to fate or 'God's will'. At the outset, however, risk was concerned with calculating both losses and gains – in the sense of gambling – and thus pointed to potential positives as well as negatives. It was a neutral concept in the sense that it was associated with the idea of calculating outcomes for the future. Risk understood in this sense is still very important as the primary idea involving a whole variety of different activities, including gambling, investing in the stock exchange and so on.

As Mary Douglas (1986; 1992) has argued, as the idea of risk became more central to politics and public policy, the connection of risk with technical calculations weakened. While it continued to combine a probabilistic measure of the consequences of events, increasingly the concept of risk in terms of public policy became primarily associated with negative outcomes only. As a result, the idea of risk has become much more associated with hazards, dangers, harms and losses. The risk that has become central for policy has now got little to do with neutral probability calculations. 'The original connection is only indicated by arm-waving in the direction of possible science: the word *risk* now means

danger: high risk means a lot of danger' (Douglas, 1992, original emphasis). Whereas a high risk originally meant a game in which a throw of the die had a strong possibility of bringing about great joy or great pain, the language of risk has become, in public policy, reserved almost exclusively for talk of undesirable outcomes. Discussions about risk have become primarily concerned with levels of danger and our abilities to predict danger and thereby avert it.

Douglas (1992), however, argues that this shift is not the major significance of the contemporary concerns with risk. 'The big difference is not the predictive uses of risk, but in its forensic functions' (p. 27). The concept of risk emerges as a key idea for contemporary times because of its uses as a forensic resource. Douglas argues that the more culturally individualized a society becomes, the more significant is the forensic potential of the idea of risk. Its forensic uses have become particularly important in the development of different types of blaming systems, and 'the one we are now in is almost ready to treat every death as chargeable to someone's account, every accident as caused by someone's criminal negligence, every sickness a threatened prosecution' (1992, pp. 15–16).

As I will argue further below, however, the situation has been developing in some interesting ways in recent years. While the idea of risk is no longer so dominated by notions of danger and is increasingly influenced by the idea of well-being and bringing about positive improvements, the forensic emphasis on individualized responsibility and accountability seems to have become stronger.

More than ever, risk has become centrally implicated in developments which hold people to account, not just for their actions, but also the *consequences* of their (in)actions; after all, the idiom of risk presupposes not only ideas of choice and calculation but also responsibility. Whether or not the risk attitude prevails depends on the degree to which areas of social life are assumed to be fixed, inevitable and influenced by fate, or subject to human agency and control, and hence responsibility. The more we have assumed that areas of life have moved from the former category (fixed, inevitable and subject to fate) to the latter (subject to human agency and control), the more we have taken them from the sphere of the natural and God-given and made them the objects of human intervention and responsibility. It seems that the more it is assumed that human intervention can have the effect of preventing harm and improving well-being, in an increasingly individualized and forensically driven political and organizational context, the more welfare agencies, managers and practitioners are required to account for their actions when situations or cases in which they might have some involvement are seen to have gone wrong.

A ‘culture of blame’ can be seen to dominate where a whole plethora of policies and procedures have been introduced to make practice, apparently, transparent so that any negative outcomes can be defended, often in the full glare of the media (Franklin & Parton, 2001; Parton, 1996; Lonne & Parton, 2014; Parton, 2016). The concern thereby shifts from trying to make the *right* decision to making a *defensible* decision. In the process, the concern is not so much ‘risk’ as ‘safety’, and a ‘precautionary logic’ comes to dominate.

Safety and precaution become a fundamental value, such that the passions which might previously have been devoted to the struggle to change the world for the better are now invested in trying to ensure that we are safe (Beck, 1992; Furedi, 2002). Increasingly, it seems that concerns about safety have come to characterize our contemporary social and political culture.

