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**ISSUES of REFLECTIVE PRACTICE
and ORGANISATIONAL LEARNING
-In the Protective Investigation
of Child Sexual Abuse**

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A thesis submitted in total fulfilment of the requirements
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CONTENTS

Page No.

CHAPTER ONE THE ORIGINS AND SCOPE OF THIS THESIS

1.1	The Focus of this Thesis	1
1.2	The Traditional Dual Focus of Social Work Practice	2
1.3	The Eclectic Knowledge Base of Social Work	4
1.4	The Rise of Functionalism in Social Work	5
1.5	The Guiding Principles of Social Work Practice	6
1.6	The Tradition of Reflective Knowledge Building in Social Work	7
1.7	The Post-Richmond Practice and Research Schism	8
1.8	The Continuing Practice Traditions After the Schism	9
1.9	The Paradigm Wars of the 1980's	11
1.10	The End to the Seventy Year Practice-Research Schism	12
1.11	The Need to Model Heuristic Research and Theory Building	14
1.12	Mapping a Reflective Voyage	15
1.13	The Content and Process of this Thesis	16

CHAPTER TWO RESEARCH METHOD AND DESIGN OF THE THESIS

2.1	Methodological Choices in Research	17
2.2	Limitations of the Single Case Study Approach for this Thesis	19
2.3	Defining the Heuristic Research Processes in Case Interventions	20
2.4	Defining the Heuristic Theory Building Processes in Case Practice	22
2.5	Strategies for Controlling Bias in Heuristic Research	24
2.6	Organisational Context Implications of the Research Method	27
2.7	The Selection of the Case Studies for this Thesis	29
2.8	The Research Question of this Thesis	30
2.9	How this Question will be Addressed	31

CHAPTER THREE MODELLING THE PROCESS OF HEURISTIC RESEARCH

3.1	Reflexive and Reflective Practice in Social Work	33
3.2	Factorising the Heuristic Research Method	34
3.2.1	Observing	34
3.2.2	Describing	35
3.2.3	Abstracting	36
3.2.4	Generalising	36
3.2.5	Assimilating	36
3.2.6	Categorising	37
3.2.7	Ordering	38
3.2.8	Contextualising	38
3.2.9	Modelling	39
3.2.10	Accommodating	39
3.2.11	Acting	39
3.3	How Heuristic Research Works in Practice	40
3.4	Critical Incident and Critical Mass Learning	41

CHAPTER FOUR

MODELLING THE PROCESS OF HEURISTIC THEORY BUILDING

4.1	The Heuristics of Everyday Life	43
4.2	Modelling the Process of Knowledge Development	44
4.2.1	Assumptions	44
4.2.2	Values	45
4.2.3	Beliefs	46
4.2.4	Operational Theories	47
4.2.5	Practice Wisdom	48
4.2.6	Grounded Theory	49
4.2.7	Metaphysical Theory	49
4.3	The Science of Everyday Life	50
4.4	Striving Toward Empirical Understanding	52
4.5	The Process of Conceptual Modelling	52
4.6	Inductive and Deductive Standards of Proof	53
4.7	An Integrated Approach to Theory Building	54
4.8	An Integrated Model of Theory Development	55
4.9	The Theoretical Base of Reflective Practice	57
4.10	Linear Vs Organic Theory Development	58
4.11	A Process Model of Reflective Social Work Practice	61

CHAPTER FIVE

MODELLING THE HEURISTIC PARADIGM OF SOCIAL WORK PRACTICE

5.1	The Nature of Heuristic Eclecticism	65
5.2	The Assumptive Base to Paradigms of Practice	66
5.3	The Functionalist Paradigm	67
5.4	The Existentialist Paradigm	68
5.5	The Humanist Paradigm	70
5.6	The Structuralist Paradigm	72
5.7	The Paradigmatic Assumptions of Heuristic Practice	73
5.8	A Case Discussion in Heuristic Practice	74
5.9	Coping With Paradox	77
5.10	In Search of Epistemological Relationship	79
5.11	Constructing the Fifth Paradigm of Social Work Practice	80

CHAPTER SIX

THE RADICAL BASIS OF HEURISTIC PRACTICE

6.1	The Theoretic Traditions of Radical Practice	84
6.2	Issues of Power and Empowerment	85
6.3	Rhetoric Rather Than Substance in Contemporary Radicalism	87
6.4	A New Theoretical Base for Radical Practice	87
6.5	The Development of Pluralist Theory	89
6.6	The Tension Between Diversity and Commonality	90
6.7	Centralism Vs Dispersal of Power in Societal Structures	91
6.8	Centralism Vs Dispersal of Power in Bureaucratic Structures	93
6.9	Continuing the Reflective Voyage	94

CHAPTER SEVEN THE HISTORICAL CONTEXT TO CHILD ABUSE IN VICTORIA

7.1	Child Welfare Issues in Victoria Prior to 1788	95
7.2	Impacts of Disease Dispossession and Dispersal	96
7.3	Issues of Child Welfare in Colonial Victoria	97
7.4	Issues of Child Welfare in Post-Colonial Victoria	98
7.5	The Impact of the 1890's Depression on Child Welfare	100
7.6	International Issues in Child Abuse 1870-1960	101
7.7	International Issues in Child Abuse 1960-1980	102
7.8	The False Dawn of 1980	104
7.9	Child Sexual Abuse as a Key 1980's Issue	105
7.10	Child Protection as a Late 20 th Century Growth Industry	105
7.11	Child Protection Issues in Victoria 1985 to 1997	107
7.12	Implications for Reflective Practice and Organisational Learning	108

CHAPTER EIGHT THE CURRENT ORGANISATIONAL CONTEXT OF SOCIAL WORK PRACTICE

8.1	Rationalism and Corporatism Vs Justice and Equity	111
8.2	Conformity Vs Diversity	112
8.3	Professional Hegemony Vs Organisational Hegemony	114
8.4	Proceduralisation Vs Professional Judgement	116
8.5	Organisational Learning Vs Crisis Management	117

CHAPTER NINE THEORY AND PRACTICE IN CHILD SEXUAL ABUSE INVESTIGATION

9.1	The Field of Practice in Child Sexual Abuse Investigation	121
9.2	Myth and Reality in Child Sexual Abuse	121
9.3	Prevalence and Impacts of Child Sexual Abuse	123
9.4	The Development of New Myths in Child Sexual Abuse	124
9.5	Development of Contextual Theory in Child Sexual Abuse	128
9.6	Practice Dilemmas in Child Sexual Abuse Investigation	131
9.7	Implications for Reflective Practice and Organisational Learning	132

CHAPTER TEN CASE DISCUSSIONS OF CHILD SEXUAL ABUSE INVESTIGATION

10.1	Case A: <i>If I don't tell will you still protect me?</i>	135
10.2	Insights Gained from Case A	141
10.3	Case B: <i>Don't you believe the child?</i>	142
10.4	Insights Gained from Case B	148
10.5	Case C: <i>Disclosing to a male will traumatise the child</i>	149
10.6	Insights Gained from Case C	153
10.7	Case D: <i>Confess or the child doesn't come home</i>	154
10.8	Insights Gained from Case D	158
10.9	Case E: <i>We'll never know if anything did happen</i>	159
10.10	Insights Gained from Case E	161
10.11	Case F: <i>It's not abuse, we're in love</i>	162
10.12	Insights Gained from Case F	167
10.13	Case G: <i>Don't worry about Mum, Dad is the problem</i>	169
10.14	Insights Gained from Case G	173

CHAPTER ELEVEN CHILD SEXUAL ABUSE INVESTIGATION ISSUES

11.1	The Heuristic Approach to Child Sexual Abuse Investigation	175
11.2	The Value of Maintaining Scepticism	176
11.3	The Primacy of the Protective Process	178
11.4	Maintaining Situational Control in Protective Investigations	179
11.5	The Necessity for Inclusive Engagement	180
11.6	Myths on the Male Role in Child Sexual Abuse Interviewing	182
11.7	Myths on the Female Role in Child Sexual Abuse Interviewing	184
11.8	Demonstrating Respect for the Child's Wishes	185
11.9	Avoiding Ideologies of Gender and Power	187
11.10	Issues of Power in Child Engagement	189
11.11	Issues of Power in False Disclosure	190

CHAPTER TWELVE DEVELOPING A MODEL OF CHILD SEXUAL ABUSE VALIDATION THROUGH REFLECTIVE PRACTICE

12.1	The Wider Context to Validation	193
12.2	The Effect of Professional Bias on the Disclosure Process	194
12.3	Separating the Investigative and Therapeutic Roles	196
12.4	Identifying Key factors in Validation	197
12.5	A Process Model for Protective Validation of CSA Allegations	199
12.5.1	Spontaneity	200
12.5.2	Concreteness and Explicitness	202
12.5.3	Associated Symbolic Behaviours	204
12.5.4	Logical Consistency	206
12.5.5	Developmental and Functional Appropriateness	209
12.5.6	Abuse Pattern	211
12.5.7	Medical Evidence	213
12.5.8	Identification of Abuser	215
12.5.9	Opportunity of Abuser	217
12.5.10	Unempathic Abuser response	219
12.6	Summary of Categories and Factors in Validation Process	223
12.7	Practice Implications of the Validation Model	226

CHAPTER THIRTEEN THE IMPLICATIONS OF REFLECTIVE PRACTICE FOR ORGANISATIONAL LEARNING

13.1	Understanding Organisational Error Processes	228
13.2	Understanding Organisational Error Avoidance Processes	229
13.3	The Institutionalisation of Error Processes	231
13.4	When Organisational Enmeshment Occurs	233
13.5	Modelling Organisational Error and Error Avoidance Processes	234
13.6	Case Discussions in Error Avoidance Process	237
13.6.1	Discussion of Case A	237
13.6.2	Discussion of Case C	238
13.6.3	Discussion of Case E	241
13.6.4	Discussion of Case F	241
13.7	Case Discussion in Error Process	243
13.7.1	Discussion of Case B	243
13.7.2	Discussion of Case D	246
13.7.3	Discussion of Case G	248

CHAPTER FOURTEEN PROCESS AND CULTURE IN ORGANISATIONAL LEARNING

14.1	Balancing Competing Needs	.....250
14.2	Supporting Professional Judgement	.....251
14.3	Facilitating Feedback From the Field	.....252
14.4	Ensuring Redress of Error	.....254
14.5	Monitoring Internal Tensions	.....254
14.6	Outcomes of the Reflective Voyage	.....255
14.6	Limitations of the Study	.....257

FIGURES

Figure 1.	A Model of Heuristic Research	.....40
Figure 2.	An Integrated Model of Theory Development	.....56
Figure 3.	A Process Model of Reflective Social Work Practice	.....63
Figure 4.	Orthogonal Dimensions on the Assumptive Basis of Theories	.....67
Figure 5.	A Five Paradigm Model of Social Work Practice	.....82
Figure 6.	A Process Model for Protective Validation of Child Sexual Abuse	.....224
Figure 7.	A Process Model of Error Avoidance and Correction	.....236

PREFACE

On graduating as a Social Worker from Melbourne University in 1970, I carried into the field an approach inspired by the late Dr Len Tierney, who was at that time Reader-in-Charge of the course.

Len considered that being intuitively good in practice was not good enough. Social Workers had to accept the responsibility to examine their intuition, find out why things worked, and bring it into consciousness without lessening spontaneity. Len held that it was relatively easy to learn from your mistakes, but only analysing things when they went wrong leads to conservative and defensive practice. By analysing things that have gone well, you have a much better chance of consciously replicating good practice and building knowledge.

Len's words crystallised for me in an intensely personal way the Social Work traditions of conscious use of self and reflectiveness in practice and since entering the field I have striven consciously to reflect on practice and to build theory from practice. However it was not until the late 1970's that I realised I needed to subject my ideas to more rigorous academic scrutiny and critique. With the support and encouragement of Professor Peter Boss at Monash, I completed a Master's degree by major thesis titled *'The Situational Context of Behaviour'* which formalised the ideas I had developed from practice over the previous ten years.

At the time of completing my Master's degree in the early 1980's I was already in a middle management organisational redevelopment role in a large Federal department. This exposed me to issues of organisational structure, process, and culture as well as to wider social policy, service delivery, and equity issues; but I began to pine for direct client work again.

Accordingly in 1989 I started again at the bottom in child protection. As was my ingrained habit I began at the outset to reflect on my practice, to build operational concepts, to relate the new concepts to my previous practice experience, and to the models and concepts I had already developed. Issues of child sexual abuse validation quickly became a central concern of my daily practice. It was a constant topic of discussion between my colleagues and myself as we strove to identify a framework of key concepts to guide our practice. I am indebted most particularly to my colleague Michael Woolard, not so much for his assistance with the validation model, but for his wider contextualisation to the heuristic research method.

Michael is one of those rare individuals who not only has an astounding depth and breadth of professional knowledge, but who also stands at a tangent to the world. He can generate critical questions about the most seemingly mundane issues, and forces you to question your own assumptions. He is an eclectic reader and was on many occasions able to not just point me to particular and sometimes obscure authors or theorists, but to also extract articles and books from his own library.

Once more I felt that this new influx of knowledge and ideas needed to be subjected to more rigorous academic scrutiny, so I enrolled in a doctoral program at Monash, under the supervision of Professor Thea Brown. Thea has encouraged, or more accurately, insisted that I elaborate and explicate my ideas on heuristic research and theory building, and the thesis now completed would not have been possible without her guidance and perseverance.

ABSTRACT

Thesis Title: Issues of Reflective Practice and Organisational Learning
In the Protective Investigation of Child Sexual Abuse

Submitted for: Degree of Doctor of Philosophy,
Social Work, Monash University

Author: Jim Poulter M.S.W.(Mon) Dip.Crim.(Melb) Dip.Soc.Stud.(Melb)

In this thesis the author analyses the heuristic research and theory building functions involved in reflective practice and develops a number of models. The application of these models is then demonstrated by reference to the author's field experience in child sexual abuse investigation and his development of a validation model for protective investigation of child sexual abuse allegations. The potential of organisations to learn from the knowledge gained through reflective practice is also explored and suggestions made as to the type of organisational processes that will sustain both reflective practice and organisational learning.

The thesis is fourteen chapters, with Chapter One outlining the history and traditions of reflective practice in Social Work and the profession's search for its own knowledge base and paradigm of practice. The Chapter Two outlines the research method and design of the thesis and in doing so explicates both the heuristic research functions and the heuristic theory building functions that are integral to everyday case practice. Strategies for controlling bias in the case practice research process are also detailed. Chapter Three extends this work by outlining a ten factor model of the heuristic research method.

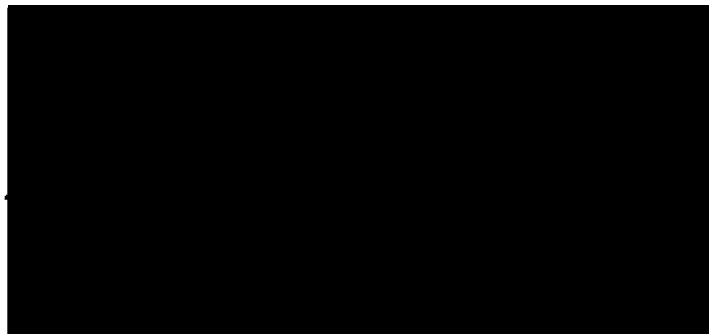
Chapter Four analyses the process of heuristic theory building and develops three models. The first model outlines the processes of heuristic theory building in everyday life and the way in which our assumptions, values, beliefs, operational theories, practice wisdom, grounded theories, and metaphysical theories are built. The second model marries inductive and deductive approaches into an integrated model of theory development. The third model shows the relationship between professional knowledge and values in reflective theory building within Social Work practice. In Chapter Five, four traditional paradigms of practice are analysed and a fifth heuristic paradigm is proposed. The broad theoretical base of the heuristic paradigm is outlined in Chapter Six, and its relationship to radical practice proposed.

The author then outlines the content knowledge pertaining to child protection that was absorbed following his entry to the field, with Chapter Seven tracing a Victorian history of child abuse. Chapter Eight explores the organisation context of Social Work practice within the 1990's and the impact of rationalist and corporatist policies on the field. Chapter Nine outlines the development of substantive theory in relation to child sexual abuse, and the conceptual tools that were available to him at that time in the investigation of child sexual abuse. Chapter Ten details seven insight stimulating cases that the author investigated and which were instrumental in the formation of his process model of validation.

Chapter Eleven explores the way in which the heuristic method applied to child sexual abuse investigation and explores some issues of practice and knowledge development that were stimulated by these cases. Chapter Twelve identifies thirty-six key factors of child sexual abuse validation within a ten-category model, and discusses aspects of the various cases in relation to each factor and category of the model. Chapter Thirteen re-examines the cases for the insights they offer in relation to organisational learning. A model of organisational error avoidance and correction is proposed, with Chapter Fourteen discussing the mechanisms that are required to ensure that organisational culture and processes can support and nourish both reflective practice and organisational learning.

This thesis contains no material that has been accepted for an award of any other degree or diploma in any university or any other institution. To the best of my knowledge this thesis contains no material previously published or written by another person, except where due reference is made in the text of this thesis.

Signed:



Date signed:

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1.1 The Focus of This Thesis

Since its inception as a helping profession Social Work has had a focus not just on individuals with problems, but also on people with problematic situations. That is, from the earliest times Social Work has had a holistic concern about client problems from their family, neighbourhood and community contexts through to their institutional, governmental and societal contexts. Social Work has always sought to affect change at both the individual and the societal levels. First by improving the social functioning of individuals and helping individuals to adapt to society. Second by seeking to influence social policy and provision so as to help society to adapt to the special needs of particular individuals and groups in distress, or those marginalised by societal forces (Fook, 1996:199).

More than this though, Social Work has always practiced the art of helping as a collaborative process (Goldstein, 1990:37). The dominant view within Social Work has always been to regard both client and worker as active participants in the helping process. At a practice level, the profession has been distinctly reluctant to view the helping process as an elitist activity where the nature of help given is determined and imposed by a detached expert. The client's expertise in their own life and in the interpretation of their problem situation has always been valued as being integral to reaching shared meanings between client and worker (Hudson, 1997:39) (Carew, 1997:105). Social Work has always maintained a strong awareness of how the helping relationship is a dynamic in the problem solving process that becomes part of the total context of a client's life (Peile & McCouat, 1997:347).

Many of the profession's values espouse this collaborative approach, which must be accompanied by acute self-awareness in the helping process on the part of the professional (Siporin, M. 1975 p.78). Such awareness of self and other and the conscious use of self within the helping process requires constant reflection. It is only in this way that the uniqueness of each client situation is understood and practice is continually shaped by such understandings (Shacfor, 1988:55). In fact reflectiveness is still as prized as ever it has been in Social Work (Moffatt, 1996:51) (Fook, 1996:4).

Unfortunately, reflectiveness has retained this prized status as a value, rather than as a part of our explicit professional knowledge base (Hudson, 1997:38). Although there have been signs of a groundswell in interest over the past two decades in trying to analyse and explicate the processes involved in reflective practice, the achievements to date have been tentative and fragmented. They have also been couched within a variety of conceptual frameworks and differing terminologies.

As a practitioner of more than thirty years unbroken field experience, the writer has had a career long commitment to reflective practice and to the building of practice knowledge and linkage with existing theory that this entails. By reflecting on the reflective process itself, it is hoped that further insights can be gained and explicated in this thesis. This is therefore the central task of this thesis, to draw together the work done by various authors in analysing and explicating the reflective process and to attempt to build on this through analysis of the writer's personal experiences as a reflective practitioner. The focus will therefore be the process of practitioner reflection itself as the writer has experienced it in the field, and as it has continued during the preparation of this thesis.

1.2 The Traditional Dual Focus of Social Work Practice

Before this can be done the writer first needs to place himself and his work within the historical context of the Social Work profession. The forces that have shaped the profession's continuing commitment to reflective practice need to be charted, so that this thesis can be seen in relation to the evolution of ideas within the profession and as a product of this process.

Historically, Social Work has had a dual focus on the 'character and circumstances' of those in need. It has been concerned on the one hand to assist people with their adjustment to specific problems of living, and on the other hand to redress problems of adverse social circumstances impinging on people's lives (Carew, 1997a:12). Concern has always been held for both social functioning and social justice; but the weight of concern has from time to time shifting toward one or the other, in accordance with developments in knowledge and theory and with changes in social values.

From very early in Social Work history, this dual focus was conceptualised in situational terms. In the 1920's Ada Sheffield was already conceptualising the focus of Social

Work in terms of the interaction between the client and their environment, which she called the *'need situation'* She held that the behaviour process was going on, *'.... not in the individual, not in the environment, but in the ceaseless activity between the two.'* (Sheffield, 1924:692)

For the next few decades Social Work thinking was affected by Freudian psychology and casework practice took on a strongly psychotherapeutic focus. However the original antagonism between the more traditional situational approach and the newer psychotherapeutic approach slowly dissolved, to be woven into the common threads of a psychosocial approach. This was given impetus when study of wartime behavioural conditions of 'battle fatigue' and 'war neurosis' shifted attention from genetic factors and childhood experiences back to more situational factors (Whitehorn, 1963:291). At the same time, studies into grief as a situational experience laid the foundation for Social Work crisis intervention theory. Erich Lindemann's classic study into the Coconut Grove nightclub fire in Boston in 1943 and his subsequent studies assisted in the development of a number of short-term treatment modes in Social Work practice (Aguilera & Messick, 1974:5). Subsequently Social Work saw its role in terms of 'Person-in-Situation' and to quote William Gordon:

'The central focus of Social Work traditionally seems to have been on the person-in-his-life-situation complex -a simultaneous dual focus on man and environment...the interface between or meeting place of person and environment.' (Gordon, 1969:6)

Although the person-in-situation conceptualisation remained strong, the casework approach was by the 1970's seriously criticised for failing to account sufficiently for the way in which issues of societal structure and process impacted upon people's lives. Attention was drawn to the need to redirect the profession's energies more to broader issues of social justice and to develop more radical practice techniques. These issues, and the development of the theoretical base to radical practice, will be discussed in greater detail in Chapter six of this thesis. At this point however it is sufficient to note that the welfare rights movements and concepts of 'Case-to-Cause Advocacy' that developed in the 1970's assisted in strengthening the traditional focus of Social Work, both on the client's immediate situation and the way in which this related to broader social justice issues.

1.3 The Eclectic Knowledge Base of Social Work Practice

Given Social Work's dual focus on individual functioning and social circumstances, a primary reliance on both the social and behavioural sciences for its' theory base is hardly surprising (Hudson, 1992:35). Another reason for reliance on theory from other disciplines has been Social Work's strong reformist emphasis on broader social justice issues. Although not always guided by formal theory, considerable professional energy has always been directed at more structural levels, toward improving life opportunities and alleviating poverty through legislative and policy reform and changes in resource allocation.

This dual focus on person and situation has not always been in balance. As theory has developed in various fields, so it has been absorbed by Social Work and the pendulum of emphasis has swung between the individual and their context. For instance in the 1920's the growing emphasis on psychiatric concepts allowed a growth in understanding how people's past experiences could continue to influence problems of adjustment in the present. The subsequent severe economic depression of the 1930's then provided something of a reality check. By necessity, the work of many agencies became focused on those suffering the effects of poverty and unemployment. It was in this context that the Functionalist School of Social Work arose. In contrast to the diagnostic-medical cum scientific model espoused by the Freudian School, the Functionalist School prized the real life immediate nature of the helping relationship. The concept of cure was replaced by growth and emphasis given to understanding people in their present context, rather than the past (Goldstein, 1990:34) It was by the 1930's then, that one of Social Work's treasured tenets was first expressed. In reacting against the Freudian passivity that had overtaken the field and in recognition that it was the experience of the helping relationship itself that led to positive outcomes, it was posited that Social Workers should do with clients and not to clients (Howe, D.1987 p.19).

In the 1940's and 1950's the pendulum swung back more to the individual, with crisis research adding a new dimension to Social Work theory and practice. The influence of current life experiences of personal crisis, grief or loss began to be understood and explored systematically (Katz, 1975:84) By the 1970's the pendulum was again swinging back to the environment. Systems theory had considerable success in the fields of biology, ecology, planning and engineering and it was enthusiastically embraced by

Social Work. Through systems theory, workers were encouraged to see their clients and client's problems as part of an interactive and interdependent whole, and for a while hopes were held that systems theory might be an integrating base for all Social Work theory (Howe, 1987:21).

Despite the obvious utility of Social Work's focus on the individual and their social context, this dual focus brought two problems. First, the problem of having to utilise and blend diverse theories from such fields as sociology, psychology, economics, law, medicine, engineering, and politics. Second, the problem that existing theories were often insufficient to explain the novelty and uniqueness of each case and new theory needed to be developed from practice. Success in the search for both top down and bottom up integration has therefore been elusive and sometimes illusory. It has led to the profession often been criticised for not having its own body of theory, and its reliance on a '*...remarkable grab bag of diverse (and in many instances incompatible) theories, methods, techniques, models, schools and specializations.*' (Goldstein, 1990:37)

1.4 The Rise of Functionalism in Social Work

During the last two decades of the 20th century the effects of recession and the economic rationalist policies that have driven public corporatism have combined to see a burgeoning of a new functionalism in Social Work. This new functionalism bears no relationship to the Functional School of the 1930's but relates to an objectivist, positivist, and social consensus stance that is focussed on assisting the individual to accommodate to the prevailing social reality (Howe, 1987:52).

The economic uncertainty and economic rationalist policies of the 80's and 90's have not only generated more poverty related issues impacting on day-to-day work but these policies have also acted to reduce the power, influence, capacity and will of Social Workers to achieve social change. Workers at both government and non-government levels are constantly faced with ever more throughput demands of the functionalist approach and are constantly being asked to do 'more with less' (Jones & May, 1992:385). The positivist and linear basis of the functionalist approach, through its promise of control and prediction, also dovetails closely with the allocative interests of government, (Peile & McCouat, 1997:348) in the prevailing economic rationalist climate.

Social Workers of today seem less questioning of the social control function that this functionalist approach entails than were the workers of twenty and thirty years before. A consequence of the growth of functionalism, and the writer certainly argues so, may have been a decline in the strength of Social Work practice principles over this period. It may be that this imputed decline in the strength of practice principles by current day practitioners is reflected in a greater emphasis by Social Work schools in teaching functionalist models of practice with less emphasis on teaching professional values. Reamer has in fact cited evidence of a decline in the proportion of Social work education programs devoting attention to professional values (Reamer, 1994:217).

1.5 The Guiding Principles of Social Work Practice

A decline in emphasis on professional values is a matter of serious concern as Social Work has always been a value-laden profession, possibly the most normatively driven of all the helping professions (Op Cit:195). From the earliest days, Social Work embraced a set of values founded on the twin concerns of individual well-being and social justice. Our practice principles seek to operationalise these values. Being derived from basic values, the practice principles of Social Work are not a set of inflexible rules, but are fundamental guidelines for practice decisions and actions (Shaefer, 1988:54). As such, these guidelines must be applied in a manner that is true to our primary professional focus and orientation. In our day-to-day practice we must remain flexible and responsive to the uniqueness of each client's situation and to each constellation of factors that we encounter.

Although expressed in varying ways by various authors, Social Work practice principles have for the most part two strands. They are concerned on the one hand with guiding the nature of interaction with clients and on the other hand with the conduct of self by the practitioner. For instance, we believe in acceptance of the uniqueness of each individual and we strive to individualise our interaction with them. Conversely, we must strive to know ourselves, so that we are aware of our preferences, prejudices, strengths and limitations and there is a conscious use of self in our client interactions. (Siporin, 1975:78)

In our conscious use of self we must also be emotionally congruent and display warmth, acceptance, and unconditional positive regard; but at the same time we must retain

professional objectivity. We are enjoined to 'start where the client is', 'move at their pace' and seek to provide assistance that is subjectively meaningful to them. At the same time though, we must be willing to advocate the wider justice and equity issues implicit or explicit in their case, that may be beyond the particular individual's consciousness or caring. We must at one level seek empathic understanding and be able to see the world from the client's subjective standpoint. At the same time we must temper this with an understanding of other objective realities. We are faced with the delicate tension of seeking to understand individual situations through a synthesis of subjective and objective reality and of sharing that understanding with our clients as a tool both for their growth and our own professional growth.

Similarly, we must be committed not only to sharing insights with our clients, but also to sharing with our professional peers. We have the clear responsibility to use new insights or understandings generated through case experience and to build on or modify existing knowledge. We have the clear duty to add to the sum total of the profession's knowledge and expertise. On the one hand we strongly subscribe to a belief in the autonomy, self determination and decisional participation of clients. On the other hand we are obliged to understand the nature and function of our authority and the necessity to protect the rights and autonomy of others.

We must also be committed to such ideals as the growth and realisation of individual potential in clients, to the maximising of their choice and individual liberty, to maximising their opportunities for self help, achievement and social contribution, to their empowerment and to their acquisition of knowledge and skill. Concurrently, we must also be committed to our own personal and professional growth, to the realisation of our own potential, to our continued acquisition of knowledge, and to the continuing development of our technical and ethical competence.

1.6 The Tradition of Reflective Knowledge Building in Social Work

This is by no means meant to a definitive or exhaustive review of Social Work practice principles, but is simply meant to reinforce the centrality of the reflective process within Social Work practice principles. We must maintain a reflective conversation with each individual situation, in order to aware of its unique features.

We must reflect on the way in which the situation matches or fails to match with the knowledge we possess. We must reflect on how best to achieve a synthesis of subjective and objective elements, We must reflect on our use of self, the intuitive responses that worked or did not work, the challenges and limitations we felt. We must reflect on the dilemmas we faced, the practice principles we applied, and we must reflect on outcomes achieved by measuring them against principles of justice and equity. The traditions of Social Work demand that not only do we reflect in a solitary way, but also we must seek mutually reflective dialogue with our peers, colleagues, mentors and senior practitioners, in what Carew has termed as the rational discursive approach. (Carew, 1987:8).

Until more recent years, the techniques and theory underpinning reflective practice have been subject to precious little analysis or explication. It has previously been accepted as part of the 'art' of Social Work and has remained essentially as a value, rather than being part of our formal knowledge base. Those attempts that have been made to conceptualise and theorise about reflective practice have been from a variety of standpoints. This has led more to a scattering of ideas than a synthesis and has worked against an incremental building of theory. A further reason for the failure to build knowledge in an incremental way lies in the separation of practice from theory building activity and the reasons for this lay in the path of professional social work development that was chosen early in the 20th century.

1.7 The Post-Richmond Practice and Research Schism

By the time of the early 20th century, although Social Work remained a practical common sense endeavour with a craft apprenticeship style of training, it had been maturing into a legitimate profession through the establishment of university affiliated education courses. However the needs of these educational institutions began to exert a determining influence on the course of the profession's history. In 1915 in an historic address, a leading educationalist Abraham Flexner argued that Social Workers could not regard themselves as a true profession and that they needed to adopt a model of practice similar to the scientific research model of medicine (Carew, 1997:30).

Two years later, Mary Richmond in 1917 produced her landmark book, Social Diagnosis. On one level, Social Diagnosis affirmed and exemplified the process of reflective practice inherent in the case study approach. At the same time her book conveyed

legalistic and medical metaphors that sought to establish Social Work practice as a scientific method of inquiry. An unwanted and unanticipated outcome of hooking the Social Work trailer to the science wagon was however that intuition and common sense ways of understanding were discredited (Goldstein, 1990:33).

Up until the time of Richmond's book theory building had been the province of the field and this mainly consisted of the practice wisdom that was being built up and shared within the field through the case study approach. Practice, theory, research, and practitioner training were part of a seamless whole while centred in the field. But with the development of university based education courses, came an inevitable separation of tasks (Peile, 1994:18). Not only was practitioner education now seen as the province of the universities, but research and theory building were also annexed as a tertiary institution responsibility.

More than this, the strengthening influence of the positivist, scientific paradigm clearly deemed practice as unscientific, and dichotomised it with both research and theory building (Hartman, 1994:460). Within the scientific paradigm, theory building was seen as a deductive and linear process, derived from a positivist research methodology. Aided by the burgeoning influence of Freudian theory as an organising framework for formal education, the 1920's soon saw a schism institutionalised between practice and research (Riessman, 1994:ix).

1.8 The Continuing Practice Traditions After the Schism

From this time forward over the next seventy years, the schism between practice and research continued. Overwhelmingly, educationalists plumed for the scientific, positivist paradigm and influenced many practitioners into that approach along the way. However there was always a strong core of practitioners and theorists who argued strongly against the merits of the positivist paradigm and who retained the profession's humanistic and social ideals (Goldstein, 1990:33). Unfortunately, the argument tended to be characterised in oppositional terms as one of 'Science Vs Artistry', rather than trying to synthesise the approaches and establish the roles relationships and interdependence of both approaches.

Those of the artistry school accurately pointed out that at the practice level in Social Work, the problem we constantly face is that textbook theories do not always fit the

situation we are exploring. We are then faced with two options. We either bend the facts to fit the theory, or we simply give up because the theory is too vague and fly by the seat of our pants (Carter, et al 1995:4).

To artistry school then, Grand Theory was something of a false god that was likely to distort both the spontaneity and artistry of a worker's response to the uniqueness of each human situation. At the extreme end of this school there were those who claimed that analysis could only serve to destroy intuition, and therefore was to be avoided. Some even claimed that Social Work was in fact not at all informed by higher theory and was simply skill based (Rees, 1991:73).

Others of the artistry school, such as Lydia Rapoport in the 1950's, tried to build bridges to the scientific school by attempting analysis of the intuitive processes inherent in case practice (Katz, 1975:15) However, such attempts at reflective analysis still did not fit the positivist presumptions that only observable external objects were appropriate subjects for scientific study. The work of such people as Lydia Rapoport received scant attention or praise from those in control of the formal research and knowledge building functions at university levels. At a practitioner level in the field though, such work kept the traditions of reflective case practice and reflective theory building alive.

Therefore, despite the strength of the positivist paradigm during the practice-research schism from the 1920's to the 1990's, the practice traditions of Social Work nonetheless continued with considerable strength. Despite a burgeoning editorial preference for empirically oriented journal articles, many of the articles from the 1920's through the 1950's consisted of clinical case studies (Sherman & Reid, 1994:2). Writers of that period were still able to point to the long established tradition in the professional literature, of depending on a single case as a way of understanding and learning. (Perlman, 1957:47).

However, such was the ever-hardening strength of the hold of the positivist-empiricist paradigm on Social Work research and theory building that it ended up feeding its own rebuttal. Just like the 'Theory Wars of the Seventies' saw a vigorous and sometimes acrimonious debate over the nature of radicalism and the role of casework, (Payne, M. 1997 p.29) so the argument over the preferred approach to research and theory building erupted into the 'Paradigm Wars of the Eighties'.

1.9 The Paradigm Wars of the 1980's

Identifying the onset of the paradigm wars is simple. It began in 1981 with a broadside by Martha Heineman (who through marriage later became Heineman Peiper). In her seminal paper, Heineman challenged the validity of logical empiricism as an exclusive approach to research and theory building in Social Work. With carefully crafted argument Heineman debunked the scientific fictions of 'the objective researcher' and of 'value-free knowledge' and showed that all scientific activity, including hypothesis testing, was not simply a deductive process but also embodied induction (Heineman, 1981:383).

Although she was not the first to mount such a rebuttal, her paper was thoroughly argued and quickly fanned the coals of debate. (Carew, 1997c:43). The initial responses by the empiricists dismissed rather than answered Heineman's paper and a bitter standoff ensued for a number of years (Atherton, 1993:619). However, others began to take up the arguments put by Heineman and extend them. Writers such as Imre broadened the debate beyond research paradigms to knowledge building, and highlighted the way in which the dichotomising of research and practice had effectively denigrated practice wisdom as unscientific and therefore unreliable. She elaborated on Heineman's argument that science was value laden rather than value free and indicated the way in which values were an important and integral aspect of Social Work knowledge, not something that should be regarded as separate. Imre considered it vital to recognise the presence of these philosophic dimensions in practice and to re-establish *...a reflective attitude and a willingness to question and explore assumptions and interpretations.* (Imre, 1984:44)

In a subsequent paper Imre returned to the themes originally explored by Rapoport in the 1950's. She began to analyse the nature of intuition and tacit knowledge and to build theory about it. She contended strongly that intuition should be studied not denigrated and that the context of Social Work required the development of research methods appropriate to such a complex interpersonal enterprise (Imre, 1985:146).

Other authors began to examine the theory-practice schism, including Pilalis who questioned the positivist assumption that there was no 'theory' on the practice side of the dichotomy. She pointed out that dichotomising theory and practice in fact actively

discouraged a focus on the processes of reflective practice and the relationship between theorising and practicing. To Pilalis, whatever the meaning attributed to theory, it always involved some degree of reflective thought or abstraction. Similarly, all meanings of 'practice' involved some degree of purposeful action and thus theory. As did Imre, Pilalis saw Social Work as a normative profession and that practitioners must:

'...justify their decision to act by reference to their principles, drawn from their theoretic (ideological) purpose and theories they hold about the nature of being human in society. The social worker is seen as a reflective practitioner whose practice depends on the theories which justify and guide it.' (Pilalis, 1986:88)

Obviously not content to simply start the decade with a definitive critique of the positivist paradigm Heineman Pieper then closed the decade with a response to the plea by Imre for the development of a research method appropriate to the complexities of case practice. In doing so she outlined the *Heuristic Paradigm*. This approach to research, she contended, was consistent to mainstream contemporary philosophy of science and was a problem solving strategy the goal of which was utility rather than certainty. Rather than trying in the name of scientific rigour to control variables of a practice situation in a way that can cause negative and therefore unethical client outcomes, the heuristic approach attempted to deal with the whole complexity of a practice situation. Distortions inevitably occur whenever we attempt to describe reality, but the heuristic approach attempted to recognise and manage bias in a non-judgemental way, rather than deny it (Heineman Pieper, 1989:18).

As part of the paradigm wars debate also heated up over quantitative Vs qualitative methods of research but by the end of the 1980's logical-empiricists were on the back foot. Rather than being condemned outright, adherents of the heuristic approach were now challenged by empiricists to provide evidence supporting the effectiveness of their methods (Thyer, 1989:321). Increasingly, conciliatory noises began to emanate from both sides and case studies found favour again as a legitimate method of social research (Riessman, 1994:viii).

1.10 The End of the Seventy Year Practice-Research Schism

By the early 1990's an increasing amount of common ground was emerging. Many positivist were taking the epistemological criticisms seriously and were accepting that

there were limitations to objectivity, while still retaining it as a goal. This more open, reformulated position began to enjoy increasing popularity as 'postpositivism'. (Peile, & McCouat, 1997:348) Increasingly an accommodation was made to a clear role for the heuristic method as a means of exploring novel and complex situations, such as those encountered in everyday casework practice. In a timely historical review, Goldstein posed that previous research that found little or no connection between theory and practice was asking the wrong question. Practice outcomes were demonstrably not related to the espoused theories of the workers, but to the quality of the therapeutic alliance. This included the reflective mode of the practitioner's thinking which was marked by a series of 'what if?' questions and often relied on a personal ideology to provide structure to their practice (Goldstein, 1990:37).

Perhaps the ceasefire date for the paradigm wars, (despite the occasional odd angry shot) can be dated to an aptly titled 1993 article 'Time for a Cease-Fire' by Atherton. In this article he concluded that to think about Social Work practice in purely scientific terms was mechanistic, and linear models were not sufficient to explain the complexity of the way in which the simplest things work. In drawing a medical analogy he stated that: *'...Physicians who do not listen to their patients and (do not) attempt to understand them as fellow human beings with illnesses that have personal meaning in their lives ultimately fail their patients.'* (Atherton, 1993:623)

The paradigm wars of the 1980's thus served to put back on the agenda the central importance of the reflective process in Social Work practice and knowledge building. Previously, Social Workers had not seen their practice in terms of a paradigm. The fuzzy term of 'eclecticism' had implied that Social Workers only borrowed other paradigms, but now the traditional Social Work approach to case practice research had a name. The 'no-paradigm' paradigm was in fact the heuristic paradigm. The end of the seventy year schism between practice and research was in sight.

Perhaps the depth of the practice-research schism was not felt as deeply in Australia as in other countries, particularly the United States. After all, tertiary Social Work courses did not commence in Australia until after World War Two. No research methods were taught in class until the 1960's and no higher research degrees until the 1980's. Australia may

have retained more of the reflective, qualitative, case study approach, with practice and research being seen in less polar terms.

1.11 The Need to Model Heuristic Research and Theory Building

In the 1990's Australian writers such as Peile began to conceptualise theory, practice, and research as a seamless whole in which there was a largely implicit but indispensable component of reflective self-study by both client and practitioner that led to new insights and knowledge. Peile contended that these processes needed to be made explicit. (Peile, 1994:21). But it was not only the heuristic searching processes that needed to be made explicit. It was also the knowledge development processes inherent in the heuristic approach that needed to be explicated.

Hudson has also emphasised this point in observing that Social Work practice is by nature a process of understanding that is based in commonalities of meaning. People are constantly engaged in the process of defining and redefining reality in order to produce a shared vision and it is the process of searching for this shared meaning that builds Social Work practice knowledge. Theories do not spring into existence fully formed and with full explanatory powers. Rather, they are developed reflectively over time (Hudson, 1997:39).

What Peile, Hudson, Goldstein, Imre, Heineman and others had done was to turn the traditional positivist questions on their head and fuel an epistemological debate. Instead of asking what were the best theories to drive effective practice, the question now became, how do effective practitioners know what they know? How do they approach situations, how do they sift data, how do they build knowledge? What is in fact the epistemology of theory development? (Peile, & McCouat, 1997:345)

To date these epistemological questions have centred on the processes of heuristic research, as part of the postpositivist accommodation between quantitative and qualitative research methods. (Sherman & Reid, 1994:5) Writers such as Heineman, Tyson, Lang and others have made valuable contributions to this debate, which this thesis intends to build on through a reflective case study approach. Also the thesis will by analytic induction attempt to model the processes of both the heuristic research method

and the heuristic theory building process and to demonstrate, through the field experience of the writer, the nature of content theory that can result from these processes.

1.12 Mapping a Reflective Voyage

In many ways the experience of the writer, in terms of Social Work education and practice, represents a microcosm of the profession's development. Undertaking Social Work education in the late 1960's the writer was exposed to a contrasting range of psychological theories and a variety of intervention models. Both consensus and conflict sociological theories were advanced to students and the early shots in the war over the efficacy of casework were sounding. Strong emphasis was still given to the acquisition of direct practice skills of interviewing and empathic listening and to professional values, ethics and practice principles. Reflectiveness as a practitioner was prized. It was exhorted and encouraged by the Melbourne University School of Social Work although not imparted as a specific technique. At that time the profession still held strong ambitions to incrementally build its knowledge base through practice wisdom and the case study approach. The writer readily embraced this tradition.

Entering the field as a correctional worker the writer was exposed to an organisational and professional culture that continued to prize the building of practice wisdom. There were always senior practitioners and colleagues with practice insights and operational concepts that aided the processes of assessment and intervention. The unique features of each case were the means by which knowledge was built. Through the cases the writer learnt about what worked and what didn't, what the applications and limitations of various theories were and where there were yawning black holes in knowledge. One was encouraged to keep abreast of current literature and to research the literature of divergent other fields when specific issues were thrown up by individual cases.

When the writer moved from employment in one field of practice to another, from corrections, local community development, service delivery to indigenous groups, intellectual disability, corporate planning, service redevelopment, and more recently to child protection, there were new content areas of knowledge to absorb and relate to pre-existing knowledge. Through this diverse field experience the writer formed a strong sense of professional identity as a non-Marxist radical practitioner, who was able to take pride in demonstrable skills and achievements in case to cause advocacy, system change

and legislative reform. Particularly important was the extensive field experience in indigenous affairs that imparted a more complete sense of Australian heritage and history.

1.13 The Content and Process of this Thesis

By the time of entering the child protection field in 1989 then, the writer had built up a range of operational concepts, models and theoretical propositions that were derived from formal theory, transmitted practice wisdom, personal insights, empirical evidence, academic literature and reflective analysis. Arriving in the child protection field meant that new content knowledge, particularly knowledge in relation to child sexual abuse investigation, had to be absorbed and reconciled with existing knowledge. This caused challenge, renovation and elaboration to existing knowledge, and the new knowledge had to survive inspection through the prism of the older, longer trusted knowledge. This thesis is essentially a mapping of this reflective voyage which includes the process of undertaking this thesis. It has been during the process of thesis reflection that ideas on the heuristic paradigm of practice have been explicated.

The first seven chapters will traverse this knowledge base on heuristic practice that was essentially built up by the writer prior to entering the child protection field in 1989, but includes the subsequent refinements and elaborations achieved since then. From chapter eight onward the new content knowledge absorbed on child sexual abuse investigations will first be summarised. The heuristic methods employed to investigate cases of child sexual abuse and to subsequently synthesise and build a model of child sexual abuse investigation will then be outlined. The implications of these case investigations for organisation learning will then also be discussed and a model of organisational error processes developed

CHAPTER TWO RESEARCH METHOD AND DESIGN OF THE THESIS

2.1 Methodological Choices in Research

Today researchers have at their disposal a variety of quantitative and qualitative research methods. Since the ending of the practice-research schism, both constructivists and postpositivists have accorded a wide legitimacy to this range of methods and this has led to a number of integrated approaches (Harrison, 1994:410). Increasingly, qualitative methods are used to explore and formulate early ideas about a subject, with quantitative methods then being employed to test specific hypotheses (Grinnell, 1988:195). Methodological pluralism is often seen as the hallmark of good research and different approaches are now commonly used to converge on a solution to a puzzle (Rabinowitz & Weseen, 1997:614).

Despite this methodological pluralism studies into the insights gained during the process of case intervention, such as in this thesis, tend to remain square pegs in the round holes of available research methodology. Conceptualisations as to the purposes of Social Work research tend to reflect the purposes of the educational institutions rather than those of the field. The individualised case research that occurs in everyday practice as a means of enabling intervention, and the research that occurs in developing insights about a range of related case interventions, are issues difficult to reconcile to existing conceptualisations about research.

Commonly four types of research in Social Work are described, namely exploratory, descriptive, explanatory, and evaluative studies (York, 1998:7). In describing his four categories, York states that exploratory research has the purpose of describing a phenomenon or developing a theoretical proposition in relation to a given subject about which little is known and which is therefore not amenable to quantification. Descriptive research is considered appropriate to examine only the nature of certain variables rather than the relationship between variables and is also best conducted through qualitative methods. Explanatory research seeks to explain the relationship between certain variables rather than simply describe, and quantitative methods are therefore most applicable. Evaluative research has the purpose of determining the effectiveness of a service or intervention and quantitative methods are again seen as the most applicable (Op Cit:8).

From these descriptions the research function within case intervention comes under the heading of exploratory research. At first we usually know little about any new case apart from the presenting problem, so the task is akin to the more phenomenological information gathering processes used in qualitative research (Rubin & Babbie, 1997:373). Heineman Peiper has also affirmed this by relating the heuristic processes of complex case interventions to exploratory research purposes (Heineman Peiper, 1989:22). The qualitative nature of research within case intervention is also apparent in such interventions clearly not being amenable to quantification.

The research function involved in developing insights about a range of related case interventions can also be defined as exploratory research. Here, again, little is known about the subject and the purpose is to postulate a theoretic relationship between the interventions. To some extent this aspect has already been accounted for in the usual descriptions of exploratory research, as having an emphasis on the discovery of insights and ideas and which includes such techniques as the analysis of insight stimulating examples (Selltiz et al, 1962:53).

Case studies, which have a long and venerated history in Social Work as a means of teaching and learning, have traditionally fallen within the category of exploratory types of qualitative research. Different case study methods that have been defined include phenomenological approaches, life histories, ethnographic, heuristic, grounded theory, narrative, discourse analysis, case evaluation, and program evaluation methods. (Strauss & Corbin 1990:21) (Sherman & Reid, 1994:4). Many of these qualitative methods have resonance for practitioners such as the writer. For instance grounded theory has been mooted as a particularly valuable approach to facilitate the exploration of reflective practice (Bernstein & Epstein, 1994:435).

In recent decades, the development of the single case study research technique has extended the available methodologies beyond solely qualitative, to now include quantitative methods, and methodological pluralism. The single case study approach, by striving to integrate quantitative and qualitative research methodologies has therefore been a valuable addition to the research armoury (Yin, 1989:14) and its possible relevance to the current thesis needs to be discussed in greater detail.

2.2 Limitations of the Single Case Study Approach for this Thesis

The indispensable feature of all single case research designs is the repetitive objective measurement of the dependent variable in order to identify change over time (Grinnell, 1988:365). That is, the client problem is defined in operational and quantitative terms so that any movement toward resolution of the problem can be objectively measured.

A basic problem of such research is that it is reductive by nature. It seeks to control complexity by reducing the number of variables in order to subject them to measurement. By imposing controls and measuring variables, it is presumed that the crucial variables determining effective outcomes can be identified. The problem is that this begs the question as to whether control is an appropriate tool for the achievement of effective outcomes, in a process that depends on collaboration between the parties (Peile, 1994:14). The intrinsic involvement of persons with each other in Social Work practice, regardless of whether or not it involves statutory authority, represents a critical difference to the physical sciences. Here the use of quantitative methods is most appropriate to the study of natural phenomena or physical objects.

In the field though, practitioners must collaborate with their clients rather than treat them as objects of study and we must be oriented in a phenomenological way to the client's situation. We must interact with our clients, be aware of their subjective viewpoints and frames of reference, and we must make sense of it all within the context of everyday life (Bergmark & Oscarsson, 1992:121). Ignoring this need for a phenomenological approach and coming to a practice situation with an *a priori* theoretic proposition in mind is likely to be counter productive, because every practice situation is unique.

The second problem of relating quantitative single case study approaches to practice situations is the linear nature of the traditional scientific approach. Here, professional knowledge is seen as a three-tiered hierarchy first of theories, then analytical or diagnostic techniques, and then technical skills that implement the solution. Professional effectiveness is thus seen in terms of a linear model of technical rationality where overarching theories guide diagnostic procedures and technical acts (Schon, 1983:24). The problem is that if Social Work is seen in linear terms where predetermined higher theory guide technical acts, then this implies that Social Work interventions are not

that when the unique characteristics of client situations are ignored intervention plans are by definition not tailored to the individual client circumstances and the result can be ritualistic and ineffective (Rosen, 1994:573).

The third problem in using the single case study approach to examine case interventions is that the method has a basically instrumental purpose. Almost invariably the purpose of such case studies is to measure the effectiveness of intervention and emphasis is placed on issues of measurement and outcomes, rather than the process of investigation itself (Ruckdeschel et al, 1994:252, Riessman, 1994:ix). Practice intentions are thus distorted in order to gain a quantitative flavour to the qualitative process of case intervention (Peile & McCouat, 1997:353). The primary focus of the single case study approach remains instrumental and is an entirely unsuitable approach from which to study the way in which practice involves a style of single case research. In day-to-day practice, each single case involves a research process aimed at producing insights to guide intervention. Each single case is also used as a means of research to cumulatively build knowledge for subsequent interventions, that is to build practice wisdom.

Practice will always entail an element of judgement in respect to each case assessment and intervention (Power, et al, 1985:15) and it follows that reaching an understanding of the unique features of each client situation can only be achieved by inductive insight. Quantitative methods by nature therefore cannot underpin case interventions, nor give a proper understanding of the inductive processes involved. What is needed is the development of a research method appropriate to such a complex interpersonal enterprise in which insight has such a crucial function. (Imre, 1985:146)

2.3 Defining the Heuristic Research Processes in Case Interventions

If we turn the issue around and conceptualise effective intervention as dependent on a synthesis of ideas that produce case specific insights, then the crucial variables in each case may be as comparable as apples and oranges. Or to put the analogy differently, each individual case will present as a fruit salad, but with different quantities and combinations of fruit each time. With such an inherently complex task as this research methodologies that emphasise the need to identify variables and control them experimentally involve the risk that the focal meaning of the whole process will be endangered (Op Cit:149).

What is required is to continue building qualitative techniques that can effectively explore the research functions that guide intervention (Heineman Peiper, 1989:14, Peile, 1994:18). In the writer's view this involves two research tools that are inherent within everyday reflective practice. First is the research that produces the unique 'explanatory theory' of each specific case. Second is the research that models relationships between specific case theories. In other words we need to find out how each fruit salad is made, then find out how the varieties of fruit salad relate to each other. The writer has chosen to label these two types of exploratory research that are embedded in practice, as **Interventive research**, and **Modelling research**.

Both these types of research proceed in a phenomenological way through the application of heuristic principles, which have only in recent years begun to be analysed and explicated. Unlike the traditional 'scientific' method, the goal of the heuristic approach is utility rather than certainty. This is necessary in real life situations that are too complex, interactive, time constrained and perceiver dependent to lend themselves to the comprehensive analysis and exact solution that a positivist approach requires. In short, and the ultimate criterion of truth in practice is inevitably a pragmatic one (Powers, et al, 1985:15) and the heuristic approach is employed to this end. To make problems manageable and produce helpful information (Heineman Peiper, 1989:11)

This utility and economy of the heuristic approach arises out of its inductive nature. As data is gathered it is cognitively manipulated for possible temporal, spatial, or functional relationship to other data. Sometimes the sheer contiguity of two factors will produce an insight or suggest a hypothetical way of organising the data to extract meaning. (Strauss & Corbin, 1990:43). The fact that heuristic processes aim at working with complex data in time efficient inductive ways is readily seen in the fact that *heuristic* comes from the same Greek root word as *eureka*, a find, and is universally a word used for that moment of insight or flash of inspiration (Richards, 1999:270).

Given that the inescapable primary purpose of practice is intervention, it must follow that the research function inherent in this purpose is aimed at understanding the complexity of individual client circumstances in order to formulate appropriate interventions. (Rosen,

1994:565). In a similar way to other styles of research the practitioner is a data-gathering instrument who reasons from the facts or particulars of a given situation to tentative conclusions. Therefore as well as there being a research function in practice, there is also an explicit knowledge building function. We gather data, but as soon as we begin to speculate about the client's problem by relating one piece of knowledge to another in an effort to make sense of it, we are beginning to theorise (Powers, et al, 1985:24).

Of necessity this process of building a theory about the individual's problem is, as we have said, an inductive one. Rather than approaching the situation with a predetermined theoretical position and trying to fit the client's circumstances to the proscriptions of the theory in a deductive way, the practitioner begins to undertake what Schon has called, '*a reflective conversation with the situation*' (Schon, 1983:268). That is, a heuristic approach is adopted so that inductive insights are stimulated by the unique constellation of factors in each case. Practice interventions are dependent on a heuristic process of case specific research and the formation of an individuated theory of problem causation. Because the knowledge created by interventive research is pragmatically focussed and is developed to explain the unique features of a given client situation, the insights gained are not readily generalisable (Heineman Peiper, 1989:11).

2.4 Defining the Heuristic Theory Building Processes in Case Practice

This does not mean that such intervention driven theories are to be dismissed as subjective and unreliable, or are without implication for each other. In reaching such 'case theories' practitioners are reliant on variety of mid-range theoretical constructs and empirically validated knowledge that influence the formation of insights (Reid, 1994:475). The fact that such insights do occur only serves to reinforce that these relationships exist. It is just that they are poorly understood and poorly explained. The level of objective validity to these insights is often poorly understood and explained. In reality there are a number of bias control mechanisms used by practitioners to protect the integrity of the inductive conclusions reached.

Despite the case specific nature of these insights from intervention research, this does not make them incapable of generalisation or linkage with other case specific insights in a structural, functional, or process relationship. Each case practice insight becomes a prism through which to examine subsequent cases. Practitioners seek to establish what the

unique features of each case are; what is crucial in determining these differences, how each case is similar as well as different, and what concepts apply in linking these similarities and differences. The insights gained in individual cases become food for thought to the reflective practitioner as to what the epistemological or functional relationship is between the case specific insights. Practitioners then seek to develop linking concepts between cases, or explanatory models, through a process of analytic induction (Strauss & Corbin, 1990:43, Hyde, 1994:174).

Such modelling research is not simply undertaken in isolation by each practitioner. There is also a strong tradition in Social Work of collegial consultation and collaboration in the building of practice knowledge (Carew & Smith, 1991:62). In the seamlessness of daily case practice, both interventive research and modelling research are mutually interdependent even symbiotic processes. Each individual case is researched to collect data and generate insights about the unique features of each case in order to guide intervention. In doing this, operational insights from previous cases of a similar class are often utilised as a prism through which the differences and similarities of the new case can be examined. Empirical research findings and the experiences of colleagues are also used as prisms through which to examine each case and identify possible relevance or relationship. Additional new insights are often generated and old insights often reciprocally extended, elaborated, or modified in the process.

Ultimately the practitioner is led to reflect on the relationship between a range of operational concepts that have been applied in a similar class of cases. By a combined process of analytical induction, reference to empirical research findings and rational discursive analysis (Carew, 1997:15), higher level concepts are formed to link and relate the concepts in an overall model of structural or functional relationship. In summary, the interventive research and modelling research functions of practice are defined in this thesis as follows.

Interventive Research is a heuristic process of data collection, analysis and theory formulation about a specific case. The collected data is interrogated for both internal consistency and external cross-verification and for both match and mismatch with a variety of theoretic propositions. Insights are thus stimulated that give context to the

unique or novel features of the case, and a case specific theory of problem causation is developed to guide intervention.

Modelling Research is a heuristic process of building cross-case theoretic frameworks. It involves the collation of operational insights gained in a class of case interventions, and the development of higher level linking concepts. The primary and secondary concepts are then arranged in an explanatory scheme of epistemological or functional relationship.

It is through these interventive and modelling research functions that practice wisdom is built. As already indicated, practice wisdom has long suffered the slings and arrows of positivist researchers that it is a subjective process and is therefore subject to bias. (Williams et al, 1995:20)

2.5 Strategies for Controlling Bias in Heuristic Research

The point is that bias, even in science, cannot be eliminated. As Heineman Peiper states: *'Every choice of measurement both reflects the philosophical, professional, personal and other biases that the perceiver brings to the measurement, and also creates bias by, inevitably, excluding other information. In this context bias has no pejorative meaning, but rather denotes the inevitable distortions that occur when we attempt to describe reality'* (Heineman Peiper, 1989:14).

The ideas of value free science and the objective researcher are both fictions. Modern philosophies of science recognise that bias is inevitable. Nowadays researchers concentrate on reducing rather than eliminating bias (Heineman, 1981:388). This is difficult and there is thus no cookbook way of removing, detecting, or correcting bias in the way that empiricists have in the past endeavoured to do. One approach is to recognise and come to understanding some of the ways bias permeate research as well as practice activities, so that we can deal with the underlying epistemological questions (Imre, 1984:42). Bias needs to be made explicit, rather than being avoided or denied and the heuristic approach focuses on encouraging researchers to try and recognise and manage bias in a non-judgemental way (Heineman Peiper, 1989:18).

Despite the past assertions by positivists that case practice is a subjective and unreliable way of developing knowledge, there are studies that have shown that practitioners

exercise many techniques of bias control. Carew and Smith (1991:61) for instance have identified several forms of collaborative tests by which practitioners attempt to gain multiple professional perspectives on an issue. They propose a hierarchy of verification tests starting with reference to the practitioner's own personal experience, then moving through informal collaboration with esteemed peers, formal collaboration with authoritative practitioners, collaboration with collegial forums, collaboration with professional forums and, finally, academic level collaboration.

Other writers have also acknowledged the importance of maintaining certain approaches and attitudes as a means of limiting bias. These include using reference and research literature, using alternative conceptual models to 'triangulate' problems and maintaining scepticism (Strauss & Corbin, 1990:45). Consistent with the heuristic approach, the writer has attempted to identify and manage his biases rather than deny or ignore them and has used a range of personal awareness, external reference and collaborative tests to achieve this.

This is no easy task as the child sexual abuse is a field in which one can experience potentially powerful and even disabling emotions. Dealing with traumatic experiences of powerless children on a daily basis can create strong feelings of identification in workers and make them susceptible to feelings and biases from their own personal childhood experiences. Such problems, conceptualised in Freudian terms as transference or counter-transference, need to be consciously monitored and guarded against in one's daily practice (Cameron, 1963:753).

A worker needs to have an acute self awareness of issues and areas of potential bias in their case practice. As far as possible, the writer has maintained consistent efforts to ensure the objectivity of the ideas developed, and this has included the following strategies:

1. Maintaining a heuristic focus toward each case situation and not making a priori theoretic assumptions.
2. Consistently documenting observations and assessments for scrutiny by supervisors.

3. Ensuring that inconsistencies and incongruities are not edited from assessment, thereby tailoring the facts to fit a chosen scheme of explanation.
4. Checking previous documentation for attrition of information inconsistent or incongruent with the chosen scheme of explanation.
5. Checking personally with previous workers as to actual observations rather than recorded interpretations.
6. Being skeptical of one's own and others speculative theories and developing alternative rebuttal scenarios.
7. Constantly checking one's own thoughts and feelings for subjective bias
8. Being alert to issues of transference and counter-transference
9. Cross-checking and verifying information before accepting it as 'fact'
10. Checking one's own understandings back with clients for subjective relevance to them and confirmation of factual information.
11. Checking imputed facts, observations, and interpretations for internal consistency and logical relationship
12. Referencing research literature on specific problems and issues arising in cases.
13. Continuing supervisory scrutiny and case discussion
14. Remaining mindful of ethical issues and dilemmas inherent in cases and maintaining a strong awareness of potential justice and equity issues in decisions.
15. Conferring with colleagues for possible alternate views and explanations in cases and critical consideration of specific insights reached.
16. Conferring with external agencies for possible alternate views and explanations and discussion of specific insights
17. Using the organisation's internal case forums for presentation and feedback
18. Seeking independent, external, expert views on specific case issues, insights, interpretive problems and ethical considerations.
19. Documenting one's ideas, disseminating them within the organisation, and exposing one's ideas to critical evaluation and feedback.
20. Contextualising my ideas with existing research literature and theory.
21. Authoring papers for presentation at academic forums and conferences and exposing one's ideas to wider professional critique.
22. Subjecting oneself to the academic discipline of a postgraduate thesis.

In the writer's view, the strength and legitimacy of such bias control and ethical safeguards as above, have in the past been significantly undervalued and under-explained. Empiricists of a more quantitative persuasion may see these types of 'experimental control' as soft and unreliable. Nonetheless it is considered that they are legitimate and appropriate to the original case intervention context of this study. There are strong ethical and practical arguments against imposing any stronger experimental constraints than these on practice situations, because they could well have the effect of compromising the professional relationship between client and practitioner, exploiting the power disadvantage of clients and leading to unjust outcomes for clients (Taylor, 1993:74).

2.6 Implications of the Organisational Context of Practice for the Research Method

As stated previously, the writer came to the child protection field in 1989 with an heuristic-reflective approach and a range of theoretical models developed in practice that had reached or were close to the contextualising stage. A good deal of contextual knowledge to the child abuse field then had to be absorbed and assimilated with or accommodated to existing knowledge. The child protection field in Victoria was also at that time in a state of considerable flux and turmoil.

At the outset the writer inherited a case of a sexual abuse where a ten year old boy had been removed from home because of his alleged sexual abuse of his four year old brother. To the writer the pieces did not fit. The view taken that the ten year old was 'a perpetrator' simply ignored how he had acquired his sexual knowledge and did not explore the possibility of his victim status. The decision to remove him from home without exploration of those issues did not sit right. The writer reinvestigated the case and found compelling evidence that the ten year old boy had been sexually abused by his natural father when on access visits with him. The writer's supervisor supported this review and the case was duly returned to court with the new evidence. When the original court decision was reversed it was accompanied by strong criticism of departmental action by the court. Further criticism by the Ombudsman of the original action ensued. As a consequence the department issued disciplinary warnings to the officers involved in the previous decision. All this affected the sensibilities of some more senior officers who had been involved in the original decision and the writer became a persona non grata in some managerial circles.

Unfortunately this was not an isolated case. Other similar cases followed and the writer came to the view that, in relation to cases of abuse, especially notifications of child sexual abuse, there was a lack of careful and thoughtful investigation. Often, decisions to remove children from parental care seemed to be taken in haste. The likelihood of a worker substantiating abuse based on a false accusation was thereby heightened, as was the likelihood of a protection application then failing at court for lack of proper evidence. The rationale underlying some of these hasty decisions seemed to be that *children never lie and must always be believed*, a view to which there was at that time a strong ideological commitment within the Victorian child protection system. In such an emotionally challenging and dilemma plagued field of work such ideologies offer a sense of certainty, coherence and commonality, and formed part of a culture of conformity within the organisation. The writer and others were placed at odds with the prevailing organisational culture when they questioned the appropriateness of such ideologically based views.

The application of this ideology in practice became apparent in a number of cases. Great reliance was placed on securing child statements and an over-reliance placed on any statements gained from children. Cases were then not investigated further when a statement was gained. Because of this over-reliance on child statements, pre-emptive decisions were frequently made to remove children from their parents. Subsequent investigations by the writer and some colleagues in some of these cases revealed decisions that were in error. However decision makers within the organisation had by that time often become committed to the original decision and, after exhausting all avenues of internal appeal, the decisions were not changed. The writer and his colleagues therefore empowered the families involved to successfully challenge and reverse the decisions at court.