More recently, a number of writers have suggested that in the twenty-first century these concerns with safety are framed within a *logic of precaution* which insists on a politics and practice based on ‘strict safety’ (Ericson, 2007), where the dominating concern is the pre-emption of harm. Importantly, under the logic of precaution uncertainty is no longer seen as an excuse and, in fact, provides the driver for ever increased surveillance. Assessed against the ‘worst-case’ scenario, rather than calculative risk probabilities, everyone is required to be responsible for playing their part and thereby preventing future harm (Parton, 2006; 2008; Heberton & Seddon, 2009).

What I am suggesting, then, is that while risk is a wide-ranging and slippery concept, we can identify a number of key elements which have come to characterize it:

- It is future orientated.
- It seems to emphasize calculability, human agency and responsibility.
- It gives the impression of being predictable and scientific and aims to bring the future into the present, so that the future can be controlled and modified.
- In public policy and practice, it tends to emphasize the negative consequences and outcomes of behaviour and decision making.
- It fulfils an important series of forensic functions, with their implication for blame allocation and holding people and organizations to account in the context of an increasing ‘logic of precaution’.

These elements can also be seen to have characterized developments in child protection policy and practice, particularly over the last 20 years.

In the process, there has been something of a failure to develop much more positive, creative and empowering approaches to risk.

## Changing and competing conceptions of risk in child welfare and protection

The development of modern child welfare and protection policy and practice from the late 1940s in many western countries was based on optimistic notions of improvement and rehabilitation and played a small but key element in the growth of state welfare policies. State welfare, at the time, was premised on the wish to encourage *social* responsibility, the mutuality of *social* risk and the encouragement of *social* solidarity and security. The principal of state intervention was made explicit via the institutional framework for maintaining minimum standards. This involved pooling society's resources and spreading the risks across the population and through the life-course. *Social* insurance summed up the approach and provided the framework for welfare developments in other areas. People were to be governed through *society*, symbolized and coordinated by the state and based on the idea of *social* citizenship. Professional experts were invested with considerable trust and discretion.

The collapse of 'welfarism' and the growth of neoliberal critiques from the mid 1970s ushered in a quite new situation, where notions of risk were not simply recast but given a much greater significance. No longer was the emphasis on governing through 'society' but through the calculating choices of individuals (Rose, 1993; 1996). For neoliberalism the political subject is less a *social* citizen with powers and obligations deriving from membership of a collective body and much more an individual whose citizenship is active. It is an individualized conception of citizenship where the emphasis is on personal fulfilment and individual responsibility. At the same time, the impact of global market forces has hastened dislocation in many areas of economic and social life, reinforcing a whole variety of insecurities, uncertainties and fears. The growing concerns about risks to children can be seen both to reflect these increased uncertainties and insecurities and to provide a rationale for coping, understanding and responding to the new situation (Parton, 2006). While there was a growing range of concerns about the risks facing children in this increasingly 'hostile' world, there was also a greater emphasis on professional responsibility and accountability for the safety and well-being of the children they come into contact with. Concerns about risk can be seen to articulate and represent these challenges.

Following the high-profile and very public criticisms of social workers and other health and welfare professionals in cases of child abuse in

the 1970s and 1980s (Parton, 1985; Butler & Drakeford, 2011), the long-established state child welfare services in England came under increasing pressure and came to be dominated by narrowly focused, forensically orientated concern with child protection. Similar developments were evident in the other nations in the United Kingdom, as well as North America, Australia and New Zealand (Waldfogel, 1998; Lonne et al., 2009; Gainsborough, 2010; Connolly & Morris, 2012).

By the early 1990s, the child protection and child welfare systems could be characterized in terms of the need to identify 'high risk', in a context where agencies and professionals 'working together' was set out in increasingly complex and detailed procedural guidelines and where the work was informed by a narrow and defensive emphasis on legalism and the need for professionals to identify forensic evidence (Parton, 1991).