This client empowerment was not seen as legitimate behaviour by some of the senior officers involved in the original caseplan decisions. This resulted in three concurrent disciplinary actions being mounted against the writer in relation to three separate cases for alleged offences such as *'failing to give evidence at court supportive of the department's view'*. All of these actions were eventually dismissed as groundless but it had no effect in changing managerial views about the conduct of the cases involved. As a

result, the writer and a number of colleagues were regarded with continuing significant disfavour. This was a far from easy experience for the writer and his colleagues who had felt compelled to act in accordance with professional conscience. The events exacted a heavy emotional and psychological toll on the writer and those colleagues involved, but perversely it also provided us all with further motivation to comprehend the experiences in theoretical terms. However while the writer and others continued to be subject to a significant level of negative scrutiny from some managerial quarters, paradoxically other wholly positive experiences in supervisory and managerial relationship continued.

2.7 The Selection of Case Studies for this Thesis

These cases challenged by the writer as being improperly investigated, generated valuable insights in relation to sexual abuse validation processes. Other cases in which full agreement occurred also yielded insights as the writer analysed them, contextualised them to existing research and theory, and continued to build practice knowledge. Each successive case became a prism through which to examine subsequent cases and to revisit previous cases. Ultimately some cases became pivotal for the way in which they epitomised certain concepts gained and seven such cases have been selected and presented in chapter nine of this thesis. These cases are then used as vehicles for discussion in the following chapters on heuristic investigation technique and on the model of sexual abuse validation. These case studies have an additional purpose as vehicles for the analysis of organisational error processes. The cases selected are not simply those where wrong decisions were made. In half of the cases cited the decisions reached were correct and were instructive as to the types of organisational process that supported reflective practice.

It is noteworthy therefore, that despite an obvious pressure of bias on the writer toward self-vindication in the case studies of these papers, no criticism has ever been mounted by the department, that the cases recounted in chapter nine of this thesis, are factually incorrect. Neither has there been any criticism put forward as to the theoretic contexts that the writer has explicated and which follow immediately in chapter ten. The writer is also fortified in this by the knowledge that any papers produced have been subject to particularly close scrutiny within the department, particularly in terms of ethical propriety. In this thesis all cases have been appropriately anonymised by changing details like names, dates, ages, localities, family structure, and removing cultural or geographic

identifiers. The cases in fact covered a six-year period from 1989 to 1995 and included three different office locations, both in city and country. The cases have not been presented in time sequence, or identified in terms of office location. These ethical safeguards have always resulted in the papers being approved by the department for presentation at external conferences and forums.

2.8 The Research Question of this Thesis

In essence this thesis maps a reflective journey of the writer within the Victorian child protection service, over an eight year period from 1989 to 1997. Inarguably during that time the field was in a highly volatile state, suffering from long term problems of spiralling workloads, poor staff morale, high staff turnover, low professional confidence, constant organisational change, intense media scrutiny and governmental imperatives of economic rationalism and public sector corporatisation.

Difficulties in recruiting and retaining qualified Social Work staff had led to organisational strategies of lowering the qualifications for staff employed in the child protection field in Victoria. The service then gave greater emphasis to field-specific in-service training as a strategy to compensate the lower levels of professional skill and confidence. Protective work also became subject to extensive proceduralisation through numerous volumes of detailed manuals, as a further means of compensating for lesser professional skill and confidence. This seemed only to erode opportunities for individual professional judgement and did not improve the investigatory outcomes. In short the work itself became increasingly more routinised and deprofessionalised over time.

This then is the context of the thesis, and in an effort to recognise the strong subjective elements of reflective journey that it entails, it is proposed that the central research question of this thesis will be:

By what processes does reflective Social Work practice contribute to theory development and organisational learning?

It is proposed that this research question will be approached in a reflective way to show first the way in which practice insights were reached and the processes involved in this,

then show the substantive theoretical structures that resulted from these processes. A summary of the thesis contents is therefore as follows.

2.9 How this Question will be Addressed

- . Chapter one outlines, as already shown, the origins of this thesis in terms of both the history of the field and the personal, educative, and field experience of the writer.
- . Chapter two outlines, as also shown, issues of research method and design for this thesis, and outlines the processes of heuristic research and theory building that underlie the thesis.
- . Chapter three will elaborate these principles and build on the work of other theorists, to provide a factorised model of the heuristic research method.
- . Chapter four will attempt to synthesise and extend existing theory of reflective theory building, and develop models on the stages of human knowledge development, reflective theory building and reflective practice.
- . Chapter five will examine how knowledge is used in Social Work within various paradigms of practice, and will define the heuristic paradigm of practice.
- . Chapter six will further examine the heuristic paradigm and its relationship to radical practice, so that some conceptual tools can be developed for later analysis of organisational learning issues.
- . Chapter seven will map the historical context to child abuse in Victoria, starting with indigenous issues arising out of original dispossession disease and dispersal, so that there are no hidden assumptions to this historical context.
- . Chapter eight will contextualise the child protection field with contemporary organisation issues facing Social Work practice in general, so that an understanding is gained on the current political and organisation forces affecting the field.
- . Chapter nine will review the content knowledge of child sexual abuse investigation that the writer absorbed on entry to this field.
- . Chapter ten will discuss seven cases of child sexual abuse investigation that the writer was allocated. These cases stimulated specific insights into the sexual abuse investigation process and also were food for further thought and insight into organisational learning processes.

- . Chapter eleven will examine how the heuristic approach applies to child sexual abuse investigation, and discuss issues of gender and power in the interviewing process.
- . Chapter twelve will map a process model of protective investigation of child sexual abuse that was developed through the heuristic-reflective research method.
- . Chapter thirteen will examine the implication of reflective practice for organisational learning. By using the case studies of chapter ten, a process model of organisational error and error avoidance will be developed.
- . Chapter fourteen will conclude the thesis by using the conceptual tools outlined in chapter six, to analyse organisational process and culture, and propose mechanisms by which organisations can foster and protect a reflective approach by their practitioners.

3.1 Reflexive and Reflective Practice in Social Work

Other writers have described the interventive research and modelling research functions of case practice outlined in the previous chapter, as the 'reflexive' and the 'reflective' modes of case practice (Harrison, 1994:420, Pilalis, 1986:93). The task in this chapter is to outline the actual heuristic processes involved in both the reflexive and reflective forms of case practice. In attempting this, the writer will be relying heavily on an invaluable article by Norma Lang that compared the data processing methodologies of Social Work casework practice with qualitative research.

In comparing the methodologies of practice and qualitative research, Lang defined two cycles. First, she labelled an 'action deriving cycle' that she saw as relating to both applied research and to reflexive practice. Second, she labelled a 'knowledge deriving cycle' that she saw as relating to both pure research and reflective practice. Lang labelled the methodological steps in the action cycle as respectively acting, observing, describing, abstracting, and generalising. Whereas in the knowledge cycle, she labelled the methodological steps as observing, describing, abstracting, generalising, categorising, classifying, conceptualising, and contextualising (Lang, 1994:273).

This thesis will attempt to build on Lang's work by consolidating her concepts into a single model of the research functions within practice. This model of the heuristic research method will therefore show the relationship between reflexive and reflective practice and also between the interventive research and modelling research functions of practice. As discussed in chapter two, the heuristic research processes of practice aim first at developing a case specific theory that will guide intervention. Forming case specific theories may involve either reflexive or reflective processes, or indeed some combination of both. This combination happens when inductive insights are reached that abridge the reflective process.

The second heuristic process of case practice aims at modelling new knowledge by establishing or postulating relationships between insights gained in a class of related cases. While modelling research is predominantly a reflective process, this too can be abridged by reaching inductive insights. The problem faced is that, once inductive insight

occurs, it is difficult to retrace the steps that have occurred in that telescoped moment of inspiration.

From the writer's experience though, the model explicated by Lang has strong resonance for the steps involved in both interventive and modelling research and with a few modifications will be able to serve as a model for the heuristic research method. These modifications involve the addition of two extra methodological steps, one to each of the reflexive and reflective cycles, plus a slight re-ordering of factors in the reflective cycle. These two additional factors have been termed '*assimilation*' and '*accommodation*' and are meant to be defined in the cognitive terms of Piaget. That is, assimilation represents an integration of new information with existing knowledge, whereas accommodation refers to the process of modifying the structure of existing knowledge systems, in order to incorporate new knowledge (Berlyn, 1958:1).

3.2 Factorising the Heuristic Research Method

Two terms used by Lang will also be altered. This will first involve replacing her term '*conceptualising*' with '*modelling*' which is more consistent with previous terminology used in this thesis and the processes the writer is attempting to explicate. The writer also considers this a more appropriate label to the process that Lang is describing at that stage. The second concept of Lang's to be relabelled is that of '*classifying*', which will become '*ordering*'. It is believed this also portrays more accurately the processes that occur at that stage, where it is most commonly sought to order the data in some form of spatial, temporal, functional, semantic or process relationship. Because of these slightly different conceptualisations to Lang, there will be a slight re-ordering of the factors, with modelling coming after contextualising, rather than before. This integrated cycle of reflexive and reflective practice is shown in the *Heuristic Model of Reflective Research* at Figure 1, after the following discussion on each of the now eleven factors.

3.2.1 Observing

The data gathering process in all research begins with observation and recording. While the academic researcher has some control over what cases are selected for study and can establish a far more exclusive focus on what cases are being observed, this is not a luxury available to the practitioner. The practitioner's purposes are more complex and the focus is on deciding what needs to be done with each and every case, not just the

ones that might be the subject of special interest. Unlike the practitioner, the academic researcher is therefore able to stop short of 'doing' and can be content simply with 'knowing'.

As Lang notes, the practitioner in reality cannot exert the same controls over the subject of study as can the researcher. Therefore, while the researcher

'... also observes in a focussed, time limited, pervasive, concentrated immersion; the practitioner observes over an extended time frame in a cyclical, intermittent or staggered time sequence, as ending clients are terminated and new clients begun, and work with clients may be at different stages of progression' (Lang, 1994:266).

What is important to emphasise in the observational phase is that the heuristic searching process does not look to overarching theory for cues to a standard solution, but requires the practitioner to attend to the peculiarities of the situation at hand. (Schon, D. 1983 p.129) The unique features of each situation are therefore attended to and noted, rather than looking for similarities and generalisations (Payne, 1997:46). In this way, the practitioner attempts to guard against having their observations shaped by pre-existing theory and against data being filtered out on assumptions derived from pre-existing theory (Timms, 1977:184).

3.2.2 Describing

In both academic research and interventive research observations are documented closely and, whilst the researcher may rely on full process recordings and the practitioner on case notes, their purposes are similar. Both processes are concerned with full data gathering in order to provide the richest source possible for later deciding what the observed and described facts mean. Here for both, the heuristic approach is vital, in that effort is directed at describing the data itself, rather than selecting out data for description that conforms to a pre-existing theoretical framework.

The objective of the heuristic approach is, basically, to give the data the best chance of speaking for itself. To do this, reflective practitioners commonly institute a range of checks against personal bias, with some 22 of these having been listed in the previous chapter. The questions practitioners ask themselves in order to guard against bias are therefore to the effect of: What assumptions have I made? Where do these assumptions

come from? What gaps and biases are evident in my account? How did I personally influence the situation? How did my interpretations influence the situation? What language and terms did I use? Was the communication sent, the one that was received? (Fook, 1996:7)

3.2.3 Abstracting

The first step in the data processing stage reduces and transforms the data gathered, in ways that make conceptualisation possible. In both interventive and formal research the data is freed from the concrete details of time and place by abstraction. For the practitioner, this takes place in the process of assessment and for instance an individual also becomes a husband, a father, a son, a brother, a worker, a client, and an offender, all of which will contain a myriad of roles, relationships and potential meanings.

3.2.4 Generalising

Following closely on from abstracting is generalising. Here, both the researcher and the practitioner alike further condense the concepts they have abstracted. Again, the heuristic approach is important for seeing what clusters of abstractions or innate patterns present themselves, as vehicles for new insights. However, for the practitioner, this is where the action imperatives of everyday practice may truncate the process into the reflexive cycle, as shown in figure 1. To be simplistic, the practitioner may for instance perceive that it is the role of father that is the crucial role in the definition of the problem and that action is needed to address the centrality of this role in the definition of the problem. The point is that the process of abstracting and generalising affords the data a fluidity that facilitates the inductive process.

3.5.5 Assimilating

As can be seen from the figure, the pattern involved in this reflexive cycle for the practitioner is observing, describing, abstracting, generalising, assimilating, and acting. Essentially, the action imperative of everyday practice demands that the practitioner immediately match the data to existing theory, and to generate an immediate interventive response from the practitioner's existing skill repertoire.

This then is the assimilative step, where the level of incongruence encountered does not oblige the practitioner to become more consciously reflective and tease out the issues

further. Sometimes though, the demands of the particular practice situation may generate an intuitive response that is not simply reflexive and represents a departure from previous practice (Imre, 1985:142). However for this intuitive response to be properly analysed and live up to its potential to add to knowledge, it needs to be channelled through the full reflective loop of figure 1

For the practitioner to enter the reflective knowledge building cycle, rather than remaining within the tighter reflexive loop, the heuristic approach is essential. As Lang states:

'Practice anomalies may propel the practitioner into a knowledge-developing cycle, and in the summary gathering up of practice experience the practitioner may evolve classifications and conceptualisations. The action focussed social work practitioner tends to link data to theory, while the qualitative researcher links data to other similar data. The researcher purposely avoids the influence of existing theory at this level of processing in order to generate new theory from the data; the practitioner turns to theory quickly. It is here that social work may lose the possibility of practitioner generated theory arising from practice data. The press to know what to do, what action to take, may close the avenue of knowledge development from practice for many practitioners' (Lang, 1994:271).

3.2.6 Categorising

Once one moves past the process of generalising and into categorising, differences between the practitioner and the academic researcher diminish greatly. Indeed the difference between interventive research and modelling research also diminish. Although the action imperatives for the practitioner are ever present, they are nonetheless now past the sidetrack of the reflexive loop, and within the reflective loop. Here the process focuses on linking and sorting comparable items, then naming them as a class. Here the use of the heuristic method will become apparent in the emergence of unique new conceptual categories that derive from the properties of the data itself (Harrison, 1994:416). For interventive research this may involve the reaching of new insights that account for the unique characteristics of the case under consideration. In modelling research this may involve recognition of similarities between insights from different cases.

3.2.7 Ordering

The prior process of naming emergent categories now generates higher-level abstractions and leads to the development of a sense of serial relationship or taxonomy. Here is where the process of ordering has brought the disparate data back into a whole, often in an innovative way. This is one of the hallmarks of the heuristic approach, letting the data 'speak for itself', and developing a sense of order out of the emergent features of the data. Often at this stage though, for both researchers and practitioners, the classificatory system is exploratory or provisional, until additional concepts crystallise and the best ordering evolves (Lang, 1994:272). In interventive research this is best demonstrated in the formal assessment phase when the complex set of factors gained are placed in a serial or consequential relationship that enables the crucial factors to more clearly emerge. In modelling research the insights identified in a range of cases are seen in some form of ordered relationship or continuum.

3.2.8 Contextualising

It is only on completion of the ordering stage, after the heuristic process has allowed the data the greatest possible chance to speak for itself, that context is sought with existing theory. As Lang states:

'Upon completion of the study, the researcher looks at what prior conceptualisations exist in the literature, how they differ from the new one generated by the current study, and how the new piece fits with relevant previous theoretical materials. In holding the connection to prior knowledge until completion of the study, qualitative researchers deliberately insulate themselves against the contamination of their view of the data by other theoretical perspectives, attempting to keep as free from them as possible in order to develop strands of theory from the new data.' (Op Cit:272).

The same of course applies to practitioners. Ideally one holds off on the process of contextualising until after a sense of natural order has been extracted from the data itself, and this may entail a difficult process of mental gymnastics before the pieces sit comfortably together in a particular order. Once this is achieved the practitioner will then commonly seek contextualisation from the literature; but sometimes of course, when

faced with an intractable problem, contextualisation can be sort in the hope of generating insights for the ordering process.

3.2.9 Modelling

Here, the conceptual process tends to move the ordering process forward into a more functional proposition. Rather than being a relatively static conceptualisation of serial order for instance, some idea of the functional coherence or systemic nature of the whole is generated. Typologies and taxonomies thus move forward in sophistication, to represent more working models. This is in essence often where the theory building contribution of a particular study is made, whether it be in a formal research or reflective practice context. It is precisely for this reason that I have chosen the term *modelling* in preference to the term *conceptualising* used by Lang. In interventive research this is the stage where the final assessment puts all the factors together in an insightful and persuasive way that accounts for the unique features of the case. For the modelling researcher, this is when the insights from a range of cases finally come together as a complex whole and in a logically coherent way.

3.2.10 Accommodating

Modelling is the creative step that creates or synthesises new knowledge. It is then followed by the consequent step of 'accommodating' that involves the consequent alteration of existing cognitive structures to integrate the new knowledge. For the interventive researcher this is the personal integration of specific new insights or operational concepts into the memory bank, to be used in future as a prism through which to inspect future cases. For the modelling researcher it is the creation of a new conceptual framework, against which new concepts can be measured for possible assimilation or subsequent accommodation.

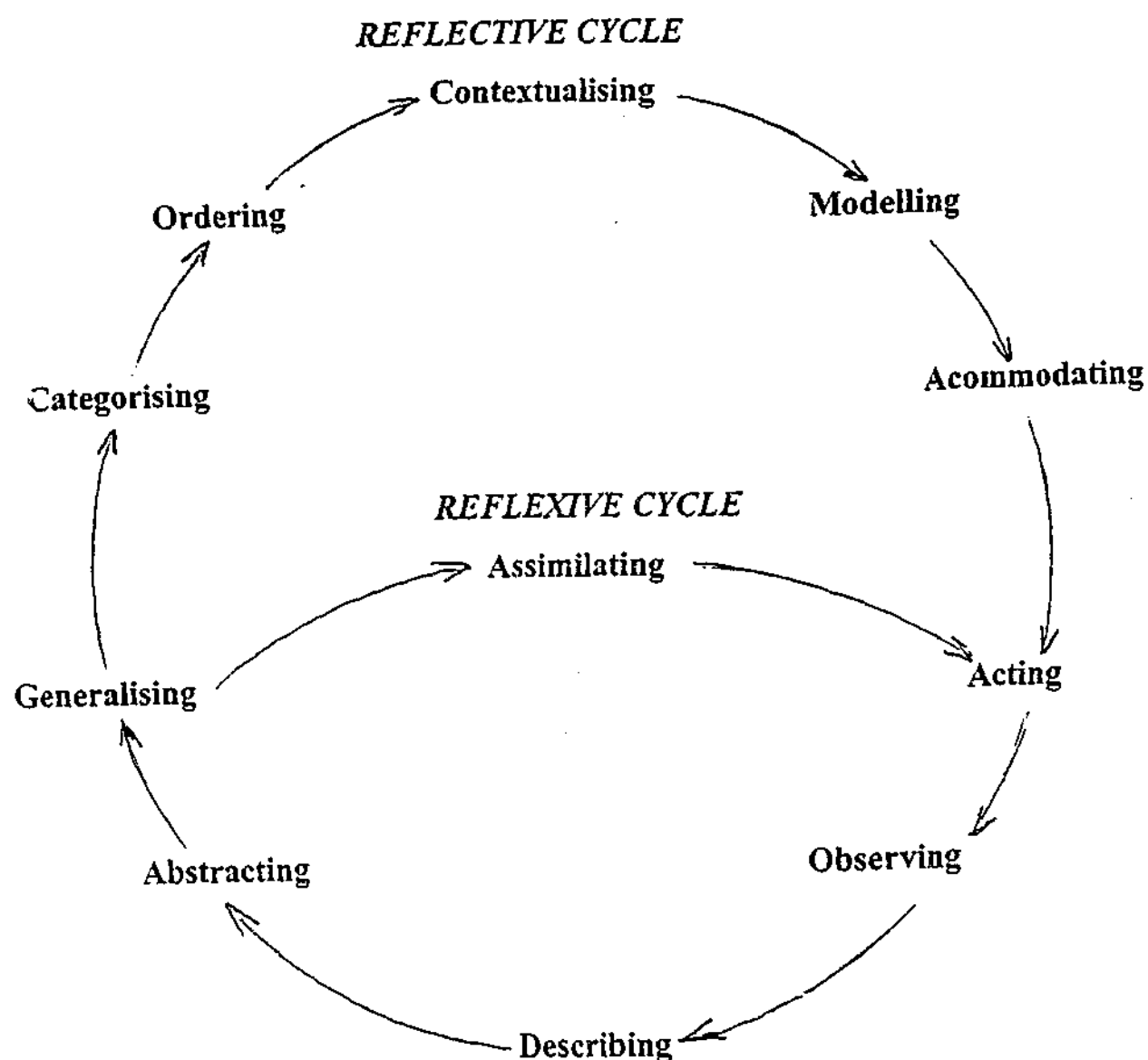
3.2.11 Acting

The final step of acting simply denotes the operationalising of new knowledge, but this is more of an imperative for the practitioner than the academic researcher. Academic researchers can be content with knowing, but the reflective practitioner is faced with the daily imperative of doing. Knowledge distilled from practice experience must therefore be subjected to ongoing testing for its utility in practice. Here again is a further opportunity to move out of the truncated reflexive cycle and move into the reflective

cycle. Here, as can be seen from figure 1, is the opportunity to pick up on that nagging doubt about the effectiveness of a previous intervention; to revisit that previous problem of fit between practice and theory; or to re-examine that still puzzling incongruity.

Figure 1

A Model of Heuristic Research



3.3 How Heuristic Research Works in Practice

Although the writer has followed a personal tradition of heuristic investigative technique and reflective practice for the past thirty years, no methodology such as that outlined in figure 1, has previously been available to explicate this process. Essentially then, the methodological design of this thesis has involved a retrospective analysis of what has actually already transpired. That is, it has been a reflective consideration of a process of reflective practice. It has involved analysing and bringing into fuller consciousness, a

range of responses, some reflexive, some intuitive, some preconscious, some ethically driven and some consciously knowledge driven.

In general terms, the process has followed that defined in figure 1. Sometimes the action imperative of daily practice can force one into the reflexive loop, but experience shows that a duality can nonetheless exist in one's practice. Much case or anecdotal information, unanswered questions and random thoughts are tucked away ready to retrieve when stimulated by a current field experience. But not all accrued experience is available like this at conscious or preconscious levels. Much information that is gathered in daily practice constitutes a general reservoir of experience that informs daily practice in more intuitive ways. However, when required, this reservoir of knowledge and experience can be tapped into to assist our conscious deliberative processes and enable us to distinguish what is the same and what is unique about each situation (Dreyfus, 1986:19).

This ongoing experience is also supplemented and shaped by both formal and informal knowledge, which comes to us in a variety of ways, from random to purposeful. One may fortuitously pick up a journal article or book that strikes an immediate chord with your prior experience in the conceptualisations that it offers. Colleagues might draw your attention to particular works, based on their intimate knowledge of your style and interests. You may serendipitously draw valuable parallels or conceptual overviews from entirely different fields of study, or from non-professional life experiences. You may also go on a deliberate learning bender, purposely seeking out every scrap of knowledge about a particular subject or issue, and spending an inordinate amount of time trying to synthesise the knowledge within yourself and reconcile it with your practice.

3.4 Critical Incident and Critical Mass Learning

What is being endeavoured to indicate is that whilst the process in figure 1 applies in general principle, at any given time one can be at virtually every point in the process, in relation to different issues. Perhaps the time of greatest coherence in this process is when one goes on one of the 'learning benders' referred to above. In these situations, a particular issue has usually reached a critical mass and requires concentrated intensive attention. This may be an issue relative to specific case, where one has to quickly

develop an intensive understanding of a particular situation or set of circumstances, say for instance, *foetal alcohol syndrome*, in order to ensure an appropriate case intervention.

Alternatively, a critical mass may have been reached in relation to a class of cases, a class of events, or a generalised area of knowledge. Key pieces of a long-standing conceptual jigsaw may have finally fallen into place and one is faced with an urgent need to consolidate this process, by *contextualising* it through a formal literature search. But, even apart from these times of critical mass that require urgent contextualising, there are day to day issues and experiences that require critical thought, reflection and analysis. At these times one is also often likely to seek to expand ones knowledge and information from formal sources. This reality of practice, that of '*critical learning incidents*' has in fact now become recognised in the formal literature as a valid way of learning and teaching, and of inculcating habits of reflective practice (Fook, 1996:2).

In a developmental sense one can differentiate between *critical learning incidents* and *critical mass experiences*. In the former, one tends to be faced with incongruities and challenges that cannot be assimilated through the reflexive loop. Intensive work therefore frequently needs to be done on revisiting the observing, describing, abstracting and generalising stages, to make sure that what was experienced was properly understood. Sometimes, an experience unique to oneself is not at all unique to others, and so a jump to the contextualising stage enables us to accommodate new knowledge, and thereby assimilate the new experience.

Critical learning incidents may involve us in new learning, but might not involve us at all in developing new knowledge. What they do is condition us to the reflective process and set us on the path to developing new knowledge. Inexorably, reflecting on critical incidents will lead to classes of ideas reaching critical mass and it is at this point, we can be seen to have reached the *Modelling* stage. The consequent learning benders we embark on therefore clearly involve moving through the *Contextualising* to *Accommodating* stages of figure 1, in order to build theory. Unfortunately, this rather severely contradicts conventional wisdom about what sort of methodology is or should be involved in building theory. The task of the following chapter therefore will be to explicate the theoretical base to the heuristic method and to show how theory is best built through an integrated model of inductive and deductive approaches.

4.1 The Heuristics of Everyday Life

The primary reason why heuristic processes have been so difficult to identify and explicate is that in both science and everyday life they are inherent in the processes of human learning (Heinemann Peiper, 1994:75). From the moment of birth humans acquire knowledge in a constantly elaborative way. Sensations are both received and sought, concepts develop and meanings are attributed. Assumptions form as to the meaning of our experiences and about the nature of the external world. These assumptions are then tested out against the nature of our ongoing experiences. (Schell et al, 1975:141).

None of this learning occurs within a laboratory that affords us strict controls over the relevant variables. It occurs within a natural setting that empirical science would consider as being so hopelessly complex and random, that no valid scientific conclusions could be reached. Yet human beings learn a large number of wholly adaptive behaviours that reflect the development of sophisticated and valid levels of understanding about the nature of reality. Much of what we do learn is never consciously articulated but is simply evidenced in our behaviour. Much of our assumptions about the world become so widely shared with others and are considered so self evident, that they are simply regarded as common sense.

Other knowledge though becomes subject to rational processes and to conscious explication. We learn through our own everyday experiences and the communications of others, that the world is not necessarily as it seems (Imre, 1984:43). We learn scepticism and the need to apply more conscious rules to assess the reliability of our own propositions or the propositions of others about the nature of reality. In a very fundamental way all people act as scientists (Carew & Smith, 1991:59). A basic task of living for us all is thus to make sense of actual lived experience and to determine those methods that will best help us in this task (Marecek et al, 1997:632).

As previously indicated, empirical science has examined the way in which knowledge develops but has often done so in a self-serving way. Empirical scientists have championed their own cause by dichotomising the scientific method with other forms of gaining knowledge and thereby denigrating other forms of knowledge as 'unscientific'

and therefore invalid (Peile, 1994:18). This use of dichotomies creates a false dilemma (Rubin & Babbie, 1997:402). It leads to the assumption that these are mutually exclusive polarities, rather than looking for common threads and seeking to understand the way in which they might interrelate (Reid, W. 1994 p.478).

Rather than using dichotomies other authors have tried to conceptualise knowledge in hierarchical terms, with for instance intuitive knowledge or common sense being at the base, assumptive knowledge and practice wisdom then being at the next level, theoretic knowledge following this, and finally validated (that is empirical) knowledge. (Powers et al, 1985:4)

The problem is that the hierarchy is simply used as another device to place scientific knowledge at the top of the tree without presenting any sort of epistemological or developmental analysis. Once again, science is implicitly if not explicitly seen as a distinct mode of thought from all others. The irony is that such hierarchical and dichotomous arguments also implicitly rely on tradition, authority and practice wisdom as ways of knowing, in order to justify the scientific method.

4.2 Modelling the Process of Knowledge Development

4.2.1 Assumptions

If then we were to undertake a more developmentally focussed analysis of the nature of the ways in which we gain knowledge, I suggest that assumptive knowledge is the first level of knowledge built in human experience. The work of developmental psychologists such as Jean Piaget has for instance shown how infants begin to develop basic assumptions about the world and indeed themselves and this is first evidenced by the development of concepts of object identity and permanence (Piaget, 1969:470).

These assumptions about the nature of self and world are built up and elaborated over our lifetimes but the basic building blocks are achieved in infancy and childhood. A number of authors from diverse fields have discussed the way in which these assumptions are built, with C.M. Parkes for instance coining the term 'assumptive world', where he refers to these views of reality that each individual develops (Parkes, 1986:95). In the development of his theories of attachment, Bowlby also broached the question of our basic assumptions about self and other. He refers to the 'working models' that people

develop about themselves and the world, as mechanisms for perceiving events, constructing plans, and forecasting the future (Janof-Bulman, 1992:17).

Sociologists such as Blumer (1969:20) have also written extensively about the processes involved in the individual's development of a sense of 'symbolic self' and their 'schemes of interpretation', and the way in which human interaction creates a constant mutual construction of social reality. Psychologists have also formulated similar theories that everyone develops a personal theory of reality like a two-sided coin, involving both a self theory and a world theory. An individual's personal theory is not explicit in conscious awareness, but is a preconscious conceptual system that automatically structures the individual's experiences and directs their behaviour (Janof-Bulman, 1992:5).

Although various writers use different terminology they nonetheless all describe the same underlying phenomena, a conceptual system that develops heuristically over time to provide us with a set of basic assumptions about self and world. These assumptions are hierarchically organised from more global to more specific as they elaborate developmentally over time, and form the bedrock of what we accept as common sense. But the term 'basic assumptions' is not synonymous with 'common sense'. Common sense includes a plethora of bedded-down everyday skills that are not necessarily guided by our underlying assumptions.

Intuitive knowledge is likewise not synonymous with common sense as some writers posit (Powers et al, 1985:11). Intuition is most frequently used to explain the processes of insight that occur at subliminal levels. That is, the 'hunch' that arises through an often not fully recognised association of ideas (Imre, 1985:142). Like common sense, intuition is a process that underlies every aspect of knowledge, rather than being a discrete category of knowledge in its own right.

4.2.2 Values

Inexorably, the assumptions we make about self and world will begin to assume values that have a more conscious impact on behaviour than do our assumptions. For instance, from an early age co-operation between individuals is commonly encouraged and rewarded, so 'being nice' proves to be of utility in meeting one's needs. Not only does it have a utility that influences behaviour, but it also begins to be esteemed as a

characteristic by the individual. 'Niceness' thus becomes an all encompassing early value that influences behaviour in more aspirational ways. It's nice to be nice.

Empiricists of course have traditionally had difficulties in accepting values as a form of knowledge, because it conflicts with the assumptions they have built up about the world. In seeing the world as external and objective, the role of science is in discovering the laws governing this reality. Empiricists esteem science as the highest form of knowledge, because it purports to be value free and objectively focussed on an eternal reality.

Many arguments have been raised against this conception of science, pointing out that values permeate science in the choice of research topics, the methods used, the variables included or excluded, and the interpretation of findings (Heineman, 1981:380). As well as this, science actively embraces the idea of ethics as a governing force in the choice of topics, the methodologies employed, and the potential applications of the findings. Values are thus integral to the conduct of science and to the way in which knowledge is gained (Rothery, 1993:23), even though self-contradictory claims are made that it is value free.

In contrast, Social Work has always perceived the centrality of its professional values to the application of its substantive knowledge base (Bartlett, 1970:62, Imre, 1984:43). Even here though, the influence of empiricists is apparent and in an otherwise excellent article by Hudson outlining the five interlocking aspects of Social Work knowledge of the theoretical, empirical, personal, practice wisdom, and procedural, she actively fails to include values as part of the profession's procedural knowledge (Hudson, 1997:42). Social Work values are however a prime ingredient in shaping our response to any situation and in this sense, values should be seen as part of the procedural knowledge of Social Work (Hartman, 1994b:15). In the same way, values are part of the procedural knowledge of every human being and cannot be singled out as something different because of the value base of empirical science.

4.2.3 Beliefs

Closely related to values in developmental terms are beliefs which are often more conscious for the individual and can be articulated as such. A person may not necessarily be able to articulate why they hold a particular belief, but they are often conscious that

they do in fact hold the belief. Beliefs are preferred ways of seeing the world and initially arise from values, so can have a more consciously obdurate nature that is resistant to change in the face of contradictory experience. Beliefs therefore can shape the way in which we interpret reality so that it reinforces our pre-existing view of the world (Janof-Bulman, 1992:32).

Those beliefs that initially arise from personal values are usually held strongly by the individual, but beliefs are also inculcated and habituated in us by others as social expectations and are not necessarily based on values. Such socially sanctioned demands may thus be a cause of internal conflict in the individual and need to be addressed as development proceeds (Maciver & Page, 1964:169).

Beliefs are normative theories (Cohen, 1969:2) and are those aspects of knowledge that are most affected by tradition and authority (Williams et al, 1995:4). They may also attach to be of a more irrational type that could be classed as superstition, but aspects of knowledge relating to tradition, authority and superstition are subsumed within beliefs, rather than being a separate category of knowledge in themselves.

4.2.4 Operational Theory

Part of the reason why individuals begin to feel conflict over some of their beliefs, is that ongoing experience can be frankly contradictory to these beliefs. Sometimes, behaviours that are deemed inappropriate can nonetheless have an immediate utility in meeting one's needs. Niceness can come into tension with assertiveness. Out of self-interest we may either impulsively or by choice act contrary to our inculcated beliefs. In other words we find operational theories, ideas that work or have utility, that may at some level challenge our beliefs.

However such challenges are not mandatory. Most operational theories have a utility pure and simple. Often they are skill based and thus pose no sense of conflict with our beliefs. Others are effectively compartmentalised so that they are insulated from conflict with relevant beliefs. We are often simply not aware that what we say and what we do are at variance (Argyris & Schon, 1974:33). Like assumptions and beliefs, we build operational theories all our lives and their basic function is to aid our adaptation to reality in practical and utilitarian ways. Such operational theories are commonly viewed by

empiricists as being in the category of 'personal experience' and therefore unreliable because they are subject to selective observation (York, 1998:3). but this tends to ignore the skill based and utilitarian nature of many operational theories.

4.2.5 Practice Wisdom

As operational theories begin to build in sophistication and elaborate into a more complex relationship with others, we begin to achieve what is commonly referred to as practice wisdom. It is fallacious to think of practice wisdom only in relation to professions such as Law, Medicine, and Social Work. Crafts such as plumbing and carpentry for instance, develop many practical systems of knowledge that give a pragmatic coherence to the artisan's work and provide practical and relevant grounding to their apprentices. Therefore by definition, practice wisdom is always a shared phenomenon and is usually seen as tied to the world of work (Powers, 1985:13), although is not necessarily so. Practice wisdom is a systematic interrelationship of a range of operational concepts that people develop and share in ordinary day life, not just work.

Essentially, practice wisdom is procedurally based and is generally described in terms of an accumulation of procedures, traditions, and approaches (Williams et al, 1995:6). Empiricists have found little to enthuse about with practice wisdom as a legitimate area of knowledge. The argument put by empiricists against practice wisdom is that, as it has not been subject to tests of validity, it remains situation specific and is more likely to be subjected to vagueness of recall and less likely to have been developed systematically (Hudson, 1997:42).

Ironically, the problem with such statements is that they have not been empirically validated. They are simply speculations about the possible deficiencies of practice wisdom, not proven facts. This is in effect theory trying to generate practice, rather than practice generating theory. By this I mean that the theory of empirical science is seeking to replicate itself as a practice modality when its utility as the paradigm for practice is entirely unproven (Payne, 1997:36). In fact there are strong reasons to consider that empirically based practice could often be unethical in the level of controls sought over client's lives and choices, the distortions this brings in trying to simplify complex, ill-structured human problems, and its consequent potential to create unjust outcomes for clients (Heineman Peiper, 1994:72, Peile, 1994:19, Tyson, 1994:95).

4.2.6 Grounded Theory

The next developmental stage that is reached is 'grounded theory' and by this is meant aspects of knowledge that is grounded in objective reality, and have been subject to a strong level of validation. This is similar to empirical scientific theory, but not synonymous. Nor is grounded theory synonymous with the inductive approach as it can also include deductive processes (Rubin & Babbie, 1997:373). It therefore can include those theories that have been subject to formal empirical validation and also includes those theories subject to less formal but nonetheless sufficient objective verification.

More than this, the term 'grounded theory' is meant to convey something of the heuristic knowledge building process that proceeds in everyday practice and thereby brings practice wisdom to a more substantial and verified level of knowledge. As a part of everyday practice practitioners often search the literature to find out what is known about a particular problem that now confronts them. The grounded theory approach in research therefore parallels what Social Workers do in direct practice (Op Cit:375). It is a process of discovery, a search for pattern and a continual redefinition of the relationship between concepts and data, with an attendant awareness of one's own biases and preconceptions (Gilgun, 1994:116).

In developmental terms, as our knowledge of the world develops, we recognise the necessity to exercise stronger levels of control over possible sources of bias in order to yield more reliable information. Our practice wisdom begins to be modified by conscious processes that seek more objective verification. In fact the line between practice wisdom and grounded theory is quite blurred, with aspects of practice wisdom often being firmly validated by consistent, reasonably controlled replication. The critical difference though is in the establishing of causal links. The essential characteristic of grounded theories then, is that they are able to reliably impute causal connections between two or more factors or events (Cohen, 1969:3).

4.2.7 Metaphysical Theory

Despite the fact that empiricists regard empirically validated theory as the highest evolved form of thought (York, 1998:3; Williams et al, 1995:6; Powers, 19854), this does not stand up to logical scrutiny. In actual fact, empirically validated theories are

often just a subset of larger more all-embracing theories that are not amenable to the type of reductionist control necessary to achieve empirical validation (Cohen, 1969:5).

Generally, metaphysical theories delineate a broad field in which more precise formulations can be made. They may provide a broader framework for interpreting evidence being used to test more specific theories, or otherwise sensitise an observer to the kind of factors that may be relevant in a narrower study. Many such broader level theories are used in Social Work practice in this way, be it Freudian theory, behavioural theory, cognitive theories, development stage theories, socialisation theories, constructivist theories, cybernetic or systems theories, normative theories or structural theories.

These metaphysical theories can provide higher level clues to the heuristic searching process conducted at practice level, which then stimulates both the development of practice wisdom and the consequent continual shaping of grounded theory. Many writers have in fact observed and commented on the reciprocal relationship between practice wisdom, grounded theory and metaphysical theory, but it is usually conceptualised in terms of grand theory, mid-range theory, and practice (Pilalis, 1986:86).

Although discussed separately in the preceding, values, beliefs, operational theories, practice wisdom, grounded theory and metaphysical theory do not represent entirely separable stages, but are interdependent ones that are in a constant state of dynamic tension, development, and change. There are also times in our lives that can pose a crucial threat to the stability of our knowledge systems, such as in the event of significant loss experiences. These events have the potential to so profoundly challenge our basic beliefs, values, and assumptions that we are required to completely rework them and discover new meaning and purpose in our lives (Stephenson, 1985:127).

4.3 The Science of Everyday Life

Human knowledge is therefore a sum total of assumptive knowledge, values, beliefs, operational theories, practice wisdom, grounded theories, and metaphysical theories. It should not be presumed that these latter two categories of theory are the sole prerogative of scholars. In ordinary life, ordinary people can become conversant with both metaphysical theories and more specific empirical theories, and they can accordingly

advance their practice wisdom into the realm of grounded theory, simply by their astute participation in the laboratory of life.

As was said at the outset of this chapter, human learning proceeds in a heuristic way and knowledge continues to build throughout our lives. Despite the criticism by empiricists that such knowledge is gained outside the canons of science, this is not entirely true. The acquisition of human knowledge can follow and observe these canons quite faithfully. Williams et al (1997:7) for instance set out four steps for the discovery of knowledge through the problem solving method.

1. Observing a person, object or event
2. Making an assumption on the basis of the observation
3. Testing the assumption to see what extent it is true
4. Revising the assumption on the basis of that test

Following this, the five characteristics of the problem solving method are listed as:

- a. Striving toward empiricism
- b. Striving toward objectivity
- c. Striving toward reducing uncertainty
- d. Striving toward duplication
- e. Striving toward the use of standardised procedures.

In looking at these four steps and five characteristics of the problem solving method, we can readily see the general relevance to the way in which we learn in everyday life. We can nonetheless also detect a conceptual funnelling that begins by seeing the problem solving method as *synonymous* with the scientific method, and the scientific method in turn as *synonymous* with the positivistic method. One of the most persistent mistakes of those from the positivist school therefore, is to begin this conceptual funnelling by equating 'quantifiable' with 'empirical' (Payne, 1997:34).

This is clearly shown at the start of the preceding list of characteristics, where *striving toward empiricism* as it is defined. This arises directly from confusion between the meanings of 'empirical' and 'empiricism'. These words are *not* synonymous and interchangeable as is so often assumed or implied in positivist literature. 'Empiricism' refers to the twentieth century philosophy of science known as logical positivism, and it therefore clearly has strong implications for an exclusively quantitative approach. On the

other hand though, 'empirical' refers to data or knowledge derived from observation, experience or experiment' (Taylor, 1993:76). This clearly embraces not only qualitative research approaches, but also heuristic case practice.

4.4 Striving Toward Empirical Understanding

'Striving toward empiricism' as Williams has termed it, therefore has direct connotations of disvaluing other than quantitative research, quite apart from the possibility of seeing scientific validity in common sense, or practice wisdom. If one is clear about the difference between the terms 'empirical' and 'empiricism', then it can be readily seen that the heuristic research method inherent in case practice does follow the scientific, problem solving method, and exhibit the five characteristics listed.

William's first characteristic would therefore be better termed as *striving toward empirical understanding* rather than *striving toward empiricism*. This would denote an imperative toward understanding order, structure, constituent parts, interrelationships, and processes; rather than restricting oneself to a strictly positivist, quantitative analysis, when this may in fact not suit the subject matter under study. Once this conceptual differentiation has been made, Williams' five characteristics of the scientific problem solving method can be seen to apply to some extent to the heuristic processes of everyday adaptive learning, but to a significant extent to heuristic case practice and interventive research.

Essentially the scientific problem solving model is inherent in both everyday human learning and professional case practice, not just science itself. However the sticking point that still remains with many adherents of the positivist approach, is in the role of induction in theory building and the tendency to see induction in oppositional terms to deduction, rather than try to find an appropriate and practical synthesis.

4.5 The Process of Conceptual Modelling

From the previous discussion on the heuristic research method, reflective theory building can be seen to involve sequential stages such as abstracting, generalising, categorising, ordering, contextualising, and modelling. All these steps involve the use of concepts, attempts to understand the relationship between concepts, the modification of old concepts, or the synthesis of new concepts. Despite some level of disagreement between

research schools as to the definition of theory, there is nonetheless consistent agreement on the definition of concepts. For instance a concept is described as: *'A general idea or meaning usually mediated by a word, symbol, or sign. An idea which combines several elements from different sources into a single notion'* (Chaplin, 1975:105). Similarly, concepts can be described as: *'...symbolic terms or labels for organising experiences....they are building blocks on which communication is made'* (Tripodi, 1974:47).

Concepts tend to be commonly described in fairly common sense unscientific terms as 'notions' or 'ideas' that we use to communicate our understandings about order, process or relationship. But even given this, it is immediately apparent that although concepts are a unitary idea, they can vary widely in their inherent complexity, and to the way in which a number of ideas can be unified within a single notion. In view of this, it is somewhat surprising that our language and terminology has not become more precise, in the way in which we describe the varying complexity of concepts and their level of abstraction or systematisation into theory.

What is obvious nonetheless, as we saw from the discussion of heuristic research method, is that concept formation is a process that involves first abstracting a quality or property of an object or event, and then generalising that quality to other objects or events. It is by definition a reflective process that occurs in our everyday lives and is not something reserved solely for the scientific laboratory.

4.6 Inductive and Deductive Standards of Proof

Although these deductive and inductive models are contrasted as opposites, the deductive model is in practice far more dependent on inductive process, than many are willing to admit. This occurs at both the initial and final stages of the deductive process. In the initial stage of the deductive process there is commonly an exploratory phase where, just as in the inductive process, further observations are undertaken to refine the concepts being used and sharpen the focus of the study. Concept formation therefore is by definition an inductive process, not a deductive process (Skryms, 1971:7) and every conceptualisation involves us in a deductive risk (Kaplan, 1964:53).

In the final stage also, the use of statistical tests of significance cannot mask the fact that the conclusions of any study are always an inductive leap. It is only a matter of how big

the leap is, and the level of confidence expressed in the academic athleticism involved. The dichotomising of inductive and deductive processes is therefore in practical terms a false issue. Contrary to popular belief, inductive and deductive arguments do not represent two different forms of logical process. They in fact only represent two different standards by which arguments are evaluated. In many ways they are like the two different standards of proof used in the courts, the civil standard of proof and the criminal standard of proof.

A deductive argument can make no conclusion that is not implied in its premises. A deductive argument cannot make any factual claims about the future. The need for theory to possess a predictive capacity, frequently vaunted as the hallmark of true scientific theory, can thus only be met through inductively created concepts. The methodological problem that all research in reality faces is, what is the level of inductive risk that we are prepared to tolerate, and at what stage?

4.7 An Integrated Approach to Theory Building

The process of research therefore involves at least three stages of induction. First an initial inductive conceptual analysis is undertaken. Second an inductively based refinement of ideas is achieved. Third an inductive generalisation about the wider applicability of the findings is made. In the initial stages, fluid hierarchies of concepts are formed and tested out in reality, until they begin to gel into a more intuitively pleasing relationship. Concepts thus become increasingly abstracted and ordered into a scheme of causal relationship, which for the purposes of this thesis has been termed a *model*. This process of conceptual modelling has received some recognition within the formal literature, and for instance various theorists have advocated the development of a 'generalised system of concepts', or the development of 'a cluster of sensitising concepts' (Turner, 1974:204).

What is being contended in this thesis is that there are in fact alternate pathways in the process of theory building that may or may not include the empirical process in its development. As discussed previously in this chapter, not only do we reflect on events and situations in our everyday lives or professional practice to form operational concepts; but we also reflect on our reflections. We increasingly systematise our ideas into schemas, taxonomies and models, without necessarily resorting to empirical testing or validation. Neither does the process stop there.

Particularly in professional practice, we continue to compare models and systems of knowledge in order to reach understanding of their elements of congruity and incongruity, and in doing so we elevate our understanding on the relationships between these areas of knowledge. Often, reference to relevant research will assist us in forming conceptual linkages and resolving the apparent contradiction between two sets or systems of ideas. On the other hand, relevant research will sometimes demolish a once comfortable belief and introduce contradiction where one previously assumed there was none. All this can be achieved without once ever personally conducting a piece of quantifiable research. The essential point is that there should be a commitment to public sharing of the knowledge, so that it may be subject to debate, criticism and appropriate research (Douglas, 1973:23).

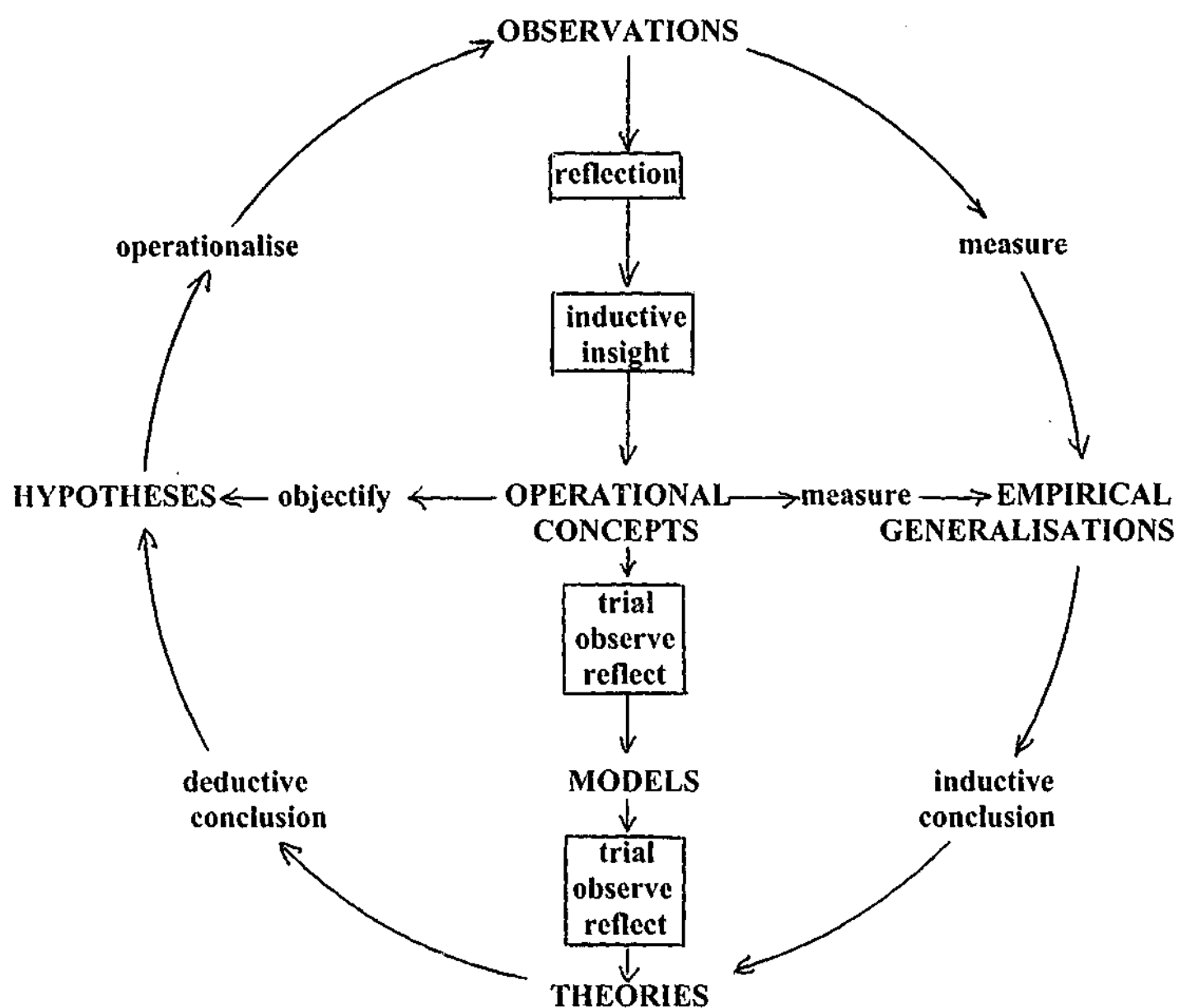
4.8 An Integrated Model of Theory Development

The traditional model of theory development through the deductive-empirical approach has been visualised as a 'wheel of science' involving theory that underpins hypothesis formation, following round to observation and empirical generalisation, then back round to theory (Babbie, 1995:55). Although including induction at the empirical generalisation stage, this model does not provide any basis for understanding the reflective-inductive process of modelling research. This model has therefore been modified to show the relationship between empirical-deductive theory building and reflective-inductive theory building as shown in figure three.

The model shows that the reflective method can also successfully build theory independent of the empirical method, by following the vertical axis route from observation and reflection, through inductive insight and operational concepts, and onto models and theories, via the process of continued reflection. It must be noted though that even in the external circumference route of the traditional empirical method, one can only link empirical generalisations with theories, through the agency of an inductive leap, no matter how small that leap may in reality be. In this thesis however only the vertical inductive-reflective process has been utilised in developing a range of conceptual models relating to heuristic research, reflective practice, child sexual abuse investigation, and organisational learning. Whilst some reference has been made to the empirical research of others in developing some components of these conceptual models, no

empirical testing has been or will be undertaken in this thesis. The aim is solely to document and explicate the processes involved in developing these theoretic frameworks, and to rely on an inductive standard of proof for validation.

Figure 2 AN INTEGRATED MODEL OF THEORY DEVELOPMENT



4.9 The Theoretical Base of Reflective Practice

Reflective practice has long been integral part of professional being within Social Work; but few attempts have been made to develop a distinct theoretic base for the conduct of reflective practice. Part of this reluctance lay of course in the belief that intuition and artistry should not be questioned or analysed, for fear of damaging the integrity of the process itself. However in the 1950's, Lydia Rapoport began to focus attention on the ubiquitous need of human beings to bring order out of chaos as a context to the creative processes in Social Work (Katz, 1975:15).

Although concentrating on such surface concepts as creativity, intellectual freedom, imagination, and intuition, Rapoport nonetheless started to probe the underlying theoretical issues of process in reflective practice. Her thoughts of that time ran directly counter to the gathering strength of positivist notions of the detached study of external objects. Redolent of the heuristic approach, she advocated that the process of creativity required immersion in the problem to be studied. She saw diagnosis as a creative thought process that involved both breaking down and building up of the information contained in the total picture, similar to the stages of the heuristic research discussed previously.

Despite this valuable earlier contribution by Rapoport, further thinking on the nature of reflective practice did not occur until the 1970's when Chris Argyris and Donald Schon began to research the issue of how professionals used theory in practice. Initially the aim of their work was to increase individual professional effectiveness in the building of theory from practice. However it is of interest to the purposes of this thesis to note that they quickly apprised the value of such research not only to individual professionals, but also to the health and learning of organisations (Argyris & Schon, 1974:xi).

In its initial formulation, their theory sought explanation of the way in which professionals often appeared, on analysis, to act in ways that was in fact contradictory or incompatible to the theoretical explanation they offered for the action they had taken. Or as they put it, there was a difference between 'espoused theory' and 'theory in use'. The authors however were fully aware that such behaviour was not just limited to professionals acting within their professional roles. They were clearly conscious that similar to the discussion earlier in this chapter on human knowledge development, that

the theoretic framework they had developed represented '*a psychology of everyday life*' (Op Cit:8).

Argyris and Schon conceptualised technical skills as in fact 'theories in use' which an individual continued to develop either with or without conscious cognitive mediation. That is, on the one hand a person may learn a skill either by verbal instruction or by reading a guide, attend to some basic organising concepts, then replicate the required action. On the other hand, they may learn the skill required, simply by an unreflective process of imitation, or by trial and error. If the intended action is unsuccessful, the individual may resort to consciously analysing the deficiencies of their performance, or may try to consciously reconcile their attempts against the instructions given.

Alternatively, they may simply repeat their attempt at mastery, without conscious thought of how to approach the task. In this sense Argyris and Schon, like subsequent Social Work theorists, saw all learning as theory building, because of necessity, it involves experience based modifications to some elements of an individual's existing theories in use (Ibid:18; Peile, 1984:18; Pilalis, 1986:89).

4.10 Linear Vs Organic Theory Development

From their research, Argyris and Schon posited that there were two alternate styles of thinking that were displayed not only by individuals, but also organisations. The first style, the authors termed 'self sealing' as it represented a closed linear process. The second I prefer to term 'organic' as it represents an open style dependent on an active cycle of feedback. The self-sealing style therefore seeks to limit, suppress, or compartmentalise feedback in order to preserve its dominant functional paradigm. If we relate this to the earlier discussion on human knowledge development, the relevance of self-sealing styles of thinking for the formation of superstitious beliefs or a rigid reliance on tradition or authority for validation is immediately apparent.

That is, by using self-sealing and linear approaches we are able to be selectively inattentive to the data that point to dilemmas, or we otherwise adopt strategies that actively avoid or suppress the opportunities for dilemmas to occur. However, even with this self sealing and linear model of thinking, incongruity can still build up progressively,

until a dilemma does finally occur, despite an individual's or an organisation's attempts at self deception (Argyris & Schon, 1974:81).

With the more organic style of thinking however, such examination of dilemmas and reframing of ideas are integral to the approach. Feedback is maximised by actively examining each action for unplanned responses and unanticipated outcomes, and to actively involve oneself in testing one's theories and assumptions. Therefore, while self sealing or linear systems rely on self deception and collusion between other actors in the system, organic systems rely on a sharing of information and a testing of attribution, in many ways similar to the bias control strategies enumerated in chapter two.

The research of Argyris and Schon also afforded strong support to the traditional Social Work view on the centrality of values in professional knowledge (Bartlett, 1970:62; Imre, 1984:43; Hartman, 1994b:15). In relating this organic style of learning to professional competence and practice, Argyris and Schon stress the importance of values.

'The practitioner must be willing to take responsibility for what he does... one cannot generate a perspective on the data, which is essential to the formation of a theory-in-use, unless one focuses on his own values for the situation and takes them seriously...Taking one's own values seriously requires a strong commitment to self. This enables the practitioner to perform according to his own scruples in the face of the others' disapproval...taking one's own values seriously is therefore essential to innovation in practice (Argyris & Schon, 1974:162).

This proposed nexus between values and innovative practice struck immediate chords with many reflective Social Work practitioners, as it rebutted the traditional differentiation between knowledge and values. Over the next decade and into the eighties Donald Schon developed his ideas further and also stimulated further thought and analysis by Social Workers. Schon continued to contrast the process of reflective practice with the traditional positivist epistemology of practice where overarching theory guided the seeking of cues to a standard solution for each situation. Within the process of reflective practice, he subsequently defined two processes, *Reflection-in-Action* and *Reflection-on-Action* (Schon, 1983:49). Both these processes are obvious in their

relationship to the concepts of *reflexive practice* and *reflective practice* described in figure one of the previous chapter.

In everyday life reflection-in-action refers to the more automatic or intuitive modifications to actions, that occurs as response to some changing situational demand. For instance in a football match a player is about to kick the ball but then sees he is about to be tackled and baulks around the player before hurriedly getting his kick away. Such actions are not necessarily subject to intellectual mediation. They occur as a natural or trained response that no longer requires one to think about it. On the other hand though, Reflection-on-action may occur after the action, but will then involve intellectual mediation. The player immediately reflects and asks himself, *Did I execute the evasion well? How could I have done it better? Would I have been better off to try and go straight through and try and break the tackle?*

Professionals in their everyday practice behave in similar ways. They may respond intuitively to a situation as it unfolds and modify their intended action. They may consequently review what has just happened, in order to generate some understanding of what transpired. Sometimes however, both these types of reflection happen in tandem, in a continuous complementary way. We may consciously reflect and intellectually mediate what is happening as it actually unfolds, rather than relying solely on intuition or our trained response. Such processes are central to the art by which practitioners are able to cope with troublesome or divergent situations of practice (Op Cit:62).

When stuck in a problematic situation however, the practitioner conducts what Schon describes as a '*Frame Experiment*' that seeks a new way of approaching and framing the problem.

'Conscious of a dilemma, he may attribute it to the way he has set his problem, or even the way in which he has framed his role. He may then find a way of integrating or choosing among, the values at stake in the situation' (Ibid:63).

Therefore when someone is reflective in their practice, they become a researcher in the practice context. They are not dependent the way positivist researchers are on the categories of established theory and technique, but are able to construct a new theory of

the unique case. This, as we have already seen, is what occurs in interventive research where the objective is to develop a case specific theory to guide intervention.

4.11 A Process Model of Reflective Social Work Practice

Donald Schon's contribution to the understanding of reflective practice and the role of professional values in the process has been invaluable to Social Work. It has enabled us to more readily see that from the profession's valuation of the uniqueness of the individual and the importance attached to the client's subjective view of their experience, comes an ethic of inquiry that tends to search out those aspects of uniqueness in each practice situation (Heineman Peiper, 1989:11). This as we have already discussed, is the heuristic method within interventive research.

From the profession's valuation of conscious use of self by the practitioner, comes the emphasis on an active monitoring of events as they unfold, and an understanding sought of the practitioners contribution to the dynamics of the situation. From the valuation of 'starting where the client is', and of accountability to the client in shared understanding, comes a commitment to a sharing of information with clients and peers, a testing of assumptions of both self and others. In a very real literal sense, these values have ensured that Social Work is committed to maintaining a '*reflective conversation with the situation*' as well as in Schon's more figurative sense (Schon, 1983:268).

Through the stimulus provided by Schon, Social Workers have over the past decade or more and through the nineties continued to build on these ideas of reflective practice. A particular contribution to Social Work reflectiveness has come from feminist perspectives, where the term '*Praxis*' has been used to describe the process of linking action and analysis into an ongoing dynamic, and as a tool for building theory (Fook, 1993:15).

Other Social Work theorists have summarised the process of reflective theory building as being to first, reflect on what has happened or is happening, to develop ideas explanations or hypotheses, and then to test tentative new understandings and continue to repeat the cycle. Four main elements in this process of reflective theory building in Social Work have thus been identified:

- (i) *Engage with or in the situation*
- (ii) *Go back over your experience and feelings*
- (iii) *Critically evaluate any connection with previous understandings and ideas*
- (iv) *Develop a tentative new understanding that allows for the framing and further testing of your response* (Carter et al, 1995:8).

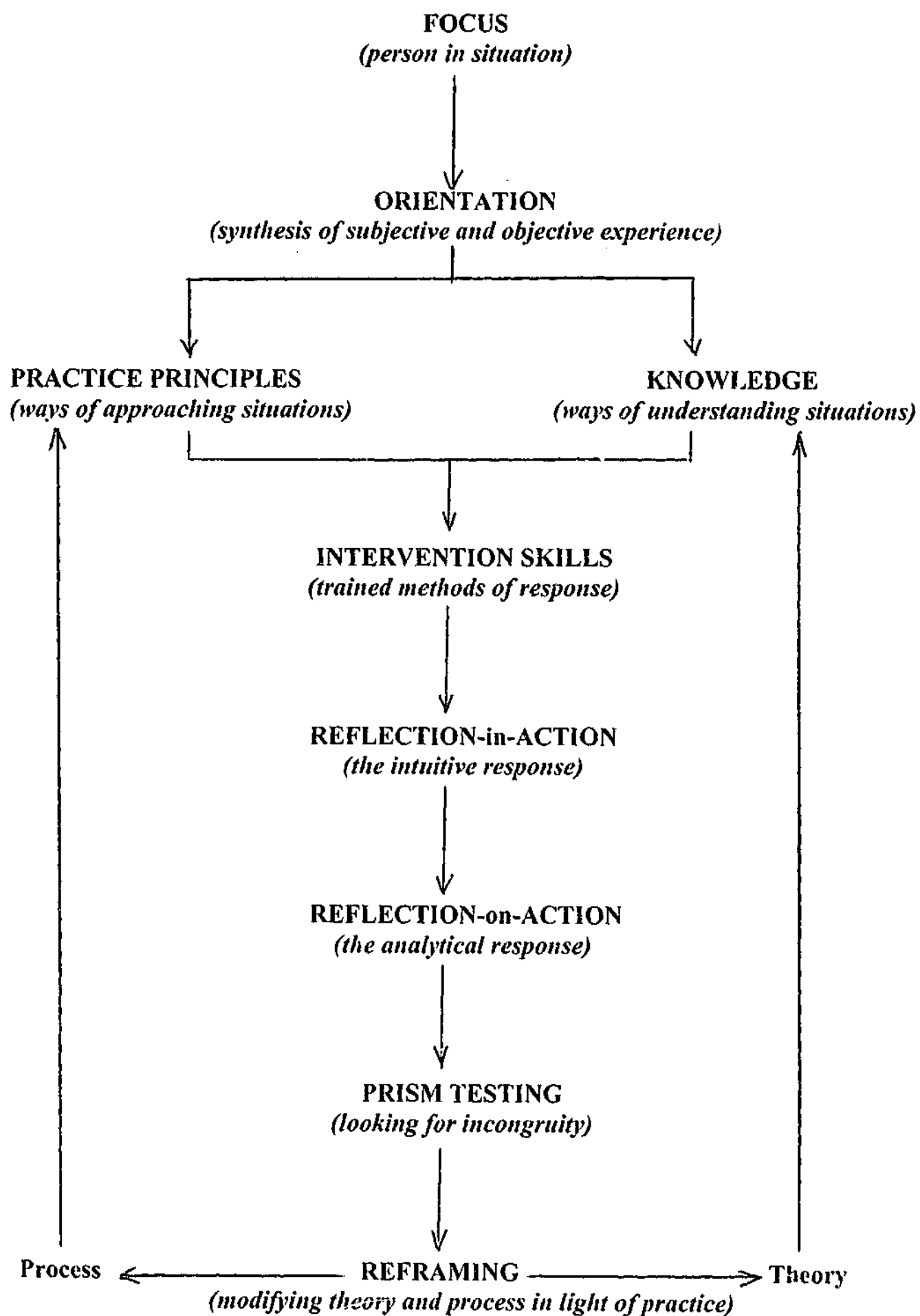
In elucidating these four stages, Carter et al have in fact pointed up an additional conceptual differentiation to Schon's idea of the 'framing experiment' which is of particular relevance to the eclectic knowledge base of Social Work. That is, Schon's framing experiment can be seen as a two-part theory development process of deconstruction and reconstruction. The third of Carter's stages above, equates with the first half of this process, which in this thesis has been labeled '*Prism Testing*'. This of course refers to a conscious deconstruction process, where the practitioner mentally pulls apart the practice problem, analyses its component parts, and actively searches for the most appropriate theory or combination of theories, to explain the dynamics of the situation at hand.

The second part of the process, the reconstruction phase, has been called '*Reframing*', where the practitioner decides on a new means of explanation, that possesses some means of accounting for the unique elements of the situation. That is, it is a heuristic process whereby the characteristics of the situation itself dictate the nature of the theories and interventions used, rather than the other way around, where the practitioner's method of choice preordains their approach to the problem (Tyson, 1994:101).

When this process of prism testing and reframing is not at a conscious level, it represents the intuitive adaptive response by the worker, which produces a theory-in-action that may be inconsistent with the espoused theory of the practitioner. In process terms then, reflective Social Work practice can be seen to follow the steps outlined in the following model of figure three. These aspects of reflection-in-action and reflection-on-action have been married with a model originally proposed by Bartlett, in which the focus and orientation of Social Work were linked in process terms to both the knowledge and values of the profession (Bartlett, 1970:130).