Child protection work had become concerned with trying to identify the 'high risk' or 'dangerous' families and differentiate these from the rest, so that children could be protected; family privacy was not undermined for the vast majority of parents; and scarce resources could be directed to where, in theory, they were most needed (Parton et al., 1997). At the same time, in the context of the increasingly hostile social and political climate in which the work was being carried out, a variety of new procedures, technologies and devices were introduced, which had the effect of subjecting practitioners and the people with whom they worked to a variety of 'systems' for providing safe, reliable, standardized services and, in theory, predictable outcomes. Perhaps inevitably, the plethora of policies and directives become unmanageable for busy practitioners and the proceduralization of practice has the effect of increasing risk rather than ameliorating it. As Carole Smith has argued (2001), the situation is full of paradox: while most agree that certainty in the area of child protection practice is not possible, the political and organizational climate demands it.

At a number of points since the early 1990s, there have been clear attempts in policy to move away from this very narrow and forensic approach to risk and to move beyond overly defensive organizational and professional practices. For example, during the 1990s a major debate opened up in England about how policies and practices in relation to child protection could be integrated with and supported by policies and practices concerned with family support and child welfare more generally (DH, 1995; Parton, 1997). Rather than simply be concerned with a narrow, forensically driven focus on child protection, it was argued there needed to be a 'rebalancing' or 'refocusing' of the work, such that the essential principles of a broader child welfare approach could dominate. Policy and practice should be driven by an emphasis on partnership, participation, prevention and family support. The priority should be on *helping* parents



and children in the community in a supportive way and should keep notions of policing and coercive intervention to a minimum.

This change in thinking was evident in Britain in the official guidance published at the end of the decade, *Working Together to Safeguard Children: A Guide to Inter-agency Working to Safeguard and Promote the Welfare of Children* (DH et al., 1999). The guidance underlined the fact that local authority social services had wider responsibilities than simply responding to concerns about 'significant harm' and identifying child abuse and was explicitly located in the much wider agenda for Children's Services being promulgated by the then New Labour government, which had come to power in 1997, associated with social exclusion (Frost & Parton, 2009). The *Assessment Framework* (DH et al., 2000) published at the same time as the 1999 *Working Together*, attempted to shift the focus from the assessment of risk of child abuse and 'significant harm' (DH, 2001) to one which was concerned with the broader idea of risk of impairment to a child's overall development in the context of their family and community environment.

We can thus identify an important change in the nature of the risk that policy and practice was expected to respond to. The object of concern was no longer simply children at risk of abuse and 'significant harm'. Effective measures to safeguard children were seen as those which also promoted their welfare, and they should not be seen in isolation from the wider range of support and services provided to meet the needs of all children and families. This broadening of the idea of risk was taken to a new level a few years later when the British government launched its *Every Child Matters: Change for Children* (ECM) programme (DfES, 2004a), where the overriding vision was to bring about 'a shift to prevention whilst strengthening protection' (DfES, 2004b, p. 3).

The consultative Green Paper *Every Child Matters* (Chief Secretary to the Treasury, 2003) had originally been launched as the government's response to a very high-profile child-abuse public inquiry into the death of Victoria Climbié (Laming, 2003). The changes were, however, much broader than simply being concerned with overcoming the problems of responding to cases of child abuse. The priority was to intervene at a much earlier stage in children's lives in order to prevent a range of problems both in childhood and in later life. The ambition was to improve the outcomes for all children and to narrow the gap in outcomes between those who did well and those who did not. The outcomes were defined in terms of being healthy, staying safe, enjoying and achieving, making a positive contribution, and achieving economic well-being. Together these five outcomes were seen as key to improving 'well-being in childhood and later life'. It was a very ambitious programme of change and was to include *all children*, as it was believed that any child, at some point in their life, could be seen

as vulnerable to some form of risk and therefore might require help. The idea was to identify problems before they became chronic.

This shift towards prevention has also emerged across international jurisdictions, with Australia's national framework for protecting children (Commonwealth of Australia 2009) promoting a change in emphasis from responding to abuse and neglect towards the safety and well-being of children. The aim of this 'public health approach' has been to focus on the needs of vulnerable families and through this reduce the occurrence of child abuse and neglect (p. 8). The recognition that not all families reported to child protection necessarily need a child protection response is also one of the reasons why a number of jurisdictions have incorporated elements of differential or alternative response models based on what a child might need (Lonne et al., 2007; Connolly & Morris, 2012).