Figure 3

A PROCESS MODEL OF REFLECTIVE SOCIAL WORK PRACTICE



Within the model at figure three, the traditional focus of Social Work as *person-in-situation*, is shown to give rise to our basic professional orientation of seeking to achieve a *synthesis of subjective and objective* realities (Peile & McCouat, 1997:347). Through both our practice principles, (*the ways of approaching a situation*) and eclectic knowledge base, (*the ways of understanding a situation*) we are able to undertake our skilled interventions. (*trained methods of response*)

In doing so these responses are sometimes intuitively adapted in their execution through reflection-in action, which in figure one was defined as the reflexive cycle. After this, reflection-on-action then enables us to examine the application of both our knowledge and practice principles to the situation at hand, which was defined as the reflective cycle. We then are able to accordingly refine and develop both our principles and knowledge, and to consciously refine and adopt new intervention strategies and skills.

In theoretical terms this is all well and good but just as our professional values base must guide the implementation of our knowledge, so we must also be conscious of the value base of each particular theory that we use. We cannot simply assume that all knowledge is of equal instrumental value, and that each given theory is value free in its basic assumptions. Some theories can in fact be seen as having directly contradictory views as to the either the nature of man, or the nature of society. If reflective practice is dependent on heuristic methods as this thesis contends, then we need to establish the assumptions underlying heuristic Social Work practice, and this will be the task of the following chapter.

5.1 The Nature of Heuristic Eclecticism

As can be seen from the preceding discussion, heuristic Social Work practice utilises a wide theoretical base to sensitise practitioners to the unique circumstances of each client situation that is encountered. Heuristic practice is by definition dependent on an eclectic knowledge base, but they are not necessarily synonymous terms. From the writer's perspective heuristic practice is about the process of situational analysis through processes of deconstruction and reconstruction, where sensitising concepts from a whole range of theoretic frameworks are used to construct an individual case theory. Therefore while heuristic practice is not necessarily synonymous with eclecticism, it is certainly closely dependent both on an eclectic knowledge base and a reflective approach. The writer thus considers heuristic and reflective practice to be the two inseparable halves of the same coin.

Eclecticism of itself on the other hand implies to the writer, an approach that uses different theories in a more complete way to pose a more thoroughgoing explanation of a particular client situation. It is an approach that utilises processes of intuition and insight, but operates more at the reflexive loop of figure one, rather than the reflective loop of the heuristic approach. Eclecticism is therefore an approach that has largely remained unexplicated for decades, because it has been accepted simply as a part of practice intuition, rather than being a product of conscious reflection and analysis. However because heuristic practice is still in the early stages of explication, criticisms have been mounted to date only against eclecticism, with the implication that this involves the application of more complete theories not just sensitising concepts from a range of theories. For the purposes of discussion then, the criticisms leveled against eclecticism will be treated as applying also to heuristic practice.

The advantage of eclecticism is that it gives inherently greater potential for flexibility in conceptualising and responding to the individual characteristics of a given practice situation. The eclecticist would argue that, because Social Work is not locked into one particular theoretical frame of reference, practitioners are therefore free to determine what actually works best in practice, with a particular client, a given situation, or a specific problem. As was briefly discussed in the previous chapter, the problem with

eclecticism is its implicit reliance on theories as sharing the same common assumptions (Schon, 1983:313). The fact is that they do not. Many different theories can be seen to look at the world and at human nature in irredeemably incompatible ways (Howe, 1987:22). Despite this imputed flaw, this still does not necessarily mean that the eclecticist cannot on a daily basis make intuitive but informed choices and accurately match theory to the reality of a specific situation. The problem is that if one fails to reflect, analyse and explicate the processes involved, this simply encourages a random and undisciplined eclecticism, rather than promotes the development or integration of knowledge (Reamer, 1994:8).

5.2 The Assumptive Base to Paradigms of Practice

To complete such an analysis, we must first find some means of analysing the basic assumptions of any given theory. To this end, David Howe in 1987 proposed various paradigms of Social Work theories, by using a construct first proposed by Burrell and Morgan in 1979. This construct proposed four distinct groups of theories as orthogonal dimensions with intersecting horizontal and vertical lines created four discrete categories (Howe, 1987:47) However, just as Howe adapted the work of Burrell and Morgan, so this thesis will endeavour to advance the practice paradigms of Howe even further, by using some slightly different labelling and imagery.

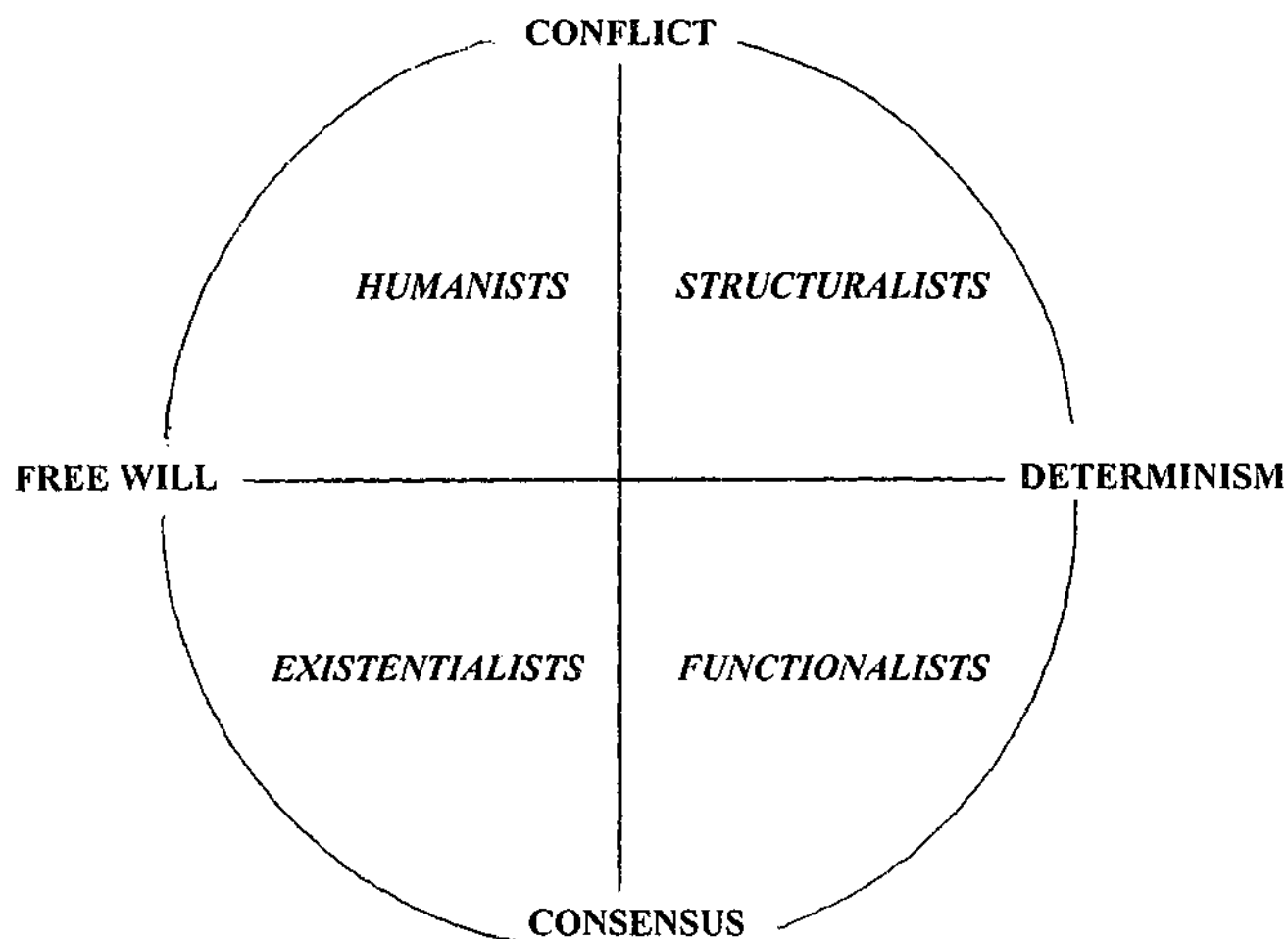
The orthogonal dimensions of vertical and horizontal referred to, in fact represent two dichotomous views relating to the nature of human society and individual human nature. As Howe's model shows, theories of society are readily classified into either of two types, Conflict or Consensus. Theories of human nature similarly fall into either of two types, Free Will or Determinist. The trick originally worked by Burrell and Morgan, was to combine these two separate dimensions so that the vertical dimension reflected the Conflict-Consensus axis, and the horizontal reflected the Free Will-Determinist axis, thus providing four categories of theory, one at each corner of the intersection.

In the following figure four, these four categories of theory have been labelled in this thesis respectively as, 'Humanist' for the Conflict-Free Will paradigm, 'Structuralist' for the Conflict-Determinist paradigm, 'Existentialist' for the Consensus-Free will paradigm, and 'Functionalist' for the Consensus-Determinist paradigm. Each of these paradigms

will be discussed in turn and illustrated by a sample of theories. However the theories referred to under each paradigm is by no means meant to be an exhaustive catalogue.

Figure 4

ORTHAGONAL DIMENSIONS ON THE ASUMPTIVE BASIS OF THEORIES



5.3 The Functionalist Paradigm

By far the most crowded quadrant of this model is the Functionalist one, which relates to those theories concerned with or implying both determinism in the nature of man and consensus in the nature of society. In fact the majority of Social Work theories can be viewed as normative in function (Pilalis, 1986:86). These theories that embrace determinism and consensus are by definition objectivist in their views about the nature of social reality. The Functionalists prescribe to the traditional scientific and linear model of technical rationality. They are positivist, objective and utilitarian in approach, with a linear approach of diagnosing, treating and changing. For them Social Work has been transformed into a branch of technology. These techniques that have been developed

under the functionalist approach are problem targeted and process oriented. They are more amenable to throughput measurement and have accordingly found great favour amongst social service agencies in recent decades of resource restraint and economic rationalism.

Howe divides the Functionalist theories into two classes, social systems theories and behavioural theories (Howe, 1987:53). Because systems theories analogise either the biological organism or the complex machine, they are based around concepts of equilibrium and stability as the natural state of societal affairs. The function of Social Workers under these theories is therefore by direct implication as an agent of harmonious societal functioning. In the behavioural theories, which include a wide range of psychoanalytic, psychodynamic, and behaviourist theories, the focus is on faulty or problem behaviour or pathological states that deviate from societal norms and arise as a result of biological or socially conditioned factors. The role of Social Workers under these behavioural theories is therefore to identify the problem or maladaptive behaviour and repair it, so that the individual can resume normal and proper social behaviour.

Both systems theories and behavioural theories therefore identify pathological states or deviations from the norm as their focus of concern, but they vary in the level at which the malfunction is identified. While behavioural theories locate difficulties within the individual, systems theories consider the effect that the whole system has on the problem part. As both theories ultimately seek to return the state of affairs to one of equilibrium and proper functioning, so both can be located within the Functionalist category.

5.4 The Existentialist Paradigm

Moving clockwise round the model brings us next to the Existentialist category of theory. Within this Free Will-Consensus paradigm, the emphasis on subjective experiences of people discourages interest in society's larger structural characteristics. However, it is nonetheless implicit in the paradigm that there is regulation and order to our social affairs and that human exchanges occur within the settled rhythms of a stable society. Existential principles relating to the uniqueness of the individual, the uniqueness of each problem situation, respect for the client's subjective view of the world, and the understanding of inter-subjectivity issues in collaborative effort have a long established tradition in Social Work. This had its apparent beginnings with people such as Jessie Taft

of the functional school in the 1930's, and continuing through with writers such as David Weiss, Alan Klein, and Roberta Krill (Krill, 1986:188).

The Existentialist worker believes that the social world can only be understood subjectively, that the human spirit is free and that people act intentionally, rather than merely behave. The overriding aim of workers within this group is to capture subjective meaning and this has a significant tradition within Social Work practice. There are two broad strands of theory and practice in Social Work that fall within this paradigm. The first is the client-centred approaches based on the work of psychologists such as Carl Rogers and George Kelly. The second is the 'interactionists' that derive from the sociological school of phenomenology (Howe, 1987:98).

The client-centred approach of Rogers in particular has had enormous influence in Social Work, as it presents more as a system of values than a theory. Respect the client, express genuineness empathy and warmth to the client, encourage exploration of feelings, listen actively, value their views. It is an approach of optimism, believing that people are self-actualising and have the potential for growth and self fulfillment. Clients are seen not as people with problems, but people who have anxiety about their identity and purpose in life.

The second of the Existentialist schools is that of the 'Interactionists', and the approach that has most influenced Social Work is that of 'labeling theory'. Here, the approach concentrates on the process by which people are labeled as deviant, their reactions to the label and the reaction of the labeler and others (Whittington & Holland, 1985:39).

Through such processes of stigmatisation and self-stigmatisation, meaning is acquired and social realities are seen to be constructed. We are able to change meaning and reality if we can change construction. Through appreciation of the others meaning, the worker is thus able help the client recognise, value and own their experience, thereby leading to authenticity of self and acceptance of responsibility for their own actions (Howe, 1987:101). Interactionists seek to change the process rather than the person and any personal change is due to self-actualisation.

There is also an element of vigorous anti-intellectualism in the Existentialist approaches, particularly in relation to the client-centred theories. This grew out of the strong belief in the intuitive use of self that these schools advocated, rather than reference to an abstracted theoretic system. This belief in the conscious use of self has become a strong theme in Social Work practice and is a precept that extends far beyond the strictly Existentialist school. The concept of conscious use of self has had enormous appeal to many Social Workers, as it confirmed belief in their practice as an art-form rather than a science. The downside of this anti-intellectual theme is that has been an impediment to systematic reflection on practice and the incremental building of practice theory.

5.5 The Humanist Paradigm

The next group in our model is the Humanists, who like the Existentialists, share a belief that human beings are creatures of free will. Unlike the Existentialists, the Humanists hold to a conflict view of society and seek to raise consciousness about the way in which the individual is affected by the structures and processes of power in society. Like the Existentialists the Humanists are concerned about the way in which the individual has internalised the discriminatory effects of social structure. However, the Humanists are more intent on doing something about it and seek to help clients challenge the guiding assumptions of our culture (Goldstein, 1990:38).

Unfortunately, Howe only identifies socialist-feminism as the theoretical underpinning to this group, and because of this he terms those belonging to this group as 'radical humanists'. In doing so, he equates radical Social Work practice only with this theoretic base. Other theorists have, like Howe, consistently concluded that a socialist-feminist framework is the most suitable basis for radical practice (Fook, 1993:2). This claim on behalf of socialist-feminist theory is often made without any real consideration of other alternate theoretic perspectives, such as pluralist theory. The contemporary formulations of this theory can now be seen to incorporate more of a Free Will - Conflict flavour, which potentially shifts its location from the Functionalist paradigm to the Humanist paradigm, alongside feminist-socialist theories. It is therefore the intention of this thesis to explore in the following chapter the potential of contemporary pluralist theory to provide an alternate theoretic basis for a radical-heuristic practice.

There are however two further groups of theory not addressed by Howe that first need to be considered, the first being Symbolic Interaction theory and the second being Post-Structuralist or Post-Modernist analysis.

Symbolic Interaction has not been classified with other interaction theories in the existentialist paradigm. This is because of its origins as a sociological theory that seeks to explain how societal structures are continually created and formed anew through the symbolic interaction involved in all social relationships (Blumer, 1969:16). Symbolic Interaction theory through its concern for the continual re-creation of societal structures and processes thus has linkages through to the Structuralist paradigm. Through its concern for the way in which social relationships are mediated and maintained, it also has a linkage with the homeostatic processes of the Functionalist paradigm. Through its focus on individual symbolic processes it has a linkage with the Existentialist paradigm and to a range of constructivist theories. Through these links this theory can be seen as very close to the intersecting point of the four paradigms and it perhaps becomes somewhat of an arbitrary exercise to decide to which paradigm it properly belongs.

The second theoretic approach, Post-Modern Analysis, has seen significant development by such major theorists as Foucault and Rose and has achieved increasing influence in Social Work practice since the publication of Howe's work in 1987. Like the Existentialists, the post-modernists have an interest in language and how social realities are shaped through this medium. Rather than being interested only in labeling and stigmatising processes, the post-modernist is concerned with the way in which whole life scripts and narratives are transmitted.

Social reality is seen by post-modernists as being created by definitional language, rather than being a reflection of an external reality. Post-modernists are firmly opposed to the paradigm of traditional science that sees social reality as objective and external to the individual. Although tending to use somewhat dense and inaccessible language themselves, post-modernists vigorously oppose the Functionalist role of most contemporary Social Work practice. They thus see themselves as 'anti-auratic' and wish to see the profession break free from 'the metanarrative of society' (McBeath & Webb, 1991:759). As such, the post-modernists clearly belong to the Free Will-Conflict paradigm of the Humanists.

5.6 The Structuralist Paradigm

Like the Functionalists, the Structuralists are deterministic by nature and believe in the material, objective world. They are not concerned with the surface phenomena of social relationships and psychological processes, but with the deeper societal structures, especially the economic ones that give rise to these surface phenomena. The theoretic frameworks of this paradigm principally rest on the theories of sociologists such as Weber, Marx, and Dahrendorf who all saw society in terms of being factionally divided rather than functionally coherent.

The writer would have some argument that Dahrendorf belongs in the Structuralist paradigm as Howe suggests. His emphasis on the way in which normative processes are in tension with individual liberty, gives a structuralist-humanist flavour to his ideas that places him in close proximity to, if not within, the Humanist paradigm. In fact Dahrendorf's views seem very close to the intersecting point of all four of our paradigms, embracing some elements of consensus, conflict, free will and determinism. His work is an interesting case in point to argue that some level of eclecticism can in fact be achieved within a unitary theoretic framework. This discussion will therefore be pursued further in the following chapter.

Those of the Structuralist paradigm share with the Humanists, a more structural view of society, rather than the consensus views of the Functionalists and Existentialists. Unlike the homeostatic views of the Functionalists, Structuralists see society as changing and evolving not through co-operative endeavour, but through conflicts of interest, power and resources (Howe, 1987:144).

Like the Humanists, the Structuralists are strongly focussed on the analysis of power and authority structures in society. For the Marxists, the central concern is for the deterministic nature of economic structures and processes. Whereas for Weberians focus is on the conflict of interest between different power groups in society. Unlike the Humanists, whose focus for change is the individual or the common interest group, the focus of Structuralists for action and change remains at a societal and structural level and is more concerned with mass processes than with individuals.

For Social Workers in the Structuralist paradigm there is a strong ideological commitment. Professional action is aimed essentially at redistribution of wealth and power. Social problems are seen simply as the symptoms of poverty and powerlessness in the oppressed classes. Answers are therefore seen to be found in more money, better housing, fairer distribution, and better opportunity (Op Cit:151).

For Structuralists, personal problems are seen as political issues and the techniques to be employed by Social Workers in addressing these issues, include politicising clients, assisting collective consumer action, undertaking rights and policy advocacy, exerting political pressure and participating in public demonstration. Such techniques are however not the sole prerogative of the Structuralists. Besides being shared with Humanists, as has already been noted, these are techniques that have been embraced by many Social Workers, albeit less fervently and less frequently than with the Structuralists.

5.7 The Paradigmatic Assumptions of Heuristic Practice

Having begun this chapter with a discussion of the relationship between eclecticism and reflective-heuristic practice, the subsequent discussion of the basic assumptions underlying four different paradigms of practice, does not as yet seem to have progressed us very far. Nonetheless, we have been able to glean some things.

First, all of the theories from across the four paradigms discussed, share part of their explanations with other theories, in terms of their assumptions about the nature of Man, or the nature of Society. Second, Social Workers in their individual practice have adopted or developed techniques and strategies attributable to different paradigms. Third, rather than thoroughgoing theories from different paradigms being adopted, heuristic practice involves the use of sensitising concepts from a diverse range of theories. Fourth, these blends or amalgams of theories and techniques have often yielded intuitively satisfying results, despite some seemingly self-contradictory assumptions being imputed to such amalgams of theory.

To illustrate this, we rejoice when we have been able to successfully intervene and simultaneously achieve a number of outcomes in a particular case. We may have been able to assist a client in dealing with their subjective feelings of crisis due to a particular life experience, and at the same time we may have also been able to help them achieve

redress to a structural disadvantage that has impacted on the lives of others as well as themselves. We have therefore seen the client grow in emotional self-congruence, knowledge, competence, confidence and self-esteem.

But beyond this again the client and others often see the quality of their family and social relationships as having improved. The client may also be seen to have grown in their own sense of purpose and belonging, by virtue of them having altruistically contributed to the cause of others with the same problem as themselves. The positive spiral has then continued and they have subsequently been able to recognise and tackle personal issues with newfound resolve and responsibility; as well as making positive contributions on broader community or social issues. They have in some such cases been able to achieve fundamental change not only in their subjective lives and their objective circumstances but also in the lives of others.

Such anecdotes indicate that in everyday practice the heuristic practitioner is able to appropriately blend a range of theoretic frameworks and interventive techniques that at first face seem to derive from opposing paradigms. To demonstrate this, I will refer to one of the cases to be discussed in detail in chapter ten of this thesis. It concerns Case G, which is titled, *Don't Worry About the Mum, the Dad is the Problem*.

5.8 A Case Study in Heuristic Practice

The father of the family in this case, had an horrendous reputation in the department, being labeled violent, resistant, neurotic, abusive, unstable, aggressive, unreasonable, and some other pearls like psychopathic, and, suffering from Munchausens Syndrome by Proxy. The case had originally belonged to another region of the department, but when the family moved address the case was transferred to the region to which the writer belonged. However the case remained unallocated for several months, until being finally allocated to the writer with less than six months remaining of the supervision period.

As is outlined in greater detail in chapter ten, when the writer examined the case records, they showed some inconsistencies and inaccuracies which needed to be clarified, and which would provide a valuable tool for exploring the client's own views. On first visit to the family, the writer adopted the usual strategy. Engage with the client, find out what the client saw as important, find out what they defined as an immediate problem, attempt

a solution with the client, then go to the next on the list, whilst trying to comprehend the total picture and its meaning to the client.

The client considered that the most immediate problem he faced was that his daughter seemed to be seriously splay-footed, but he could not get any satisfaction from the medical profession. To the writer the child certainly seemed to be splayfooted, so some intervention was achieved with a specialist. The resultant X-rays clearly showed a serious medical abnormality that required surgery. This was an important issue not only for the client but also for the writer, as it brought him into immediate conflict with his supervisor, who had vaunted the Munchausen's diagnosis and regarded the client as extremely dangerous to his children's safety. In view of the serious medical problem from which the client's daughter had been proven to suffer, the writer felt compelled to investigate the veracity of this belief that he suffered 'Munchausen's Syndrome by Proxy'. As will be shown in the more detailed case study, it transpired that he in fact did not suffer from the condition.

But back to the case situation, not only did the client feel relieved and vindicated by the positive medical finding about his child's feet but the writer also gained a deeper appreciation of the legitimacy of some of the client's frustrations with various service agencies. These frustrations not only clouded the client's ability to communicate to others about his concerns. They also interfered with the ability of others to hear and accept his own concerns. With increasing mutual confidence, the client and the writer sat down to closely analyse the problems of interaction he was having. In the next instance this was with the school his children were attending.

The client was helped to identify and articulate personal feelings of impatience, frustration and anger that blocked communication with others. Particular behaviours and strategies were then rehearsed to decrease these blocks. This including simple breathing and relaxation techniques and just counting silently to three before responding. Ways of monitoring, recognising and acknowledging his feelings to others before getting to the blow-up stage were rehearsed. Instruction was also given in techniques of negotiation. Sloganised exhortations were repeated, such as '*Stay focussed on the problem, not the person*'. Immediately after any meeting between client and an agency, the encounters were debriefed and analysed, with the writer feeding back generous praise for the client's

felt achievements. Further strategies were then developed to reinforce and build on the successes experienced. At the same time, agencies were encouraged to identify, acknowledge, and help build on the client's competencies.

The result was a vast, felt and observed improvement in the client's ability to relate to various social agencies, organisations, and individuals. The various labels he had accumulated began to peel off. People began to treat him positively. He in turn began to treat others positively and a cycle of positive reinforcement was soon evident. By the time the formal supervision order was coming up to expiry, about six months after the case had been allocated to the writer, the client volunteered to consent to the order being extended by the court. The writer then challenged the client, saying that just because he seemed to like and trust him it was no reason to continue having the department in his life. If the client felt he could benefit from further assistance, then he could be referred to a local voluntary agency in which he had developed strong confidence, rather than continuing with an intrusive statutory order. The client happily accepted the referral and it was proposed that the formal order be allowed to expire.

The writer's supervisor however strongly objected to the order being allowed to expire, and instructed that it be breached and brought back to court. The ostensive reason given for this was so that the department could *'...have more time to work with the family'*. The writer pointed out to the supervisor that in fact there were no legal grounds for such a breach, even with the willingness of the client to consent to an order. Additional to this, a breach could not have been heard until after the expiry of the order, and this was not of itself legally possible. Regardless of this however, the fact that the case had been unallocated for several months, clearly showed that it had not been accorded any priority or urgency. The department could hardly now argue that it needed more time to work with the family, particularly in view of the substantial progress made and the evidence to this effect that the writer would have been compelled to give in any court proceeding.

The supervisor, however, was of the view that such breach action was legally proper and the writer therefore insisted that she seek legal confirmation of this before any breach action was initiated. This was done, and the supervisor's opinion was overruled. The order was accordingly allowed to expire.

5.9 Coping With Paradox

The purpose of this vignette is to demonstrate that a heuristic approach to practice gives the worker access to a wide range of techniques and theoretical perspectives that ostensibly come from different paradigms on our model. What is submitted though is that once trust and acceptance is achieved between client and worker, it is possible to use almost any technique as long as it is done in a conscious and reflective way. That is, as long as there is an existential and collaborative starting point and the techniques used or theories implied in communication with the client have subjective meaning for the client.

Elements from all four paradigms are in fact in evidence in the case discussed. In the process of engagement with the client for instance, action was taken according to Existentialist principles, by seeking to understand the client's subjective world and to address problems subjectively seen as important. Humanist strategies were undertaken in raising the client's consciousness of the way in which his status and power had been compromised and empowering him in his relationship with both the department and other agencies. Behaviour modification techniques of a patently Functionalist nature were also successfully undertaken with the client. Finally, at the close of the case, there was a need to act in a Structuralist manner to resolve the systemic problems impacting on the client by utilizing advocacy and procedural control techniques.

So, despite the use of various strategies that can be attributed to each of the respective paradigms, the actual techniques used with the client tended to be within the determinist hemisphere of the Structuralists-Functionalists, whilst the values demonstrated remained consistently within the Free Will hemisphere of the Humanists-Existentialists. Thus in one single case, an amalgam of theories and techniques has been used that have their roots in what seems to be *'irredeemably incompatible paradigms'*. How can this be so?

In a simple sense, the answer is good practice but bad theory. What we do in practice is just not properly understood and explained by the theories to which we consciously subscribe. Because of the lack of mid-range and operational theory to link our practice through to the higher-level theories, there is commonly a leap of faith taken between practice and theory. That is, we try something new we have heard about and it works. We then feel compelled to accept the broad theoretic rationalisation of why it works. In

reality, the broader theoretic reasons of why it works might be quite different from those formally being proposed (Pilalis, 1986:91).

For instance, whilst the writer used techniques that could at face value be labeled as cognitive-behaviourist, this would ignore the existentially based rapport building that preceded and facilitated the successful use of such techniques. So, in reality, did the techniques used really represent the functionalist paradigm to which they are assumed to belong? Should they instead have been seen as belonging to the existentialist paradigm, because of the preceding engagement processes?

What it does point up is a lack of operational, mid-range theory that articulates actual practice. It is in fact often a lack of mid-range theory that forces us to worship false gods of grand theory. In Argyris and Schon's words, our espoused theory is in fact somewhat different from our theory in action. As has been briefly discussed before in this thesis, intuition and insight are intensely difficult phenomena to analyse. In discussing these processes of tacit knowledge Imre defines intuition as:

'...a spontaneous process of integration of tacit clues bearing on the problem. It guides the search and accounts for the flashes of insight that come apparently unbidden, often after much conscious rational effort has been expended with little evident progress (Imre, 1985:142).

By continuing to reflect, analyse and explicate such processes inherent in the heuristic approach it could ultimately be shown that such practice involves a valid use of a range of theories and intervention techniques that are not really contradictory in their assumptions. For this to be so however, we first need to consider whether all theories necessarily conform to the paradigmatic model shown in figure four.

The idea of *'irredeemably incompatible paradigms'* is after all a human construct rather than reality. The truth of human existence is paradox. In reality, both conflict and consensus exist in society, and are articulated into our lives in various ways. Even theorists who are strongly of a particular persuasion, can have antithetical arguments imbedded in their own propositions (Erwin, 1998:78).

5.10 In Search of Epistemological Relationship

For instance, although the Structuralists operate on a conflict model, their goals of justice and equity, or even of radical revolutionary change, are all implicitly homeostatic, consensus views of a future society. Similarly, human nature is at the one time both determinist and free will. Yes, we have free will, but there are limits and constraints to our choices. We can choose to fly unaided from the top of a building but that does not mean we will succeed. Gravity will have a most certain and deterministic effect on our choice of free flight.

What is lacking then is an epistemology of knowledge at the higher levels. How do seemingly incompatible theories ultimately relate? What are the circumstances under which each theory holds true? Where are the boundaries of application for each theory? What are the rules that govern their interrelationship? Is there an as yet undiscovered higher theory, which subsumes these seemingly contradictory theories within its compass, as merely component parts of a greater whole? Are there already theories in existence that satisfactorily embrace the paradox of human existence and successfully blend seemingly incompatible paradigms?

Often, when a theory is first formulated, the limits of its application are quickly perceived and a counter-theory is proposed. The original theory is elaborated to account for these criticisms. Consequently, the counter theory is then also elaborated. What we soon end up with is two sides of the same coin. What were once oppositional theories have now become integral parts of a higher level, more integrative theory. Theory is therefore not static and immutable, but continues to elaborate in order to cope with the obdurate nature of reality (Blumer, 1969:22).

In the writer's experience for instance, as briefly discussed under Humanist paradigm, Symbolic Interaction theory has shown an ability to provide linkages with theories from all four of the free will, determinist, structuralist, and consensus, hemispheres. Similarly, Structuralist paradigm theory has strong potential for further elaboration along with other themes of Pluralist theory on the nature and distribution of power, and for consequent linkage to cybernetic and systems theory from the Functionalist paradigm. In the other direction, such Pluralist theories have potential for linkage to socialist-feminist theories on individual consciousness of structural issues that belong to the Humanist paradigm.

This also of course means that there are further implications of this theory for the existentialist paradigm, because of the way in which individuals perceive and incorporate the normative processes of society.

There are theories then that do not fit easily within this artificial construct that defines four paradigms of practice. There are theories that have strong potential for linkage to other paradigms, in a way that appropriately accommodates the apparent paradoxes involved. These theories I would suggest, are those that belong to what I am terming the *Heurist Paradigm*.

5.11 Constructing the Fifth Paradigm of Social Work Practice

Although the adjective 'heuristic' appears in the dictionary, and generally refers to the process in which learning by trial and error is encouraged, the noun 'heurist' is not listed or defined. So fortunately, there is some level of freedom in defining such a term to the writer's own satisfaction. A *Heurist* then, is not someone who learns simply by blind trial and error. The heurist endeavours to gain insights and construct theories that account for the novelty and incongruity they encounter, by using sensitizing concepts from a range of theoretic frameworks, and by a more conscious process of reflective interaction with their physical and social worlds.

Rather than approach situations with a particular theory in mind, and looking for points of congruence with that theory, the heurist is a reflective eclecticist who allows the situation itself to evoke theoretic possibilities (Schon, 1983:268). As we have already seen from previous discussion, the heurist searches for points of both congruence and incongruence with a range of theoretic perspectives. The heurist tries to develop a unique theoretic explanation for each person-situation configuration that accommodates both to objective fact and subjective experience. In other words, the heurist raises theoretic possibilities as propositions to be tested out, for both their closeness of fit with the facts, and their subjective resonance (Goldstein, 1990:37).

To do this, the heurist must be acutely aware not simply of their client's subjective world, but also of the worker's own impact as a variable in a given situation. This is not simply through an understanding of their own personal characteristics and values, but also through an awareness of how their own subjective viewpoints are a product of

history. The heurist simply cannot operate effectively without an acute sense of both self and other, and the influence this exerts on the both construction and understanding of any given situation. The heurist is someone who is governed in their interaction with others by existential ethics, and is committed to developing a shared holistic understanding with others (Peile, 1994:20).