The growing emphasis on prevention in England coincided with the introduction of a range of new technologies designed to aid early intervention and the sharing of information between different professionals which indicated that there was likely to be much greater surveillance of children, young people, parents and the professionals who operated the system (Parton, 2006; Anderson et al., 2009). In the process the boundaries between the public and the private and between the state and the family might collapse, becoming increasingly difficult to ensure that confidentiality would be maintained and the rights of children improved (Roche, 2008).

While there was, therefore, a clear attempt to move beyond the narrow forensic concerns of the traditional child protection system, it was also clear that new and even more detailed systems of performance management were being put in place, which brought highly prescriptive requirements for recording which relied on new electronic ICT systems. In broadening the focus of what was meant by risk, there was a real danger of an elision of concerns about children and young people who might be *at risk* from a whole variety of threats, including abuse, with concerns about children and young people who might *pose a threat* to others, either now or in the future, particularly by falling into crime or antisocial behaviour. The agendas around the care and control of children and young people as well as those who might be either victims or villains were in danger of becoming very blurred (Sharland, 2006; James & James, 2008).

The aim was to widen and deepen attempts at early intervention while also trying to strengthen the systems of child protection. A key element of this was to integrate communication between different services and professionals and also to increase professional accountability and responsibility. In the process it was highly likely that there would be a growth in, what Michael Power has called, 'the risk management

of everything' (Power, 2004), which would tie down practitioners more than ever. Rather than overcoming the defensiveness, risk avoidance and blame culture that are so associated with the child protection system of the 1990s, the danger was that these characteristics would permeate the newly integrated and transformed children's services, making them more risk adverse than they were before. Rather than overcoming the problems associated with the child protection system, there was a real possibility that the situation would be made worse, and there was increasing evidence that this was the case (see for example Wastell et al., 2010; White et al., 2010).

Such concerns were the major focus of the *Munro Review* of child protection in England, which attempted to

Create the conditions that enable professionals to make the best judgments about the help to give to children, young people and families. This involves moving from a system that has become over-bureaucratized and focused on compliance to one that values and develops professional expertise and is focused on the safety and welfare of children and young people. (Munro, 2011, p. 6)

While many of its recommendations have been implemented, there is very little evidence that it has had any major impact on reducing the defensive and blame culture (Munro, 2012; Parton, 2012). Despite similar efforts internationally, it is clear that the dominance of risk-adverse systems is very difficult to overcome. In many respects the overall political climate has the effect of ensuring that the narrow, forensic and defensive approaches to child protection are more dominant and pervasive than ever (Featherstone, Morris & White, 2014; Parton, 2014). These are major challenges for policy and practice.

## Conclusion

In this chapter, I have argued that concerns about risk lie at the centre of contemporary child protection policy and practice such that much of the work is framed in these terms. It is a diverse and slippery concept which varies in both understanding and use, depending on its context. I have argued, however, that it is nearly always operationalized in narrow and defensive ways.

In more recent years there is clear evidence of both a broadening of the concept of risk and its application and serious attempts to recognize the importance of much more positive and proactive approaches. I have explored some of the challenges and tensions involved in such developments in the context of the *Every Child Matters: Change for Children*

programme in England and the more recent *Munro Review* of child protection.

I have suggested that these new and more positive approaches to risk may, however, have the effect of both extending systems of surveillance and also posing particular challenges to professional confidentiality and the human rights of service users. Such challenges are heightened in a context where there is a growing emphasis on a 'logic of precaution' which prioritizes an approach to practice based on 'strict safety'. Increasingly, it seems that the language of risk is being stripped of its association with the calculation of probabilities and is being used almost exclusively in terms of not just preventing future harm but also avoiding the 'worst-case' scenario and in a context where there has been a considerable increase in the number of children in the population for whom professionals are seen as having responsibilities and for whom they are seen to be accountable.

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