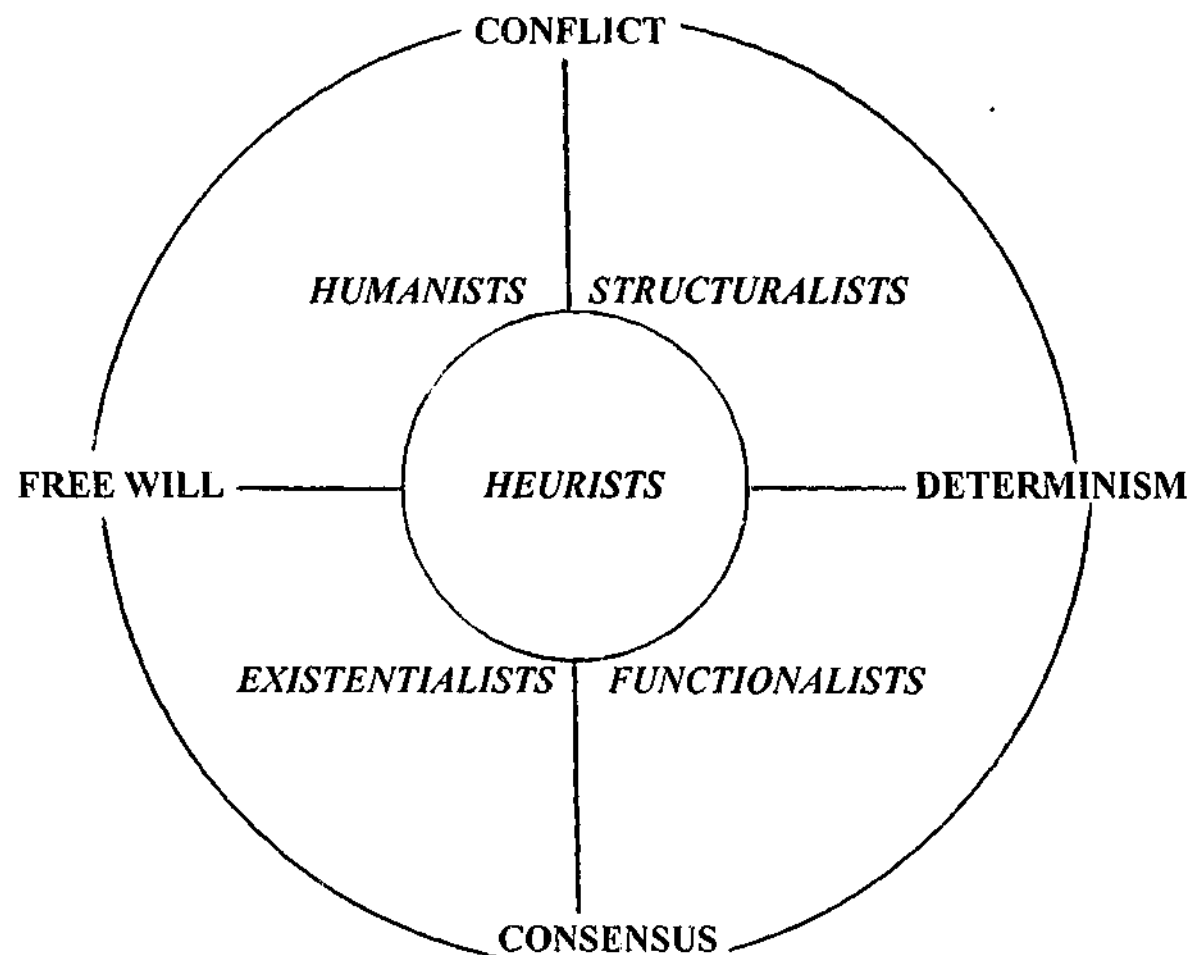
For the heurist, each individual and each situation has its elements of uniqueness and in some definable respect new concepts or a new synthesis of existing theory are required to understand each person-situation configuration. This is in fact the essential difference between an 'eclecticist' and a 'heurist'. It is strongly suggested that it is the commitment to reflective practice that differentiates them. Without a commitment to reflective practice the eclecticist can ultimately only operate within the functionalist paradigm. In reality their lack of reflection condemns them to the constraints of existing theory, and to a conservative and defensive role as a practitioner. If you do not understand what it is you are doing, if you are not challenging your own basic assumptions and the adequacy of your knowledge, then you are simply an agent of the status quo, no matter how radical you may lay claim to being.

From the preceding discussion and that of previous chapters, we have established that heuristic practice is first a method. It is a way of approaching situations with a range of sensitising concepts as tools, but without pre-existing theoretic formulations in mind. It is a method by which individual theories for the purposes of case intervention can be built. As we have also seen from the model developed in chapter three, it is also a meta-theory about the nature of theory building through reflective practice. It is also a meta-theory that provides an epistemological framework for and means of linkage to a range of higher-level theories, being first and most directly with those of a pluralist and constructivist nature. As we have seen from the preceding discussion, these theories have the capacity or potential to give coherence to heuristic practice and compatibility to potentially conflicting theoretic paradigms. Heuristic practice therefore, as well as being a method and a meta-theory, is also a distinct paradigm of practice with its own substantive theoretic base that includes constructivist, interactionist, and pluralist theories.

Accordingly, the four-paradigm model shown in figure four now needs to be modified to reflect this proposition. As we have seen, the intersection of these orthogonal lines is the point where some of the theories from each quadrant come in close proximity to each other, and it becomes a somewhat arbitrary matter as to what paradigm they are adjudged as belonging. This is the area in which we can create a fifth 'Heurist' paradigm as shown in the following Figure five.

What is being contended is that this 'new' paradigm is in fact the traditional paradigm of Social Work that has often been seen as the 'no paradigm' model of practice. It is also contended that the heuristic paradigm is synonymous with radical practice, as it allows practitioners to choose interventions that best suit the total circumstances of the client, not that which is dictated by ideology.

Figure 5 A FIVE PARADIGM MODEL OF SOCIAL WORK PRACTICE



The problem is that radical practice has been seen as a prerogative of the Structuralist paradigm. The task of the next section of this thesis will be to rebut this presumption and continue to explicate the theories underlying the heuristic paradigm. Those theories falling within the heuristic paradigm will focus on the way in which the individual is articulated into society, will address issues of power distribution in society, and will also seek to reconcile issues of conflict versus consensus and free will versus determinism within their formulations. In doing so it is also intended that this analysis will yield some conceptual tools that can be used later in this thesis to analyse issues of power distribution within bureaucratic organisations.

6.1 The Theoretic Traditions of Radical Practice

The development of notions of radical practice in the 1960's clearly owe their origins to Marxist theory and ideals. In a 1975 review of the radical Social Work movement, it was noted that all Social Workers attracted to the radical movement were committed to some form of Socialism, from mild social reformism to revolutionary Marxism (Clarke & Asquith, 1975:105). Although the influence of Marxist ideas waned for a while earlier in the 1980's, it has since experienced resurgence through linkage with feminist thought (Payne, 1997:218). Marxist-socialists have therefore continued to exercise an intellectual authority over radical Social Work practice right to the present day.

In the early years this Marxist based radicalism was more revolutionary in tone. It focused on raising professional and social consciousness about issues of social injustice and inequality, rather than trying to find ways of informing casework practice through such consciousness. The early radicals were in fact so focused on the over-riding societal issues of poverty, unemployment, exploitation and State dependency that it was posited not to be Social Work that they were involved in, but *Radical Social Policy Work* (Langan & Lee, 1989:6).

Marxist radicals claimed that the individualising approach of casework in effect blamed the victim and effectively directed attention away from the societal structures that caused the problem. The response to these criticisms pointed up the nebulous nature of the Marxist critique and its lack of direct implication for face-to-face practice with clients. Warning was made of '...the dangers of an abstract radicalism which loses sight of the client definition of the situation' (Brake & Bailey, 1980:13). Although it was apparent that a Marxist sociology could help raise the profession's awareness on how societal structures could impact detrimentally on people's lives, it fell remarkably short when it came to articulating how these issues could be addressed in practice (Langan & Lee, 1980:6). Debate on the efficacy of casework therefore raged within the Social Work profession during the 1970's and the decade was ultimately dubbed '*The Theory Wars of the Seventies*'.

As the radical movement progressed through the 70's, these necessary connections to practice began to develop through the formation of common interest client groups, self help groups, consumer participation projects, consumer action groups and the development of case to cause advocacy processes. Many workers not necessarily committed to a Marxist ideology began to step outside the traditional boundaries of their jobs during this period. The profession developed significant skills in community development, consumer advocacy and in the use of media and political processes, in order to promote issues of change and reform.

Feminist thought also began to have strong effects on practice. Ways were sought to raise individual and group consciousness on the political nature of their life experiences. Feminist ideals, terms and concepts began to invade the language of radical Social Work, but it nonetheless remained firmly attached to a Marxist theoretic base. One of the important effects of the emergence of radical Social Work was to shake the profession out of any lethargy it may have fallen into. In large part because of the effect of the radical movement in the 1960's and 1970's, Social Work was reminded that it was supposed to be a profession that did things *with people* rather than *to people*.

6.2 Issues of Power and Empowerment

A further impact of developing radical and feminist thought in the late 1960's was to stimulate interest and concern for consumer perspectives on the nature of Social Work services being delivered. The resultant consumer satisfaction research showed that there were two aspects that consumers felt Social Workers should get right. First the quality of relationships, and second the achievement of results (Howe, 1987:3).

This consumer satisfaction research was also supported by other research into effective practice. Fisher, in a comprehensive review of the literature and concluded that: *'In order to be effective, workers must succeed in the following two areas;*

- 1. They must create those personal conditions which establish a relationship of trust, caring and acceptance, thereby increasing the client's amenability to therapeutic influence. It appears therefore that the quality of the relationship is important in social work practice. Social workers should be responsive.*

- 2. They must employ clear and implicit procedures. The purpose of the worker's involvement must be understood by the worker and the client. Good practitioners make*

deliberate use of well articulated theories and methods which organise order and direct practice in a way that recognised by both worker and client. Social workers should be systematic' (Fisher, 1978:222).

If the words '*therapeutic influence*' were replaced with something like '*personal empowerment*', then there would be little to argue about. The consumer research of the 1960's and 1970's clearly showed that in the first place, empathy, genuineness and warmth are the first necessary components of effective practice. The second necessary component of effective practice is the need for this empathy to be coupled with a capacity for clear analysis that is shared in a way that is meaningful to the client. The Social Workers most appreciated by clients are those who *are able to state what they think is going on, and how things should be tackled*. But again, this capacity for openness and clarity is crucially reliant on an empathic engagement between worker and client. It is failure in either or both of these areas, *empathy* and *honesty*, that leads to weak practice, whether you are a radical or conservative.

This consumer research of the 1960's and later, in part stimulated by radical debate, served to reinforce to the profession its basic focus and orientation. Face to face practice began to reflect themes of radicalism and terms, such as *empowerment*, *advocacy*, and *participation*, began to find their way into the profession's common language. The use of these terms was based not so much on a theoretic standpoint or a specific technique, but on a value orientation and approach. Concepts of empowerment and advocacy were essentially a stance by which structural issues were hopefully articulated to the individual level, and a structural focus was given to individual casework. Empowerment for instance tended to be described as '*...a process which alters the individual's perception of her/himself and of society in a particular way*' (Fletcher, 1990:5).

Advocacy was described as a process that: '*...seeks to represent the interests of powerless clients to powerful individuals and social structures*' (Payne, 1997:266). Similarly, '*participation*' also tended to be described in value terms, in that it would '*...reduce alienation and anomaly, provide opportunities for self fulfilment, overcome feelings of powerlessness, improve individual and group self image of those who participate and generally increase community integration and control*' (Allport, 1971:42)

6.3 Rhetoric Rather Than Substance in Contemporary Radicalism

Fine words and sentiments indeed, but the fact remains that very little about such concepts as empowerment and advocacy has ever been translated into clear theoretic frameworks and practice techniques. Without this grounding in theory and practice, such concepts were often, and have remained, little more than buzzwords and empty rhetoric. As we move into the new millennium, the profession is still faced with a critical problem of ensuring proper substance to the rhetoric. Many workers liberally use such terms as empowerment and advocacy, in referring to their practice and practice objectives, but their practice actually belies the language they use. Simple things such as getting a client a social security counter cheque, or introducing a client to a service, is spoken of as 'advocacy', when it is in fact no more than brokerage. Workers will talk about 'empowering' a family in a child protection matter, whilst at the same time neglect to tell them of the avenues through which they can challenge the worker's own decision.

In the 1990's the strictures of economic rationalism, agency functionalism, corporatism, and managerialism, have for many Social Workers pushed considerations of career and job security above those of professional identity. Many practitioners have thus failed to generate a proper understanding of power processes at either a societal or organisational level. They have remained blinkered to the way in which these power processes impact on their organisational role, their client relationships, and their professional responsibilities.

It has been of no help to many social workers, to have one school of thought, claiming intellectual sovereignty over radical Social Work practice. Particularly when the dialectic premises of the theory must, as a matter of course, alienate a substantial proportion of the professional constituency it hopes to win. That is, the basic concern of a Marxist critique, always devolves down to the 'class struggle' between capital and labour in western industrial free-market societies, and it is an ineffective tool for addressing issues of power equity in other types of society.

6.4 A New Theoretic Base for Radical Practice

Therefore, despite a permeation of radical terminology into the vocabulary of the Social Work profession generally and despite a distinct growth in the use of more radical

techniques and strategies by many workers, alternate theoretical bases to radical Social Work have not shown any significant development. The rhetoric of radicalism therefore still retains a strong Marxist-Feminist flavour, even though some of the rhetoric has begun to reflect other somewhat unacknowledged ideas and influences.

In this respect it is of interest to note that, although many authors make fleeting reference to such things as *social diversity* and *multiculturalism* being desired social realities to which radical practice can contribute (Fook, 1993:68) any analysis other than a Marxist-Feminist perspective is sadly lacking. For instance in her most comprehensive review of theory before advocating a feminist-socialist theoretic base to radical practice, Fook does not mention Pluralist theory or any Structuralist theory apart from the Marxist variety. In this writer's view pluralist theory has an important contribution to make, not only to the understanding of liberal democracies, but also to the processes by which power is shared in any given society.

Pluralism is concerned with the voluntary way in which individuals seek association through common interest and the way in which a multi-group society provides checks and balances in the exercise of power. These type of issues are of fundamental importance to radical Social Work practice, where the aim is more toward personal change, autonomy and power. A crucial element in client empowerment is through the practitioner's awareness of the way in which social structure is impacting on the problem situation (Op Cit:83).

Because pluralist theory is fundamentally concerned with the interfaces between individual, group and society and with the mechanisms by which power is shared in society, it has a potential to raise questions keenly focused on how societal power issues are articulated to the individual. The additional advantage of pluralist theory over other structural theories is that conflict has been conceptualised more in terms of a dynamic tension between forces of conflict and consensus and so is capable of including normative social forces into its theoretic span. As indicated previously, because this theoretic span embraces the paradox of conflict and consensus, pluralist theory can be seen as rightfully belonging to the heurist paradigm.

Unfortunately, pluralist theory has been less well analysed, explicated or understood, than has socialist-feminist theory. In fact, although a socialist or feminist theoretic base has often been claimed or attributed to various approaches in Social Work practice (Fook, 1993:68), a closer analysis of these approaches shows that they might more appropriately be conceptualised as pluralist. For instance, the approaches to welfare rights, consumer action, equal opportunity, case to cause advocacy, and client empowerment all have implicit elements of power sharing, redress, and structural change in them and so can be viewed as consistent with structural theories. But these approaches are also all primarily focussed on the individual's circumstances and the subjective meaning of these structural issues to the individual, and so can be viewed as consistent with humanist theories. Such approaches are also consistent with pluralist theory, and to evidence this point a brief review of the history and development of pluralist theory will be undertaken. This will then be followed by an exploration of the implications of pluralist theory for power distribution processes in society.

6.5 The Development of Pluralist Theory

Ideas of social pluralism can be traced back to the 19th century writings of the Frenchman, DeTocqueville, and early this century of the American, Horace Kallen, who has been acknowledged as the originator and leading philosophical exponent of the idea of cultural pluralism (Rose, 1967:360). In the second half of the 20th century the American sociologists, Robert Merton and Robert Nisbet, have elaborated pluralist ideas considerably. Social pluralism is seen as the very cornerstone of democratic society. It is concerned with the ways in which free associations of citizens mediate between the individual and the larger society and the mechanism by which power is shared in society. Nisbet rebuts the Hobbsean view of isolated individuals tacitly conceived of as a '*sand heap of disconnected particles of humanity*', who are protected by the associations that stand between them and the State. He instead sees them as '*persons diversely engaged in primary groups, such as family, companionships and local groups*' (Merton, 1968:388).

These larger affiliations in society draw their membership on the basis of mutual self interest and form autonomous groups, often in some level of normative competition with primary groups. Competing interests between the autonomous groups are balanced out in a dynamic process through which justice and ongoing adaptation can be achieved in society. Thus, while individuals and primary groups are too weak to resist encroachments

on freedom, political freedom is realised through group membership (Broom & Selznick, 1973:608).

But this will not happen of its own accord and will require the development and promotion of cultural norms shared between these diverse groups, around the idea of inclusive political identity. The role of government in pluralist society is therefore seen as regulating these basic conditions of justice and providing the 'rules of the game', so as to ensure that the society has a level structural assimilation that is appropriate to ensure its functional plurality (Dahrendorf, 1968:222). It is this concept, of the dynamic between structural assimilation and functional plurality that is a key to contemporary pluralist theory and its relevance to Social Work. Functional plurality, or in other words cultural diversity in a given society is best protected by mechanisms of structural assimilation. That is, all members of society and all groups in society are ensured justice, through their equal opportunity for participation in common social institutions and through equal access to mechanisms for identifying and redressing inequalities of power.

6.6 The Tension Between Diversity and Commonality

It is in this dynamic tension between the cultural plurality of groups and their structural assimilation within common democratic, legal, and social safety net institutions that the key to pluralist society lies. **The tension in a plural society is therefore basically between diversity and commonality.** For the individual though, this devolves to a tension between liberty and equality. That is, between individual rights and social responsibility (Op Cit:223).

This tension between diversity and commonality will also surface at a structural level as a tension between tendencies to structural assimilation and structural separatism. In its most extreme form, structural separatism is represented by apartheid. This involves the separation of social institutions on an ethnic, religious, language or cultural basis. Such separatism in social institutions can be, and often is, a vehicle for institutionalising disadvantage and repressing certain groups. It can lead along the path toward a Police State and State sponsored genocide, but this is not necessarily so. Some degree of structural separatism in a society does not necessarily mean that social cohesion and equity will be damaged. For instance in some countries such as Canada, Belgium and Switzerland, where the population is divided between language groups and cultural

heritage, various degrees of structural separatism are utilised. This has ensured that advantage or disadvantage of particular groups is in fact **not** institutionalised, and that cultural identity of the constituent societal groups is protected.

On the other hand, Australia, until more recent decades has tended to prize the advantages of social cohesion inherent in *structural assimilation*. Unfortunately this has historically been confused with *cultural assimilation*, as was demonstrated in the White Australia Policy. But, like structural separatism, cultural assimilation is not of itself a natural evil. Indeed, no society can hope to function without a significant degree of cultural assimilation and shared national values. We need to have a significant degree of agreement on the general rules, mores, and values of our society, just to be entitled to see ourselves as a society. The dangerous path that cultural assimilation can take us on, is that it does indeed become synonymous with structural assimilation, and can lead to State sponsored cultural purging, ethnic cleansing and ultimately genocide. Our past in Australia contains clear evidence that this path has already been travelled in our treatment of indigenous Australians.

The essential point is that whilst *structural separatism* brings dangers of a society institutionalising disadvantage to and repression of particular groups, *structural assimilation* brings similar dangers of creating an excessively regulated, repressive, and even totalitarian State. Both situations in a very real sense share the same problem, that of an excessive centralisation of power and control, and correspondingly inadequate checks and balances in the exercising of State power. This process of power centralisation can in fact be identified as a basic force in any society, or for that matter, in any large-scale organisation. Even in societies of democratic tradition for instance, there are rulers and ruled. There are always inequalities of participation in the regulated game of the political process, whether by accident or design. But design can nonetheless often be imputed, and there will always be people interested in translating the rules of the game into substantive norms, so as to create or perpetuate privilege (Ibid:226).

6.7 Centralisation Vs Dispersal of Power in Societal Structures

By the same token though, as the laws of physics will tell us, force creates its own resistance. Indeed, we are told that dynamic tensions of integration and disintegration are central to an understanding of the physical universe (Kellert, 1993:49). Such concepts

from the physical sciences, when married with concepts from systems theory, have the capacity to further extend the development and application of pluralist theory. For instance, systems theory informs us as to the system functions of societal institutions, and the dynamic tension that exists within all systems. This, on the one hand, is seen in the system's need for the internal equilibrium and on the other hand, the need for the system to undertake disequilibrating energy exchanges with the environment (Emery, 1969:92).

Accordingly, when examining the function of societal structures and institutions the countervailing force to **centralisation of power** can be seen as **dispersal of power**. In the case of excessive centralisation of power this can be seen to lead to a rigidification of structures and processes within a society, an institution, or an organisation and to a consequent loss of its responsiveness to diversity, in both its internal and external environments. In the case of excessive dispersal of power this will conversely lead to fragmentation, loss of unity and loss of cohesion. Or to rephrase it in systemic terms, centralisation of power and control carries with it the potential advantages of maintaining internal coherence, efficiency, and decisional speed within an entire structure. On the other hand, dispersal in power, and a greater capacity for relative autonomy of constituent parts carries with it the potential advantage of being able to respond more adaptively to a changing external environment and a greater responsiveness to internal tensions (Broom & Selznick, 1973:608).

In its evolved form, social pluralism can no longer be accused of just being an apologetic theory about democratic western societies (Forder et al, 1984:138). It now has the potential to analyse the mechanisms by which power is dispersed or centralised, in any given society. It therefore does not suffer from the same limitation as Marxist theory of only being able to examine the dialectic between capital and labour. Pluralism therefore, now has the capacity to focus on the repressive mechanisms that come into being within States of high structural assimilation, such as in Imperial, Communist, or Fascist societies, and to similarly analyse the processes that can cause the collapse and fragmentation of these systems. Moreover, this thesis contends that such concepts can provide valuable tools for the analysis of whole societies, as well as the social institutions and bureaucracies, of a given society.

6.8 Centralism Vs Dispersal of Power in Bureaucratic Structures

History tells us that it was in fact the processes of power centralisation that enabled the imperial societies of both the ancient and the modern worlds to develop. These imperial societies were able to grow to enormous size through the rigidification of their social institutions and internal organisational elaboration, that is, through the invention of bureaucracy. Ultimately, to sustain such imperial societies, the energy absorbed by the needs of power centralisation would not allow for an adaptive sensitivity to the external environment. When such societies maintained this rigid incapacity for change and adaptation they disintegrated, either in a convulsive violent way or by atrophy and decay. The empires of both Imperial Rome and Soviet Russia stand as cases in point. Internal equilibrium is therefore not in itself enough to ensure the long term survival of a group, organisation, or society. It is the need to establish a 'dynamic equilibrium' that involves adaptation to and energy exchange with the external environment, that ensures survival of a society (Hunt, 1972:34).

To return to our analogy from physics, organisations can in this sense be seen to mirror the Law of Entropy, in that just as with matter, the more complex it is, the higher the degree of internal entropy it will have and the more predictable its behaviour will be (Angrist, 1976:260). Like bodies of matter, such complex organisational bodies will have a tendency toward entropy, and will minimise energy exchanges with their environment. When they do interact with their environment, internal dissonance will result and their natural response to any internal dissonance will again be toward internal entropy. In other words such bodies will attempt to enforce internal quiescence.

While the external environment remains relatively unchanged, this high internal entropy in such organisations may be of little consequence. However, if the environment becomes volatile, then massive internal forces will mount for change. The longer such change is in coming, the greater the pressure on the tectonic plates of entropy, so that ultimately when change comes it is of earthquake proportions. Within organisations, institutions and societies then, the combination of sensitivity to environmental change and inherent internal capacity to adapt, is most likely to be achieved when there is an appropriate balance between both centralisation and dispersal of power (Broom & Selznick, 1973:608).

That is, centralisation of power will provide the internal coherence to act quickly and decisively; but this internal coherence must not be at a cost to internal diversity and difference. It is this internal diversity and difference that holds the key to the effective monitoring of the external environment. Diversity cannot however be maintained without an appropriate dispersal of power and appropriate capacity for constituent autonomy. This thesis therefore contends that a marriage of systems and organisational theory with pluralist theory, such as been attempted in the foregoing discussion, may provide some tools for the analysis of the way in which organisational power is distributed within governmental service bureaucracies. Certainly, the movement in the 1980's and 90's toward economic rationalism, corporatism, and managerialism can be seen as a distinct example of the forces for power centralisation prevailing over the forces for power dispersal. This issue will be subject to further examination in chapter 14 of this thesis.

6.9 Continuing the Reflective Voyage

To this point the thesis has recounted the reflective voyage and knowledge base acquired by the writer essentially prior to entering the child protection field in 1989. The heuristic paradigm had at that time not been formally articulated as it is in the preceding six chapters, but it nonetheless guided the writer's practice in a less formalised way, needing the experience of a doctoral thesis to bring it fully into consciousness.

It was from this time of joining child protection that new knowledge on the history and substantive theory of the child protection field had to be absorbed and reconciled with existing knowledge. This meant that pre-existing knowledge continued to be refined, and it also meant that the new knowledge was to some extent shaped and informed by existing knowledge as the reflective process continued. This reshaping of new knowledge to accommodate past knowledge and perspectives will first become apparent in the next chapter, by the inclusion of an indigenous perspective on the history of child welfare issues in Victoria.

7.1 Child Welfare Issues in Victoria Prior to 1788

Child welfare issues in Victoria prior to 1788 should be viewed within a total Australian context as there is no evidence that regions differed markedly from each other in basic culture and standards in relation to this issue. It can be stated with confidence that before 1788 Australian children were among the most advantaged in the world. For many thousands of years Australian children had been part of a society that had few of the problems besetting other societies. Disease, poverty, hunger, overpopulation, political upheaval, war, economic exploitation, status discrimination, and social alienation did not exist in Australian society to any recognisable extent (Fabian & Loh, 1980:7).

Having an almost exclusively marsupial fauna, which cannot communicate disease to humans, unlike the domesticated hoofed animals elsewhere in the world, Australian society was virtually disease free, with not even the common cold being present. (Berndt, 1977:15) This fact alone ensured that until the end of the 18th century Australia clearly had among the very lowest rates of child mortality and morbidity in the world. Add to this the Australia-wide ritual practice of autumn burning off (Hallam, 1975:30), and this ensured a more hygienic environment that was annually freed of accumulated grass and animal feces in which flies could breed. It could be argued that it this time Australia led the world in its public sanitation practices.

The timing of approval to begin or add to a family was governed by complex religious ritual that was also the basis of the totemically based species conservation and land management system. Added to this, was a family planning system that clearly placed contraception as a male responsibility. This was achieved by the common practice in many tribes, for men to receive subincision. That is, a partial vasectomy that had to be manually closed when conception was required, and which thus ensured that children were conceived only when they were planned (Mate-Mate, 1993:6).

Indigenous Australian children were born into a society that valued them as individuals rather than seeing them as parental property. A mother's sisters were not regarded as aunts, but as 'other mothers'. A father's brothers were not regarded as uncles, but as 'other fathers'. Additionally, there were complex totemically based relationships and

responsibilities to children that were not necessarily related to concepts of biological family. All this resulted in there effectively being no such thing as an orphan or a homeless child, and no child ever lacked carers or a family. (Fabian & Loh, 1980:8).

7.2 Impacts of Disease Dispossession and Dispersal

The impact of British invasion in 1788 on the fabric of the existing Australian society was almost instantaneous and went far beyond the locality of the first settlement at Sydney Cove. Within the first two years of British settlement an outbreak of smallpox occurred that caused the deaths of a small number of settlers. Fragmentary tales and oral history show that the smallpox epidemic spread like wildfire throughout Australia in 1789. A second epidemic occurred in 1829 (Butlin, 1983:63).

The massive depopulation and social dislocation reduced the capacity for resistance to colonisation and dispossession. Regional groups were inevitably forced back to the borders of their traditional lands and to encroachment on neighbouring territories. (Coutts et al, 1977:43). Internecine conflict escalated to unprecedented levels and many colonists and later historians interpreted this as being indicative of a traditional state of affairs rather than one created by dispossession and dispersal. For the first time in Australian history poverty and hunger became endemic features of our indigenous society. As well as there being unprecedented rates of child mortality and morbidity due to the introduced diseases, levels of infanticide rose due to the effects of poverty and hunger. Again, instead of seeing such events as symptomatic of a society in dislocation and disarray, many colonists saw it as indicative of the natural state of affairs in a primal society. On the other hand, diary accounts of concerned settlers and oral history handed down through both indigenous and colonial families abound with stories of depredation by some settlers, that went unnoticed or ignored and unpunished. These included accounts of how indigenous children had been held in captivity and had been '*raped and sodomised at will*' (Woolmington, 1988:65)

By the time of the gold rushes in the early 1850's, dispossession and dispersal had been completed in New South Wales, Victoria and Tasmania and in all but the arid areas of South Australia and Western Australia. The process was also well underway in Queensland and was almost complete in northern Australia by the turn of the twentieth century. The first half of the nineteenth century was certainly the darkest period in

history for an Australian child, but only if you were indigenous. It saw their status plummet all the way from among the most advantaged in the world, to among the most disadvantaged

7.3 Issues of Child Welfare in Colonial Victoria

Whilst the situation of indigenous Australian children deteriorated dramatically during the colonial period, the opposite held true for colonial Australian children. At the time of first colonial settlement in Australia, British society was in transition and turmoil. The effect of the Agrarian Revolution in displacing rural populations combined with the growth of capitalism and industrialisation had led to rapid urbanisation and the economic exploitation of labour, especially children's labour.

The rapid population growth and urbanisation of the nineteenth century led to critical problems of environmental health and food supply, so that poverty, starvation, disease, crime and social alienation were widespread. Australia was therefore a useful colony for the placement of surplus troublesome people and those that could no longer readily be fed following the crop failures of the 1840's. Within this social context, the situation of British children was tenuous and vulnerable. Possessing a legal status only as parental property, children were exposed to economic exploitation in the mines and factories, and could be subjected to unrestrained physical chastisement. Illegitimate or unwanted children in particular, were at extreme risk of infant death, abandonment, or mutilation. (Parton, 1985:22).

Child sexual abuse and child prostitution was common and encouraged at least partly by the widely held belief that venereal disease could be cured through sexual intercourse with children (Goddard, 1988:12). Within this Dickensian environment, concern for children was primarily one of social control and to protect society from the activities of criminal and delinquent children. By mid-nineteenth century this had translated to providing some legislative protection against labour exploitation and protecting public health through environmental hygiene. It was not until the third quarter of the century, that public conscience began to be visibly pricked by issues of cruelty to children. Despite these nineteenth century British initiatives, the situation of their children scarcely improved. Recorded infant death rates continued at no less than 150 per 1000 live births

for the whole of the century, and in fact worsened, despite the passing of the first Infant Life Protection Act in 1872 (Parton, 1985:27).

The legal status of children as parental property remained essentially unchallenged and biblical notions on the virtue of physical chastisement, ensured that children remained at risk of gross physical abuse. Added to this, the total British population increased threefold during the course of the nineteenth century, with the urban populations increasing fivefold. It was within a context of burgeoning population and continuing oppressive social conditions that Australia was provided with a constant stream of British immigrants in the nineteenth century. After 1850 it was a stream that then became a flood from across Europe, and even from China, with the discovery of gold.

Life for immigrants in colonial Australia had its hardships, but, compared to Britain, the more temperate climate, the cleaner environment, the far greater availability of work, higher wages, lower living costs, and opportunities for self-sufficient independence made colonial life immensely attractive. The lives of colonial Australian children were immensely improved over the continuing circumstances of their British kin. It was also now clearly superior to the changed circumstances of indigenous Australian children.

7.4 Issues of Child Welfare in Post-Colonial Victoria

Despite the relative advantage of colonial children over their British cousins, the gold rush period brought significant problems of itinerancy and family dislocation. Governmental concerns paralleled British concerns of the day and were expressed in terms of controlling child crime and delinquency. (Sheehan, 2001:12) In Victoria, the Neglected and Criminal Children's Act of 1864, provided for the removal of such children from parental care and their placement in State industrial schools and reformatories (Fogarty & Sargeant, 1989:15). This Act established in Victoria, the principle that the interests of society and individual children were related, and should override parental rights to custody in certain circumstances (Jaggs, 1986:17). It was the first small brick removed from the wall of parental ownership of children, but it only succeeded in transferring ownership rights to the State and thereby simply condemned children to the lost property office of State care.

In this same period, during the 1860's concerns were expressed about the plight of dispossessed and now fringe dwelling Koorie families. In an 1866 report of the Central Board for Aborigines, concern was expressed as to the condition of

'...black and half-caste girls who hang on the outskirts of civilization, a disgrace to the colony, and a standing rebuke to those who profess to care for decency and to be offended by the constant exhibition of immorality and vice.' (Christie, 1979:176).

The Board of Protection Act of 1869 therefore provided powers to completely proscribe where Koorie Victorians should live and began a process of rounding-up those not already living on Reserves. The Act could also proscribe any contract terms binding their work, control all earnings and could take charge of any Koorie child in need of care, custody, or education. It was a legislative provision that, in effect, placed all residual parental rights over Koorie children in Victoria, with the State itself. It thus far outstripped the 1864 legislation affecting colonial children. Not only that, but regulations and administration under the Act were to witness an ever increasing control over the way Koorie Victorians lived, worked, spent their money, dressed, kept their homes, raised their children, and entertained themselves (Op Cit:180). On the reserves this even extended to forbidding the use of indigenous language and custom and making it compulsory to attend daily Christian worship.

Resistance by Koorie families to this ever-increasing regimentation of their lives grew throughout the 1870's and 1880's, but was seen as a problem created by 'half-caste troublemakers'. The response was the draconian 1886 Act that sought to force assimilation into the wider community of any Victorian of mixed race descent, whilst 'soothing the dying pillow' of those allowed to stay on the Reserves. Under the Act, all persons of mixed race descent were liable for expulsion from the Reserves. (Ibid p.205) So called half-caste girls were expected to 'marry white' and, to hasten this process, newborn girls were removed from their parents to be adopted out to white families whilst older girls were indentured as domestic servants to white families. The impact of this legislation was not only to tear apart Koorie families but also to place many young children, especially girls, into situations of sexual and economic exploitation without any means of redress.

An added impact of the 1886 Act was that its assimilationist objectives were put into operation just as Victoria plunged into the economic depression of the 1890's. Few Victorians escaped its effects and even wealthy families became impecunious. Suffering was however directly proportional to descending social status and, for Koorie families who were now purportedly assimilated into the wider community, there was no escape from the full effects of the 1890's depression.

7.5 The Impact of the 1890's Depression on Child Welfare

In Victoria, concern over child welfare issues had deepened with the severe economic depression of the 1890's. The harshness of the economic conditions was evident in the levels of child abandonment, homelessness, and survival by theft. The number of children living under Princes Bridge by the river in Melbourne became a matter of public scandal. Orphanages sponsored by various religious denominations were full to overflowing and child death rates soared. By 1893, the situation had become so scandalous that a Royal Commission resulted. The City Health Officer subsequently testified that of 500 autopsies he had performed on infants, more than half indicated murder (Cannon, 1994:52).

Apart from infanticide, the only other option available to young girls with illegitimate children was baby farming, a practice where a fee was paid to informally foster or adopt the child. In the early 1890's baby farming flourished. Amidst the scandal of the rising infanticide rates the baby farming murders of Frances Knorr were uncovered. At least a dozen children had disappeared from her care, but only three bodies were ever found. Amidst great public furore and intense media coverage, Frances Knorr was finally convicted of the murder of the three children and hung in 1894. (Op Cit:83)

Public outrage was further heightened at that time by another two separate cases of the murder of children at the hands of their mothers. Only five women were ever hung in the State of Victoria and three of the executions occurred in less than two years during the 1890's. Events such as these in Victoria in the 1890's, when linked with other international events, greatly stimulated public conscience and led to the creation of the Children's Protection Society in 1897. It was this voluntary body which in concert with the police, maintained responsibility over almost the next 100 years for the investigation of child abuse, bringing cases before the courts and also providing support to families.

The early work of the Society in assisting the courts in dealing with children's cases, together with international momentum of 'the child savers movement', was an important influence in the subsequent establishment of a separate Children's Court in 1906 (Sheehan, 2001:12). Many other countries created separate jurisdictions for children in this period with Britain enacting legislation in 1908 (Jones, 1987:44).

7.6 International Issues in Child Abuse 1870-1960

The globalising of concern over child abuse first began in 1874, with a highly publicised case in New York. A voluntary organisation assisting immigrants had been alerted to the severe abuse of eight year old Mary Ellen Wilson by her adoptive parents. The parents rejected this intervention in effect claiming that the child was their property and they could do as they chose. As there were no child abuse laws, action was successfully taken under animal cruelty laws (Op Cit:43). The resultant public outrage and media exposure were important factors behind the subsequent formation of the New York Society for the Prevention of Cruelty to Children. This in turn provided impetus for the formation in Britain of the National Society for the Prevention of Cruelty to Children in 1884, followed in 1889 by the Prevention of Cruelty to Children Act, that empowered courts to remove children from parental care in cases of cruelty or neglect (Parton, 1985:34).

International awareness on child sexual abuse issues had also been stimulated in the late nineteenth century, primarily within the medical profession, even though Sigmund Freud's seminal paper on this topic in 1896 met with an icy reception (Howitt, 1992:11). Freud was faced with vehement opposition to his proposition that childhood sexual abuse by fathers was the cause of adult 'hysterical symptoms' in the patients he had treated. Opposition to Freud's theory of paternal seduction was particularly fierce in Britain, where it was widely voiced that it was inconceivable that such abhorrent behaviour could happen in British families. The colonials from Victoria however were more accepting that such realities existed and Victoria had already introduced ground breaking legislation against incest in 1891 (Heath, 1985:1). It was not until 17 years later, that Britain passed similar legislation, with the Punishment of Incest Act of 1908.

From this period early in the twentieth century until the middle of the century, few international initiatives occurred in child protection. After the dislocation of the First World War in 1914-18, the 1920's marked a period of improved prosperity in most of the

western world. It also marked a period where infant mortality and morbidity decreased significantly, as an outcome of significant advances in medical science, environmental hygiene, and public health. The worldwide economic depression of the 1930's and the Second World War of 1939-45, was again a period of extreme dislocation. When combined with the significant reductions in infant mortality over the twentieth century, one of the cumulative effects of both world wars was to lower average population age and elevate birth rates, particularly in western countries. The war effort had also been a significant stimulus to the advancement of medical science and technology, and the implications of this for the understanding of child abuse, soon became apparent.

With developments in radiology in the 1940's it became possible to date fractures according to the stage of healing and to identify previous healed fractures (Jones, 1987:49). In 1946 in the U.S.A. Dr John Caffey found that many infants had suffered previous traumatic bone fractures. He also observed that whilst these children recovered in hospital they deteriorated when returned home (Goddard, 1988:15). However, child abuse was not made explicit as the direct cause of such injuries until 1955, when Woolley and Evans actually suggested parental behaviour as the cause. They cited such factors as parental indifference, alcoholism, irresponsibility and immaturity, manifested by uncontrolled aggressions (Parton, 1985:49).

7.7 International Issues in Child Abuse 1960-1980

International research into child abuse and neglect developed quickly from this time, but came indelibly into public consciousness in 1962, when an American doctor, Henry Kempe, coined the phrase 'The Battered Baby Syndrome'. The intense media and public interest generated, radically changed the profile of child abuse, on an international scale (Howitt, 1992:19). The pioneering work of Caffey, Kempe and others in the U.S.A. was replicated in Victoria by the police surgeon Bob Birrell; his brother the pediatrician John Birrell and a medical practitioner with the Health Department, Dora Bialestock. Their work showed that many child bone fractures had been caused by violent assaults on the child by their custodians. At this same time Howard Williams, a pediatrician at the Royal Children's Hospital, pioneered the recording of children who 'failed to thrive' (Fogary & Sargeant, 1989:18).

Apart from such medically oriented research in the post-war period there was a growing body of knowledge and theory on child development. Concepts of attachment and bonding emphasising the importance of the mother-child relationship were first developed by John Bowlby in 1951 arising from his post-war study of homeless children (Shearer, 1987:13). During the 1960's and 1970's ideas of attachment, bonding, and maternal deprivation assumed a primacy in the thinking of the Social Work profession, both in Australia and overseas. Although the concept of 'maternal deprivation' became the subject of severe methodological and theoretical criticisms, it nonetheless gained wide currency. It was held out as the cause of such diverse conditions as mental subnormality, delinquency, depression, dwarfism, acute distress, and affectionless psychopathy (Rutter, 1972:14).

At this same time in the 1960's the burgeoning youth population and rising delinquency rates caused a dramatic rise in populations of State institutions for children and youth in most western countries. It was no different in Victoria. Faced with burgeoning capital costs for new institutions, countries reverted in the 1970's to policies of almost complete deinstitutionalisation in regard to children and youth. This was accompanied by strongly rediscovered organisational and professional philosophies of 'family reunification' that were underpinned by strongly biological theories of the mother-child bond. Strong currency was also given to the view expressed by Bowlby in 1951, that 'children thrive better in bad homes than good institutions', a view that subsequently created a reluctance to remove children from even appalling conditions (Rutter, 1972:26).

The ideological strength of these biologically based views served also to feed into more traditional views of children as parental property and some of the case decisions that resulted soon bore tragic fruit. Seven year old Maria Colwell received posthumous international fame when she died in Britain in 1973 as a result of horrific abuse compounded by emaciating neglect after being returned to the care of her mother. It was subsequently found that the decision to return her to parental care had been on the basis of the 'blood-tie', a supposed biological bond between mother and daughter (Parton, 1985:93, Goddard, 1988:18). Following the intense publicity of the Maria Colwell case, the popularity of this analogy with animal bonding faded among professional social workers and their welfare organisations.

7.8 The False Dawn of 1980

By the end of the 1970's the concept of the 'psychological family', introduced by Joseph Goldstein in 1973 (Goldstein, 1973:40), had developed a stronger influence on social work practice and effectively replaced the biological theories that had preceded it. It was this concept of psychological family that placed child attachment and identity in more holistic terms and paved the way for the development of ideas of 'permanency planning' in child welfare practice (Malluccio, 1990:3).

From the experiences of the 1960's and 1970's it was realised that children brought into the welfare system had for too long drifted indeterminately and that this in itself was a significant abuse. The movement for permanency planning was therefore another positive step forward in thinking, and the 1980 mandating of permanency planning into U.S. federal law (Finkelstein, N. 1991 p.16) reflected something of the new optimism that was felt for the 1980's that lay ahead.

Even for Koorie children, prospects had never seemed better, than from the threshold of the 1980's. The International Year of the Child in 1979 had at last seen the federal funding of a national network of Aboriginal Child Care Agencies. The new Victorian Department of Community Welfare Services, created in 1978, were initially persuaded to adopt the curious notion that keeping statistics on the number of Koorie children coming into care was 'racist' (Poulter, 1982:11). But once this was abandoned, the over-representation of Koorie children in institutions became readily apparent. Developments such as these moved Professor Peter Boss, a leading commentator on child welfare policy, to observe in 1980 that:

'The Community Welfare Services Department is currently engaged in replacing its former image as a lacklustre and unimaginative welfare agency to which people turned or were referred when they had nowhere else to go' (Boss, 1980:89).

Although generally felt throughout the welfare field it was an optimism that was completely belied by the constant turmoil and crisis that lay ahead over the course of the next two decades in Victoria. The cause of this turmoil, felt in all Australian States but possibly to the greatest extent in Victoria, was the emerging awareness of child sexual abuse.

7.9 Child Sexual Abuse as a Key 1980's Issue

It was not until the mid-1970's that child sexual abuse first began to appear on the agenda of mental health and child welfare professionals, but within ten years a plethora of literature had developed (Finkelhor, 1986:10). Media attention and public education programs had raised public awareness and expectations considerably and professionals were now better able to recognise symptoms of sexual abuse. Consequently the 1980's saw a worldwide dramatic increase in the reporting of child sexual abuse (Hetherington, 1998:5). In Victoria, this dramatic increase of reporting rates in all forms of child abuse, led to the situation that by 1984 the Children's Protection Society found itself unable to cope (Clarke, 1988:53). A legislative review of that time recommended that this protective intervention role be entirely a State, not a voluntary sector responsibility (Carney, 1984:205). In 1985 the Children's Protection Society declined to continue its role in protective investigation and this responsibility was assumed by the now titled department of Community Services Victoria. (CSV)

This responsibility was assumed in co-operation with the police through their newly developed Community Policing Squads. However, this 'dual track' system had no established protocols between the two partners and there were significant philosophical differences. Add to this, CSV's critical lack of organisational experience, a rapidly expanding notification rate, insufficient staff and an inability to attract or retain experienced staff and Victoria had a recipe for disaster (Fogarty & Sargeant, 198:36). Overseas the same experience was being replicated. Similar optimism had been felt at the close of the 1970's that had been a decade of social movements and political change across the globe. However the realities of the increase in child sexual abuse reporting soon began to be felt and demand outstripped resources and expertise.

7.10 Child Protection as a Late 20th Century Growth Industry

With so many ancient myths to be dispelled about the nature and prevalence of child sexual abuse, zealous over-statement became the accepted norm. Where knowledge was lacking, ideology filled the gaps. For instance the blatant failure in the past to hear and believe credible disclosures by children was replaced by the blanket proposition that children do not lie and must always be believed (Coleman, 1990:305).

The practical effect of this imperative was to place enormous reliance on gaining disclosures and, by doing so, create substantially greater risks of both false disclosures and false retractions. When a disclosure was gained, the imperative of 'believing the child' became an impediment to any further impartial investigation. The poor standards of investigation created errors in both directions. Cases were not proven and children were returned to abusive situations. Alternatively, highly intrusive actions were taken against innocent families, for reasons that did not stand up to objective scrutiny. This situation quickly gathered momentum in the mid-1980's and laid the basis for a number of international scandals that followed.

The McMartin case in the U.S.A. for instance, which concerned allegations of ritual abuse in a child care centre, took seven years before it concluded in 1989, with an acquittal. (Mason, 1991:39) Had proper investigation and objective analysis occurred in the first place, this case might well have never been prosecuted.

The Cleveland scandal in the U.K. saw a flood of children being diagnosed as having been anally abused, on the basis of a single but disputed medical test of anal dilation. This had disastrous implications in both directions. Because of throughput pressures and lack of resources, genuine cases of abuse supported by credible disclosures and verifiable circumstances, were lost because of lack of proper investigation. At the same time many children who had made partial disclosures were pushed by the pressures of system throughput to make full disclosures before they were ready (Bacon, 1991:93). At the other end however, many families had been subjected to gross intrusion in their lives, when the only evidence was a medical opinion based on a disputed procedure (Op Cit:105).

This situation was to be repeated in the Orkney's scandal of 1991 in Scotland, when a number of children were removed from parental care due to allegations of organised abuse. It is salient to note that the principal recommendations of the subsequent formal inquiry concerned better investigative training and co-ordination, and that:

'Allegations made by a child regarding sexual abuse should be treated seriously, should not necessarily be accepted as true, but should be thoroughly examined and tested before any action is taken' (Asquith, 1993:11).

7.11 Child Protection issues in Victoria, 1985 to 1997

The inward focus of Child Protection in Victoria meant that relatively little was learned from these experiences overseas, and it has had to contend with its own series of scandals and crises. No sooner had the State taken over child protection from the Children's Protection Society in 1985, than it was plunged into controversy and crisis by the death of a three year old child who was literally starved to death by her parents' adherence to alternative medical and dietary practices (Clarke, 1988:13). It was this case that triggered a continuing media campaign into the deficiencies of the Victorian child protection system. Exposure was given during 1987 and 1988 to a number of mishandled cases, forcing the allocation of much more funding to extend services and provide greater staffing resources. This included a British recruiting campaign to secure experienced staff, expansion to a 24 hour service and the establishment of a child at risk register.

However, as indicated in the 1989 Report by Justice Fogarty (1990:61) the problems of constant organisational changes, inexperienced managers, poor supervisory practices, uncontrolled workloads, high staff turnover and low morale continued to plague the service. The principal outcome of this report was the phasing out of the dual-track system over the following three years, but again CSV was unprepared for the workload increases involved in this change. In order to attract and retain more staff CSV broadened and lowered the educational qualifications required. It was intended that more intensive specialist inservice training would provide the necessary expertise, but this only succeeded in exposing these even less experienced and lesser trained staff to the same uncontrolled workloads and complex case situations. A second review by Justice Fogarty one year later in 1990, confirmed that little real progress had been made, and that the introduction of mandatory reporting should not be considered for another three years, until administration of the service was on a proper footing.

However, only one month after publishing this second report, the death of Daniel Valerio occurred in September 1990. Daniel, a four year old child, had been subject to a number of notifications by a range of professional and community sources, because of suspected abuse and neglect. However no intervention occurred and he was finally battered to death by his stepfather. Massive community outrage was expressed and maintained by the sustained media coverage of the event and the subsequent inquest and trial.

Further outrage then followed with the death of a baby girl, River Lawrence, who died two months after being returned to the care of her drug abusing mother. It was the Daniel Valerio case though, that was most directly responsible for the subsequent introduction of mandatory reporting legislation in 1993. It was at this point in time that Justice Fogarty conducted a third review of Victorian protective services. Although noting progress from 1989 and expressing cautious optimism, he pointed to serious service deficiencies, particularly in the Western Suburbs. He also highlighted

'the virtual abandonment of adolescents by the State', serious funding cuts to community support services, staff morale problems, poor permanency planning, inefficient child death inquiries, and often unacceptable risk levels for babies of drug abusing parents (Fogarty, 1993:22).

But even this cautious optimism was misplaced. Again, the now titled Health and Community Services Department, which had gone through yet another name change and restructure, was entirely unprepared for the workloads that would result from mandatory reporting. This situation was further compounded by the increased work demands attaching to the administration of the new child protection legislation. Although the Carney Review had presented its draft proposals for new legislation in 1984, it was not until five years later, in 1989, that the new Children and Young Person's Act was passed. It was then not until 1992, that the progressive proclamation of the Act was complete, with implementation still proceeding through 1993.

With the added demands of mandatory reporting and the failure to implement promised workload controls, industrial action by protective workers took place in 1994. Again, the department made promises to implement a Workload Monitor scheme, but took no steps and devoted no resources toward its implementation. By 1995 problems of low morale, disillusionment, burnout, and high staff turnover, had been evident for an entire decade. The chronic nature of staff inexperience and undertraining meant that management had adopted a highly proscriptive approach to practice, which is antithetical to the exercise of individual professional judgment (Katz, 1975:17).

7.12 Implications for Reflective Practice and Organisational Learning

This situation continued to be compounded by the fact that inexperienced workers became inexperienced supervisors and managers and their organisation survival became

dependent on conformity. Consequently, the organisational culture and climate that was institutionalised over the decade from 1985 to 1995 was not only antithetical to individual professional judgment but it made workers more dependent on less experienced supervisors. It was exactly the opposite to what was required to reinforce reflective practice or promote organisational learning.

The view that such a critical situation existed at this time was reinforced by two reviews that occurred in 1994 and 1995, by the Parliamentary Crime Prevention Committee and the Auditor-General respectively. The Parliamentary (Smith) Committee focussed particularly on issues of child sexual assault and produced its report in May 1995. The report recommended a new model of responding to child sexual assault, which included the setting up of multi-disciplinary response teams (Smith, 1995:130). The Auditor-General (Baragwanath) report, which was released in 1996, strongly agreed with the Smith Committee's findings. By now, the department had gone through another name change, to Human Services Department and another restructure. It also had to endure a three week strike led by protective workers, which saw the department wage an acrimonious and bitter public campaign against its own workers.

Like the 1995 Smith committee report, the 1996 Baragwanath Report strongly focussed on deficiencies in sexual abuse investigation, citing low standards of investigation, chronic staff turnover and inexperience that prevented the building of expertise and a consequent poor quality of evidence in such cases (Baragwanath, 1996:188). Criticism was also made of chronic lateness of reports to the children's court, along with the continuing 'welfare drift' at both end of the system caused by hearing delays and lack of permanency planning. The report in summary, considered that the department significantly lacked quality control processes within case management, including case audits, and needed means of regular performance appraisals for workers (Op Cit:327).

This was in fact the nub of the problem. The issues consistently identified by these reports of uncontrolled workloads, crisis ridden management, demoralised staff, and the constant exodus of experience and expertise, revolved around an organisational incapacity for responsiveness to change, and a significant lack of capacity for organisational learning. However these problems of organisational responsiveness were not simply peculiar to the child protection field. They were endemic problems within the

public sector that reflected wider political and economic forces operating in the late twentieth century. Therefore, in order to understand this situation and the way in which issues of reflective practice and organisational learning have impinged on the investigation of child sexual abuse, the following chapter will briefly map this political forces underlying this broader organisational context.

8.1 Rationalism and Corporatism Vs Justice and Equity

Following the rapid expansion in Australian public sector spending in the 1970's, the subsequent calls during the 1980's for public sector reform had some merit and substance (Healy, 1998:8), despite the continuing boom conditions in the economy. The public sector in general and to a degree the welfare sector, had in reality become somewhat bloated and costly. Initiatives for reform of the Australian public sector were thus taken in the early to mid-1980's, implemented by bureaucrats who were still committed to ideas of achieving a more developmental bureaucracy. That is, concepts of equity and justice still guided reform implementation in the public sector. It was hoped to achieve a capacity within the welfare bureaucracies to respond sensitively to changing external conditions and the interests of special needs groups, albeit in a more cost effective and efficient manner. Managerial energy prior to 1987 in Australia, therefore largely retained a developmental focus and considerable effort was expended in trying to develop internal corporate planning processes that were consistent with adaptive and responsive organisations.

Despite this, the economic policies imposed by the Reagan administration in the USA and the Thatcher administration in the UK had begun to influence political policy in Australia by the early 1980's (Hughes, 1998:9). This neo-classical economic rationalism of the 1980's was a monetarist approach that sought to control inflation by decreasing growth of the money supply. The main means of achieving this restriction of the money supply was by holding down wages growth and heavily reducing public sector expenditure. The holding down of wages entailed strategies for the drastic curbing of union power and activity. The rationale for the necessity of reducing the size and cost of the public sector was marketed to the public as 'cutting bureaucratic waste'. It was planned to achieve this through progressive privatisation and corporatisation of the public sector (Joyce et al, 1988:135).

For a while in Australia, in the early 1980's, debate raged at both political and public levels, between the proponents of economic rationalism and corporatism (the Dries) and those concerned with wider issues of social justice and equity (the Wets). However the debate did not last long. As had happened in other western countries such as the USA

and the UK, the Wets at either side of the political fence were completely routed. In Australia, as Rees put it:

'...politicians in power rushed to promote policies of tough economic management. It was as though many of them had no other values and no other words. What else could they think and say? State governments claimed they should behave and be judged as business corporations. State Premiers wanted to be known as efficient managing directors of New South Wales Inc. or Western Australia Inc. (Rees, 1991:52)

Our economic conditions had continued positively until the stock market heavily corrected in 1987, resulting in the economic recession of the early 1990's. It was this event that assisted the Dries in routing the Wets more than any merits of the debate itself. From 1987 onward the focus for public sector and public welfare reform was increasingly based on economic values alone and on market principles (Jones & May, 1992:385), despite a number of unmitigated disasters in State public sector corporate ventures. This entrenchment of rationalist and corporatist policies in the Australian public sector transcended all political parties and modern managerialism was able to flourish without the previous consideration of social justice and equity issues. At this time of radical 'downsizing' of the public sector there was a rapid 'changing of the guard' at bureaucratic levels. The new generation of managers was now free from any meaningful consideration of justice and equity principles. This led to serious questioning of the ethics, accountability and theoretical base of the new managerialism (Hughes, 1998:21).

8.2 Conformity Vs Diversity

Within the public welfare sector in Australia, as with the rest of the Western world, this new emphasis on corporatism and managerialism was accompanied by an increasing emphasis on throughput measurement, as a principal means of demonstrating efficiency. Increasingly public sector welfare services were drawn toward a functionalist model of practice, and to linear perspectives of service delivery. Economic rationalism created expectations of strong directive management and an effective control of the corporate ship moving forward in corporately charted directions. The new style of management was designed to give managers more decisional freedom and power to achieve corporate goals. It was designed to reward managers more handsomely for these achievements (Healy, 1998:87).

The pressure and the licence for managers became one of *'ends justifying means'* in the new managerialist culture. This increased decisional freedom meant that consultation could be eliminated as 'inefficient' or that it could be serve token or duplicitous purposes, particularly when it could serve to reduce union power and mould a more compliant workforce. The new managerialism became very strongly a *'top down'* model with dialogue and participation seen as old fashioned (Obholzer, 1994:173).

The organisational culture and climate generated by this new managerialism was therefore one of emphasising control over the workforce, a discouragement to questioning of corporate directions or wisdom and a restriction of debate on issues of professional or organisational function. (Isaac-Henry, 1993:182) These issues were seen as having little place in their ideas about good management, which as stated, were more concerned with ends rather than means. In Rees' words:

'Policies of fair play and equal opportunity were of little interest unless they could be used to suppress dissent and could be fitted into an image of efficient management,'
(Rees, S. 1991 p.56)

In terms of the previous discussion on centralisation versus dispersal of power it can be seen that over the past decade or so within public welfare organisations and indeed within the whole public sector, managers were pursuing more centralised power structures. These narrower spans of decision-making reflected the very same power centralisation processes occurring at governmental levels. As already discussed, centralisation of power brings with it advantages of decisional speed and flexible deployment of internal resources. It carries with it though, the disadvantage of a loss of diversity and novelty in response to changes in the external environment and in response to pressures in the organisation's internal environment.

This increase in the internal tension of an organisation, is however, not simply a reflection of external tensions impacting on it. Internal tensions are also a natural reaction to the increase in proscriptive control and the consequent suppression of dissent that is required to achieve internal entropy. Such organisational phenomena therefore have critical implications for the functioning of the professional employees within an organisation, such as Social Workers within welfare bureaucracies. With the

contemporary emphasis in welfare bureaucracies on the Functionalist paradigm, welfare professionals became more and more closely circumscribed within a social control role. Furthermore, their employing organisations became increasingly proscriptive as to the conduct of this role in order to meet corporate throughput goals. Research showed that the new managerialism of senior bureaucrats constrained the professionals they employed, such as doctors, lawyers, engineers, and social workers, in the application of their specific expertise. It was found that the discretionary authority they required to interpret their tasks and respond to needs had been seriously circumscribed by the requirements of the new managerialism (Op Cit:55).

8.2 Professional Hegemony Vs Organisational Hegemony

However, the problem went deeper than this. The new managerialism was not something restricted simply to senior bureaucrats. It pervaded middle management, many of whom were drawn from the professionals themselves. The problem was not one simply of professionals versus bureaucrats, where professionals as a distinct group were constrained in the exercise of their judgment. The problem was more that the hegemony of the professions had been severely eroded, whilst the hegemony of the organisation had burgeoned. In the Victorian child protection service this had been achieved by a number of devices.

First had been the deprofessionalisation of the workforce itself. From being a field initially dominated by Social Workers, Australia has experienced both a lowering and a broadening of employment qualifications (Healy, J. 1998 p.82). There has been a dramatic fragmentation in professional hegemony, and in external professional points of reference for child protection workers. In fact, many contemporary child protection employees in Australia either have no affiliation with a professional body or simply have no professional body available with which to affiliate. The individual worker's sense of professional identity and feeling of solidarity with other workers who possess a common set of practice principles has therefore been dealt an extremely serious injury.

Second, the viability of an industrially based alternative common point of reference has been ruthlessly stifled in Australia. Despite unions having been able to achieve a continuing hegemony in the UK over the same period (Brake & Bailey, 1980:19), the same cannot be said for Australia. Here, governmental pressure in child protection

services across all Australian States has been vigorously and consciously directed at strengthening political control within bureaucracy. This has involved decreasing professional autonomy and constricting the power of the unions by limiting their access to the workplace and their capacity to organise (Hughes, 1998:19).

Third, many of the professionals have been drawn into an adoption of the aims and functions of managerialism, even if they have not adopted the rhetoric. Because career opportunity is now governed by measures of corporate identification rather than professional identification, compliance, conformity, and corporate loyalty, have become the main determinants of promotional opportunity. In a very real sense one is faced with a direct choice of either career or profession.

In the writer's observation this choice resulted in two main outcomes. In the first instance the professional has opted to embrace the rhetoric of managerialism and tried to retain some core of professional integrity, hoping that ultimately they might contribute to change as they achieve promotion. In the second instance the professional has adopted the practices of managerialism and tried to preserve the rhetoric of the profession. In both strategies, in the opinion and experience of the writer, the result has eroded the individual's professional integrity and continued damage to the profession itself. In the second scenario however the consequences are much worse. In this situation, the professional has engaged in a process of morally corrosive self-deception and compartmentalisation.

The result is that at an international level generally, and significantly in the Australian and Victorian context, child protection organisations have achieved hegemony over their professional staff. Accordingly, these employing organisations have established themselves as the sole arbiter of professional morality. These organisations now alone define what is good practice and what is acceptable professional behaviour. They alone define what is good for its clientele and provide no mechanisms of collegial review, challenge or debate on its definition of what constitutes acceptable or unacceptable practice. Neither do they provide any mechanisms free of hierarchical control for dealing with conflicts over issues of professional conscience or practice principles.

8.4 Proceduralisation Vs Professional Judgment

In line with this more proscriptive style of management and the requirement for compliance with corporate goals and directions, reliance by organisations on individual professional judgment has diminished markedly. In line with the more functionalist model of practice adopted in the various welfare service bureaucracies, professionals were no longer seen as skilled individual professionals capable of exercising discrete professional judgment in the face of complex and unique individual circumstances. They were seen as functionaries there to apply a coherent set of organisational rules and procedures that removed the need for individual professional judgment (Healy, 1998:84).

Across the welfare field these rules and procedures became increasingly formal and detailed in nature. This represented, on one level, the extrapolation of the positivistic, linear, applied technology approach of modern managerialism that seeks to closely constrain professional work. At another level, it represented an effort to compensate for the relatively deskilled and junior status of their workforces. Nowhere has this been more evident than in child protection services throughout the Western world. The ever increasing application of linear procedures has usurped professional judgment and had the compounding effect of robbing protective workers of a great deal of their professional confidence, thus making workers unhealthily dependent on supervisory direction. It was precisely this situation that was confirmed in Victoria in 1994, through a departmentally commissioned Workload Review. This report noted the problems attaching to increasing proceduralisation of protective work, and that there was an:

'... over-emphasis on procedures to the detriment of flexible casework practice. A result of this was adherence to standards regardless of the benefits to clients. There was also a belief that workers became bogged down with procedures to the detriment of effective client work' (HACS, 1995:36).

That is, ever increasingly proscriptive procedures had the detrimental outcome of workers being less able to effectively engage with their clients and less able to respond flexibly and appropriately to client needs. This view strongly echoed a 1993 British review finding that child protection services:

'...have become entrapped in a circle of increasingly tight rules and procedures linked to constant change at the lower levels of the organisation. This creates a climate of instability and anxiety, resulting in levels of stress and burnout. This has a totally

negative effect on decision making in the sort of high risk situations characteristic of child protection work. Organisations where the primary concern is the ensuring of conformity and predictability in staff, stifle creativity. Managers in these organisations generally believe that adherence to rules will ensure correct results.....whereas some workers often feel insecure and unconfident and retreat into routine application of the rules, taking great care to show that "the procedures have been followed". But since procedures are by their very nature limited and cannot cover every eventuality, the slavish following of procedures itself creates added risks. When procedures are slavishly followed and applied, they too can be part of the problem they were intending to solve.' (Stone, 1993:12).

The essential point is that proceduralisation cannot replace professional judgment (Hetherington, 1998b:9). In fact the greater the level of proceduralisation the more professional judgment and confidence is undermined (Katz, 1975:17) It is a self-defeating strategy that increasingly robs the organisation of its capacity to respond to individual needs and unique circumstances outside the organisation's prior experience (Howitt, 1992:182). Most often however, it is the perceived deficiencies of the workers themselves and the quality of their professional judgment that is criticised, rather than the organisation's recruitment, training, supervision and professional development practices.

Unfortunately, such organisations tend not to learn from these crises. The all too common response in such situations is for the organisation to increase the tightness and specificity of their procedures even further. This ensures only that the self-defeating erosion of professional judgment continues. The net result is that workers
'...feel themselves de-skilled and further demoralised by a system which is unstable and insecure about its role and function. It is therefore not surprising to find that the net result of all this is a child protection system which, not only fails to protect children, but actually adds to the problems of child abuse' (Stone, 1993:11)

8.5 Organisational Learning Vs Crisis Management

This inability for flexible and timely responses in interactions or interventions with clients has a number of repercussions for such organisations. In the first instance there is an immediate loss of confidence by clients, in the agency's integrity and intentions. From

the previous discussion on research into consumer expectations, openness and clarity are the characteristics considered essential. How does a client respond if they find themselves dealing with insecure, inexperienced, procedure reliant and supervisor dependent workers, who find difficulty in engaging appropriately with clients and difficulty in responding flexibly to the uniqueness of a client's personal situation? It seems likely to the writer that the client's view of the agency employing them might, quite understandably, be jaundiced.

By the same token a worker in such an agency might be likely to have a defensive view about their clients and their own practice. Being more attuned to the hegemony of the organisation, a worker's ability to critically appraise their practice and challenge their assumptions might be limited. Not being mindful of the need for professional hegemony, the worker would perhaps be less conscious of any erosion in practice standards by themselves or their peers and less likely to challenge any falling standards.

Defensive practice has in fact been readily observed in many child protection systems and is generally symptomatic of the adversarial approach that prevails, supported by defensively oriented managers. It is apparent that, despite statutory safeguards, the nature of modern managerialism creates and sustains enormous pressures within protective systems toward limiting information, advice, or advocacy to such families. As a result, many child protection interventions fail because parents view the professionals they encounter as dishonest, or even devious (Goddard, 1996:131).

Even if a worker's own practice was not defensive and the worker was able to engage client families strongly and respond appropriately to the uniqueness of their individual situations, blocks to this feedback will occur further up the line. There is therefore a limited capacity of the organisation to cope positively with expressions of professional autonomy or a questioning of procedure. Or indeed anything that is likely to impede the flow of efficient throughput. A narrow, linear focussed and procedure driven organisation will have a restricted capacity to cope with novel or unusual situations encountered by its front line troops. Such an organisation will have, by definition, a learning disability. Organisational learning only occurs through individuals that learn. Individual learning does not guarantee organisational learning, but without it no organisation can learn (Senge, 1990:139).

It is apparent that modern economic rationalism and its attendant managerial style is concerned with processes of power centralisation and decisional efficiency. By definition, if we use an analogy from physics, such organisation will tend toward internal entropy, with a correspondingly decreased capacity for adaptation to external change. This of course can be of relatively little consequence, if the external environment is stable. In the welfare field however, there are very few cosy niches and backwaters where client needs and problems are mundane and their individual circumstances predictable.

In child protection services workers face crucial dilemmas on a daily basis of whether to intervene or not intervene; and the costs of getting it wrong either way are enormous. It is a politicised field in the public mind and one that has been remarkable for the highly defensive approach of the statutory child protection services themselves, to the management of these issues.

'Social service management has to be concerned with keeping the lid on the powder keg of potential grievances, unhappiness and injustices experienced by both workers and clients. The statutory obligations have to get seen to at least minimally. If not then there must be no adverse publicity. How often is a tragedy such as a battered child blamed on an unqualified social worker? How often on an incompetent or unconcerned management?' (Garrett, 1980:211).

Therefore, with organisations that possess a basic insensitivity to the external environment such as this, coupled with a defensive reaction that seeks to deny, suppress, displace, or disown the problem, one can anticipate internal tensions to rise until crisis point is reached. Once this crisis point is achieved, convulsive action will occur and the crisis will be managed down. However, unlike the organisations insensitivity to the external environment, its high level of internal entropy make it extraordinarily sensitive to its own internal environment. Managers become highly sensitised to potential internal crises and to the proactive identification of sources of internal tension, so that quiescence can be enforced rapidly, and if necessary, ruthlessly.

Crisis management therefore becomes the norm in such entropic organisations. Problems are met with structural change, redefinition of function, redirection of resources,

emergency 'fix it' solutions, and knee jerk reactions. Each one being proclaimed as the one that will finally 'see an end to our problems'. However, crisis management ultimately becomes endemic to the organisation, and continues to be the primary model of adjusting to change (Basil & Cook, 1974:84).

This then, is largely the contemporary organisational context of Social Work within the child protection field both internationally and particularly so in Victoria. It is a context where forces of rationalism, corporatism and managerialism, have made it a volatile and testing time for practitioners and made the investigation of child sexual abuse a more complex and politically sensitive task than it already was. It is the organisation context that the writer entered in 1989 and which persisted unabated through the next eight years. It is the context in which the writer encountered case practice issues in child sexual abuse and which caused considerable cause for reflection on a number of levels.

9.1 The Field of Practice in Child Sexual Abuse Investigation

Although on an international basis Social Work is the principal educational background among child protection workers, there is commonly a variety of occupational groups and training backgrounds employed. This is now the situation within the Victorian system where psychology, welfare studies, youth work, community development, criminology, and a range of related qualifications are accepted, including those of less than degree standard (DHS, 1998:5).

Therefore, whilst the values, methods, and knowledge base of Social Work provide a consistent core to practice in child abuse investigation, as discussed previously, Social Work does not possess any real professional hegemony within the field as it did previously in the State welfare system. There are therefore tensions within the field and rather than seeing child protection as a specialist field within Social Work, there is a tendency to see child protection as a specialist field in itself, with a specialist knowledge base of its own. Within child protection again, the issue of child sexual abuse tends to be seen as a specialisation in itself, with its own particular theory and practice.

The course of development of this specialised area of knowledge in child sexual abuse therefore needs to be understood, before we are able to address any issues of practice, or the dilemmas involved in the protective investigation of child sexual abuse. The development of a coherent basis of theory and knowledge in child sexual abuse has not been an easy task. Until the last quarter of the twentieth century our understanding of its true nature, extent and effects has been extremely limited. In reality, we have tended to rely heavily on myth rather than established fact.

9.2 Myth and Reality in Child Sexual Abuse

Child sexual abuse, in the form of nuclear family incest, has been known throughout human history. It has been the subject of such strong and universal social taboos that the exceptions, such as recorded in Ancient Egypt nobility, Imperial Rome, Peruvian Inca rulers and Hawaiian royalty, have been all the more notable. What has in fact been most notable about these exceptions to the universal taboos surrounding incest is that they have all existed to serve the perpetuation of power, privilege and property amongst the

ruling elites of these societies (Renvoise, 1993:30). Because of the strong virtually universal nature of these incest taboos, intense secrecy has commonly surrounded its perpetration and there has been a continuing strong reluctance to see child sexual abuse as anything more than a seldom occurring aberration, best understood and treated as a matter of individual pathology.

In the later nineteenth century, Freud accurately identified symptoms of psychological distress in his adult patients as deriving from childhood experiences of sexual abuse. However these views were so repugnant to his colleagues that, faced with professional isolation, Freud modified his views. He subsequently created the myth of childhood fantasy as the basis of these recollections of abuse and this continued to colour professional perceptions for the greater part of the twentieth century. (Walker, 1988:5).

Similarly, the Kinsey Report in 1953 resorted to myth to explain the reported incidence of childhood sexual abuse experience. The report speculated on child seductiveness as a precipitant to such events, that these events were not likely to be intrinsically harmful, and that the reporting of negative effects could be seen as a result of socially conditioned beliefs about the experience. As such, the Kinsey Report considered that the experience of legal intervention was likely to be a more abusive experience than the actual sexual abuse experience itself (Goddard, 1996:153). The Kinsey Report thus ensured that myth continued to shape our approach to child sexual abuse for a further twenty years, until overtaken by other more general developments in the field of child abuse.

The origins of this change in fact lay in the discovery of the 'Battered Child Syndrome' by the medical profession in the 1960's (Howitt, 1992:19). This event dramatically focussed both professional and public consciousness. It provided not only a huge impetus to sustained research on child abuse by a range of professions, but also brought child abuse firmly into the public and political arenas. Child abuse reporting became legally mandated in many countries and a worldwide upsurge in reporting rates was experienced through the 1970's. Included in this upsurge in reporting rates came a significant proportion of sexual abuse notifications and an increasing media exposure and public awareness of the issue. Increasingly, adult survivors of child sexual abuse not only disclosed their stories publicly, but also sought redress through the criminal and civil

courts. It is a trend that has continued right throughout the course of the 1980's and 1990's and into the new millennium.

9.3 Prevalence and Impacts of Child Sexual Abuse

Interest therefore burgeoned from the 1970's onward, across a range of professions, and to led a rash of epidemiological studies aimed at establishing the prevalence levels of child sexual abuse. This in turn fueled the ever increasing public debate and controversy on the topic. Actual prevalence rates of child sexual abuse have of course varied according to the definitions of sexual abuse and the methodologies used. Accordingly, Finkelhor in 1984 estimated that the proportion of children in the United States who were exposed to some form of sexual abuse, was between 9% and 52% for females, and 3% and 9% for males. The research also showed that perpetrators of sexual abuse on children were most commonly male, whilst the victims were most commonly female (Tomison, 1995:2). Debate still continues as to the level of underreporting both of abuse by females and of abuse on males. This latter level of underreporting is highlighted by offenders in treatment programs who have admitted to an average of 150 victims, with some claiming to have abused hundreds of boys (Pence & Wilson, 1994:3)

The possibility of lower reporting rates amongst male victims has been attributed principally to two factors. First, when the abuse is more in the nature of molestation, it is often not seen as abuse but interpreted as mutual sex play by the victim. Second, when anal penetration occurs, the trauma to the victim's sense of male identity is such that the abuse is not reported, for fear that they will be ridiculed as a homosexual. This prevalence research has also been accompanied by a growing quantity of research on the long-term effects of childhood sexual abuse. This has been in an effort to establish the truth or otherwise on Kinseyan type views, that such abuse was unlikely to be intrinsically harmful (Walker, 1988:9).

Many clinicians had of course reported retrospective evidence from clinical samples, of the relationship between childhood sexual abuse and later psychological or social functioning. Increasingly, research with general populations who had never previously reported such abuse showed that childhood sexual abuse created a risk of mental health impairment some two to three times greater than for others in the population (Murray & Gough, 1991:12).

Previously noted gender differences in mental health morbidity were also thrown into a new light when it was demonstrated that the higher morbidity rates of women disappeared when the variable of prior sexual abuse history was controlled. That is, it was found that men and women suffer the same levels of depression, anxiety disorders, alcohol and drug abuse, sexual problems and suicidal behaviour, if their differential rates of childhood sexual abuse are discounted (Op Cit:13). By extrapolation, such findings have reinforced the view that psychopathology amongst sexual abuse victims, is two to three times greater than for others in the general population. By extrapolation also, it indicates that mental health pathology rates in the general population relating to childhood sexual abuse, could be estimated at between 33% and 44% (Ibid:13).

9.4 The Development of New Myths on Child Sexual Abuse

It was from this time in the early 1980's that something of the true extent and nature of child sexual abuse began to be recognised both professionally and publicly. At last, the full extent of the myths that pervaded our understanding of child sexual abuse began to be understood and were attacked by two groups in particular, the woman's movement and the child protection movement (Goddard, 1996:24). By the beginning of the 1980's these two interrelated movements had assumed an ideological leadership of the child protection field, and with the necessary vigorous efforts to dispel the previously held myths about child sexual abuse, came a new set of myths.

Research had for instance shown that children did not commonly recount false allegations of abuse. Their accounts or disclosures should therefore not be discounted out of hand on the basis of a theoretical proposition such as an 'Oedipal Fantasy' of the child. However, rather than this being framed as a rejoinder for professionals to take seriously and investigate thoroughly every allegation, the proposition was phrased in ideological terms that: *'children do not lie and must always be believed'* (Coleman, 1990:305).

There was thus a significant gap between what the most respected theorists were saying and what was actually being operationalised in front line practice. For instance, eminent theorists such as Suzanne Sgroi (1988:69) not only emphasised the importance of the investigative process in establishing the validity or credibility of child sexual abuse disclosures, but she even mapped out a clear and sound methodology. In practice

however, Sgroi's work was often subject to selective referencing by practitioners. This is best illustrated by the way in which her concluding comment on the usual lack of physical evidence in sexual abuse allegations, tended to be used. Sgroi commented that: *'Determining the validity of an allegation of child sexual abuse is first and foremost a matter of belief. You either believe the child's story or you do not'*, (Op Cit 1988 :69)

In practice, this comment tended to instead be taken as clear support for the ideological imperative to believe the child simply as an article of faith, rather than as a product of objective evidence. Through this ideology, with the claimed backing of an eminent theorist, any child disclosure no matter how tentative or inconsistent was vested with a status of an unchallengeable truth, thus obviating the need for further investigation. At a practice level within child protection services, this ideological commitment to belief in the child's disclosure, created a powerful disincentive to any critical scrutiny of the child's story and to any engagement of the alleged perpetrator. Such ideologically driven practices could only result in helping perpetuate the long established myth that children's disclosures of child sexual abuse could not be relied on. This situation will be graphically demonstrated by the case studies discussed in the following chapter of this thesis.

Similar to the myth of children lying, the myth of child seductiveness had to be discounted in order for responsibility to be properly placed with perpetrators, and such behaviour more accurately seen as an abuse of power. To this end, the historical analyses produced around the late 1970's and early 1980's, placed child sexual abuse firmly within a patriarchal system in which women and children are the property of their husbands or fathers (Bagley & King, 1990:26). However, when such structural propositions were linked with the net-widening definitions of what constituted sexual abuse, credibility of the ideological propositions that followed, became seriously strained. For instance, one definition of 'sexual violence' proposed was:

'Any physical, visual, verbal or sexual act that is experienced by the woman or girl, at the time or later as a threat, invasion or assault, that has the effect of hurting her or degrading her and/or takes away her ability to control intimate contact' (Kelly, 1988:41).

Such definitions effectively placed certain experiences, such as a perhaps tasteless but nonetheless relatively innocuous comment by an uncle on a pubescent niece's breast

development into the category of 'sexual violence'. A somewhat tasteless comment thus became virtually equated with rape. But by the same token, this definition also excluded sexual exploitation or victimisation as an objective situation, because it relied on the subject perceiving it as victimisation, before it could be defined as such. How many perpetrators of sexual abuse in fact rely on their victims seeing themselves as being in a loving relationship? Definitions such as the above, therefore did no service whatsoever to public understanding and acceptance of the true levels of child abuse in society. In fact many of the ideologically based themes about gender and power that became prevalent within the child protection field during the 1980's provided a vehicle for some plainly misanthropic ideas and was part of the engine room for some devastating errors in this period (Howitt, 1992:29).

Just as a biologically based ideology had gripped sections of the child welfare field in the 1970's and led to inappropriate decisions of family reunification, so in the 1980's a misanthropic ideology gained some currency in child protection. This was a significant precondition to the child sexual abuse investigation scandals that occurred in the latter half of the 1980's. In O'Hagen's view the Cleveland scandal in some respects:

'...demonstrated the disastrous and inevitable consequences of a half-baked child sexual-abuse strategy clearly based upon extreme feminist views' (O'Hagen, 1989:98).

One such idea that gained currency in the child protection field was that as men were the most frequent abusers of children, then men should not be involved in sexual abuse disclosure work, as this would further traumatise the child. This particular issue will be addressed in detail in chapter 11 of this thesis. At this stage it is sufficient to note that the idea was not based on any research or clinical observation, but was simply an ideological proposition with some instant appeal.

A further proposition that gained an ideological hold on the field during the 1980's was an extension of the wholly reasonable proposition that offenders should take responsibility for their actions. The extension to this proposition was that unless offenders accepted responsibility for their actions, and undertook perpetrator counselling, children would not be returned home. The problem of this proposition lay simply in its practical application. Imbued with this proposition as a principle of caseplanning, protective services began to subsume, and even exceed the prerogative of the courts,

through the caseplanning process. Guilt of perpetrators became prone to acceptance by protective workers simply on the untested assertion of the child, even when rejected by a court on clear evidentiary grounds. This situation will again be illustrated in the following case studies of chapter 10.

Even if a child withdrew an abuse disclosure, this was prone to be regarded only as proof of abuse, as retraction had been identified as a frequent symptom of enmeshed and collusive families (Summit, 1983:188). The problem then became tautological. Rather than establishing the enmeshed and collusive nature of a family through an assessment process, the child's retraction could simply be cited as proof of family enmeshment and collusion. The need for engagement with the alleged abuser and family could thus be avoided on the premise that to do otherwise, was to not believe the child. Such an approach was often implicitly supported by agency guidelines with reference material citing a range of reasons why a child might retract a disclosure. None of these reasons ever cited was that the allegation was false (Howitt, 1992:95).

However, part of the receptiveness of child protection services to these ideologically blinkered approaches during the 1980's was not simply a function of a misanthropic radicalism. It was quite clearly also a product of the sheer pressures of throughput on mostly undifferentiated child protection services that accorded no structural or functional specialisation to the investigation of child sexual abuse. Although child sexual abuse is a more complex, difficult and time consuming matter to investigate and substantiate properly, it has in most protective services been subject to exactly the same resource base and throughput demands as the other forms of maltreatment. In the final analysis, the investigation of child sexual abuse means interviewing all parties, often more than once, and requires skillful analysis of what is often a highly complex web of facts and information. (Pence & Wilson, 1994:5).

These unrelenting throughput demands therefore created an action imperative in child sexual abuse investigation that was completely unmatched by the specialist knowledge and dedicated resources available. This situation was further exacerbated by the new managerialism that existed and a hyper-zealousness was created in many services. As night follows day, this inevitably created a greater tendency toward error (Howitt,

1992:52). It is an error tendency that has unfortunately remained strong during the course of the 1990's.

9.5 The Development of Contextual Theory in Child Sexual Abuse.

Despite the ideological fervor and unremitting pressures of throughput that gripped child protection services in the 1980's, it was also a time of significant growth in the theoretical base of the field, both in terms of specialist knowledge and its integration with wider theory. Originally, the theoretical perspectives underlying much of the work in this area had focussed on the pathology of the extrafamilial perpetrator and the pathological effects of the abuse on the victim. However, with the appreciation of the true extent of child sexual abuse as predominantly an intrafamilial phenomenon and an act predominantly perpetrated by males, the focus was forced from individual psychopathology on to socialisation issues.

David Finkelhor for instance in 1984 hypothesised that lesser rates of sexual abuse by women could be explained by women being socialised to choose partners who are older, more powerful and more dominant than themselves. Women are also more likely to be socialised into not initiating sexual relationships. Finkelhor also speculated that as sexual activity appears to be more integral to male than female self esteem, then women are less likely to turn to children for sexual gratification if conventional adult sex is unavailable. He also proposed, in an application of Bowlby's theory of attachment, that the commonly more intensive female involvement in child rearing facilitated a higher level of mother-child bonding when compared to father-child bonding. Finkelhor therefore postulated that a higher level of parent-child bonding was less compatible with intrusive or exploitative sexual behaviour (Schetky & Green, 1988:129).

Stimulated by Finkelhor's propositions on the relationship of male socialisation and deprivation of nurturing experience to child sexual abuse, some sophisticated research was undertaken in 1986 in the United States that gave direct support to Finkelhor's ideas. The research established a direct correlation between abuse and father figure absence in the first three years and a direct correlation between abuse and non-involvement in early nurturing. Additionally, the use of control groups also showed the reverse. That is, when fathers are actively involved in early nurturing, it strengthens father-daughter attachment and provides a powerful prohibition to abuse (O'Hagen, 1989:108). As such research

continued to bring forth findings in relation to child sexual abuse issues, so Finkelhor continued to expand his theoretic framework on the relationship between child sexual abuse and gender socialisation. He subsequently posited three aspects of gender disparity in the socialisation process.

First, he referred to the sexualisation of emotional expression, in which men have difficulty in distinguishing between affection occurring within a sexual context and non-sexual affection. This he attributes to young boys being encouraged to repress rather than express emotional hurt, not to cry and to be independent. Opportunities for emotional fulfillment therefore tend to become more available after childhood, and within sexual relationships, so it is little wonder that men experience greater difficulty with sexual relationship boundaries (Murray & Gough, 1991:14).

Second, he posited the sexualisation of subordination. Men are encouraged to seek sexual partners from among those who are younger, smaller, and less powerful. Conversely, we raise women to seek partners who are older, larger and more powerful. This creates difficulty both for men not only in the sexualisation of relationships with children, but also in other power relationships. Men are more likely to sexualise their relationships with patients when they are doctors, clients when they are therapists, and secretaries when they are bosses (Op Cit:14).

Third, Finkelhor considered that a lack of male involvement in early nurturing is likely to lead to difficulties in empathy with children. Whereas involvement in infant care would be more likely to 'inoculate' males against finding their children sexually attractive. This view seemed to be given strong support by research findings that showed step-fathers who were not involved in the care of children at that earlier age, were more likely to become sexually involved with their children (Ibid:15).

Finkelhor and Browne in 1986 also proposed a model to explain the traumatic effects of sexual abuse, and identified four 'traumagenic' factors. First, 'traumatic sexualisation', where the child learns to use sexual behaviour to meet a variety of non-sexual needs. Second, 'powerlessness', where the child's inability to stop the abuse leads to fear and anxiety. Third 'stigmatisation', where the child victim feels shame, guilt, low self esteem, and a sense of being damaged. Fourth, 'betrayal', where cruelty and disregard by

the abuser lead to the victim's feelings of disillusionment, hostility, anger and distrust (Schetky & Green, 1988:49).

However, Finkelhor and Brown (1985) did not differentiate between acute and chronic stressors in their model. Without a time perspective to the traumagenic model, it lacked real capacity to explain differences in the development of immediate and long-term sequelae. (Op Cit:49). Although this temporal perspective was later included, the field in practice still lagged in its capacity to differentiate between preferential offenders and situational offenders in child sexual abuse, and how this might impact at a caseplanning level, on questions of family reunification and permanency planning (Tomison, 1995:3).

A second eminent theorist of the 1980's, Suzanne Sgroi, integrated feminist concepts of power with her extensive clinical experience to develop a more comprehensive theoretic framework on the process of sexual abuse. Sgroi also drew on the previous work of such people as Roland Summit who in 1983 had explicated the 'Child Sexual Abuse Accommodation Syndrome'. In this syndrome Summit identified five phases of the child sexual abuse process, secrecy, helplessness, entrapment and accommodation, delayed conflicted and unconvincing disclosure, and retraction (Summit, 1983:181).

Sgroi further defined the dynamics of the child sexual abuse process and the sequential phases of: engagement of the victim by the abuser, sexual interaction with the victim, secrecy of the ongoing abuse, disclosure of the abuse by the victim, and suppression of the disclosure by the abuser exercising pressure on the victim. Similar to Finkelhor, Sgroi saw sexual activity with children as the sexualising of non-sexual needs.

Research of the 1970's and 80's also began to show the ineffectiveness of traditional psychodynamic approaches to treatment of perpetrators of child abuse. Treatment interventions that seemed to meet the greatest success were those that focussed on the interactions involved in the generation of abuse, either from an abuser, victim, or other-parent perspective. That is, it was self-help, lay therapy, and group education programs that were seen to demonstrate improvements in individual self-esteem, parent-child interaction, and family functioning (Pardeck, 1989:3).

Such research therefore assisted the development of family systems theory, which sought to focus the way in which family dynamics contributed to the actualising of abuse. The failure of this approach to examine power issues and its potential for blaming the victim saw it subject to significant criticism and opposition by feminist theorists (Tomison & Wise, 1999:2). These criticisms were largely countered by social structural aspects being incorporated into an ecological approach, which accounted for a confluence of variables, from individual and familial, to social, structural and cultural.

9.6 Practice Dilemmas in Child Sexual Abuse Investigation

This elaboration of theory relating to child sexual abuse investigation, while providing valuable assistance to professionals in the field, does not diminish the degree to which practice dilemmas are endemic to the field. One of the most common expressions that protective workers give vent to is that, *'you are damned if you do, and damned if don't.'* It is a saying that accurately captures the essence of the practice dilemmas that confront workers on a daily basis. Do we respond to a notification, or take no action? Where is the dividing line between substantiation and non-substantiation of an allegation? Do we initiate court action or do we not? Do we release a child home or do we retain in care? Do we plan for family reunification or do we plan for permanent care? Often such decisions are knife-edge affairs. Often, particularly early in the intervention process, decisions must be taken with limited evidence (Goddard, 1988:41).

Frequently, protective workers are required to make literally life or death decisions, and required to make them promptly. The consequences for mistake can therefore be enormous. Fail to act and a child's life may be at risk. Act too promptly with too little evidence and the intervention may legally founder, leaving the child still at risk (Hetherington, 1998:5).

For those involved in child sexual abuse investigation though, the stakes are even higher. It is notoriously difficult to gain clear, incontrovertible evidence of sexual abuse. Molestation does not leave fingerprints. Even some levels of penetration leave no physical evidence. If we fail to intervene, do we condemn the child to continuing depredation and exploitation? If we intervene with too little evidence, do we do the same thing when the case fails? But by the same token, if we do act with too little evidence, are we destroying an innocent family?

These larger dilemmas and a host of step-by-step dilemmas are confronted at every stage of the investigatory and intervention process. It is an inherently stressful occupation with high uncertainty and significant risks of mistake, organisational censure, professional failure, media scrutiny and public scorn.

Child sexual abuse is such a highly emotive issue and the field so uncertain that ideology becomes attractive as a means of finding certainty. It is much more comforting to believe and be certain than to confront your uncertainty. There is a strong potential for myths either new or old to influence our decisions rather than our knowledge and practice principles. This is particularly so when one considers the common context of lessened professional hegemony, rationalist managerialism, unrelenting throughput demands and the imperatives for action that this entails.

9.7 Implications for Reflective Practice and Organisational Learning

The fact that practice in child sexual abuse investigation may be to some extent influenced by myth can only serve to increase the potential for error and to prevent organisations from learning from their mistakes. In Schon's words,

'When the situation is uncertain, vague, or ambiguous and the inquirer's understandings are internally inconsistent or incongruent, then it is difficult and may be impossible to correct one's errors' (Schon, 1974:305).

Ideological certainty therefore increases the potential for error at the practice level, but it also serves organisational needs by allowing rapid decision-making. Ideologically driven interventions are ultimately antithetical to an organisation's needs for environmental adaptation and organisational learning and because reflective practice identifies novelty and uniqueness in client situations, it is a valuable tool for identifying problems of fit in service delivery. The paradox is that whilst reflective practitioners are best equipped and best situated to detect problems of fit in service delivery, they also pose a danger to decisional processes and to the stable system of rules and procedures operating within an organisation (Op Cit:328). Reflective practitioners are thus likely to attract negative scrutiny in an organisation with highly centralised decisional processes and span of control.

'...concern with control and even punishment is a predictable feature of management in some bureaucracies. The cosmopolitan practitioner and leader who responds to uncertainty by encouraging creativity and some degree of autonomy is usually outnumbered by bureaucratic personality preoccupied with order. That conformist fears the unknown, defends territories, hierarchies and status. The prospect of challenge and innovation re-awakens their innate tendency to smother the unfamiliar at birth' (Rees, 1991:100).

Bureaucracies will tend to resist professionals exercising reflective practice unless special mechanisms are present to support it. Such mechanisms are unfortunately not prevalent within protective services. There are of course common organisational commitments across the globe to inservice training and skill development for protective staff, in order to build specialist knowledge onto their basic professional qualifications. However there is a large element of organisational priority that determines the content of such courses, and the constraints of time often make that content formulaic. Under such circumstances it could almost be guaranteed that in some respects such in-service courses served ideological purposes.

Protective organisations are also commonly committed to processes of formal and informal supervision; but as the supervisory processes are commonly inseparable to the organisational hierarchy they also serve organisational purposes. Much supervisory practice is in reality geared toward administrative and procedural compliance and meeting throughput demand, as opposed to encouraging professional creativity, autonomy and growth.

Organisations also commonly encourage contribution of staff to professional conferences, but it is less commonly front-line staff where there is little freedom from onerous day-to-day workloads to reflect on practice and formulate new ideas. Contributions are more likely to be from senior staff steeped in the organisation's culture and ideology. Organisations do not encourage challenges to orthodoxy. Little encouragement is given to debate and diversity of opinion in contemporary functionalist organisations. Little support is apparent to the accepted academic traditions of intellectual inquiry and organisations are more concerned with ensuring a coherent and uniform organisational view. To this end it is common for organisations to actively seek

out and vet any proposed or invited conference paper by a staff member, to ensure that it conforms with the organisations ideas of what is appropriate. Organisations naturally seek to minimise criticism of their performance and seek to maximise awareness of their achievements.

Criticism of performance is however not entirely avoidable as the dilemmas of the field will inevitably result in disastrous decisions. Public scandals need to be politically contained and so those most sensitive cases, such as child deaths, will be subject to intense review and analysis through formal child death inquiries. Ultimately, such worse case scenarios only result in an increasing proceduralisation of work and defensive practice, which is antithetical to individual professional judgment and reflective practice.

Review of less-than-worst-case scenarios that do occur, happen within the hierarchically controlled supervisory process and therefore offers little refuge from the corporate line or from the conventional wisdom of the organisational culture. Review precipitated through external complaint, such as an Ombudsman inquiry or Ministerial complaint, is also similarly subject to hierarchical control. Management has a vested interest in keeping the lid on the powder keg of potential grievances, unhappiness and injustices experienced by both workers and clients (Garrett, 1980:211). Such complaint systems are therefore likely to be defensively oriented and attract the criticism that *'Caesar investigates Caesar and finds no fault.'*

Similarly, little if any practice reviews that seek the views of their service consumers are conducted by or commissioned by protective services organisations. Child protection organisations unfortunately seem locked into antagonistic and adversarial relationships with its clientele. The research that is done is by academic institutions often involves considerable difficulty in gaining access to client groups. The views of consumers are however sometimes far from flattering, and this can include pungently critical views of children, the very ones in whose best interests we profess to be acting. As indicated previously, many protective services clients and families regard the professional they encounter as dishonest or even devious (Goddard, 1996:131). It is unfortunate indeed that such views are met with a similar defensive antagonism from protective organisations, rather than being fodder for organisational learning.

In total, whilst protective services may provide some outward acknowledgment of the need for their practitioners to grow in knowledge and competence, the supports and resources existing, do not fit the bill. It is one thing to acknowledge or even profess something, it is entirely another matter to operationalise it and ensure that reality matches rhetoric. Currently existing structures and processes within child protection services are therefore generally insufficient to guarantee in any consistent way the promotion of either reflective practice or organisational learning.

These issues of reflective practice and organisational learning will be explored further in subsequent chapters, and will be based on seven case studies, each of which were chosen simply because they provided specific insights into these processes. These seven insight stimulating cases are presented and discussed in the following chapter.

10.1 CASE A: *If I Don't Tell You, Will You Still Protect Me?*

Norah was seven years old and lived with her mother Faye aged 34 and stepfather Rob also aged 34. Faye had been increasingly worried by Norah's episodic nightmares, bedwetting, disruptive school behaviour and tantrums. Visits to the local doctor had resulted in referral to a pediatrician and clear evidence of sexual penetration had subsequently been found.

Protective notification was then made and the writer was assigned to investigate. The issue was then immediately discussed with the police and agreement reached that the protective investigation would proceed further, before making detailed arrangements on a formal joint interview with the police. The writer felt some initial concerns as to the possible role of the stepfather and the possible need for immediate apprehension to ensure protection of the child, but in subsequent supervisory discussion it was agreed that it was best to keep an open mind and not act pre-emptively.

It was decided that the writer should call and see the mother prior to Norah coming home from school and while the stepfather was at work. This was in order to first observe the mother-child interaction without the presence of the stepfather, to collect more background information and to assess immediate risk.

This was then done, and Faye advised that she had been separated from her husband Garry, aged 32, for two years, and had been living with Rob for the last year. Garry had since remarried and now had a one year old son. After further questioning about Norah's daily patterns, it seemed clear that Garry and Rob were the only two males who had any consistent access to Norah. Faye's relationship breakup with Garry had been acrimonious and through a Family Court action, he had won fortnightly overnight access about twelve months previously, after a twelve-month period of no access. This resumption of access had co-incidentally been about the same time that Rob had moved in with Faye and Norah. Details were gained from the mother as to Norah's class teacher, local doctor, pediatrician, occasional day care minder and the educational psychologist who had seen her at school.

Faye was then asked to try and map out when Norah's episodes of acting out and sleep disturbance were worst. She nominated the last couple of dates involving nightmares and bed-wetting and these were matched with the dates of her visits with Norah to the local doctor. Faye was then asked to cross reference these dates to anything else she could think of that was happening at that time.

It seemed to genuinely come as a revelation to Faye, that on review, the dates of Norah's behavioural disturbances matched tightly with the dates of her overnight accesses with Garry. Faye then became agitated and said that it had always disconcerted her, the way Garry had always been physically over-affectionate to Norah, always pampering her, calling her pet names and buying her expensive soft toys. Faye had until then just put this down to Garry just trying to make up for only seeing her once a fortnight.

But Faye then said that when she thought about it, she realised Garry had always been like that. Faye then recounted that when they were married, she had also felt some concerns that Garry tended to display himself naked inappropriately to Norah. Faye recounted one particular episode where she had entered the bedroom to find Garry, who was supposed to be changing his clothes, standing naked in front of Norah's cot. Norah was at the time less than 18 months old. Garry was allowing Norah to playfully smack his penis and watch it sway. Faye said she had immediately told Garry she considered the behaviour inappropriate, but he had simply laughed it off and then got dressed. Faye also commented that she felt Garry had a streak of vanity that encouraged Norah in physically over-affectionate displays toward him.

The protective issues were then been discussed with Faye. It was pointed out that whilst clear concerns had emerged about Garry, Rob nonetheless had greater access and opportunity to abuse Norah, and Faye therefore had to ensure that Rob did not seek, or allow himself to have time alone with Norah until further notice. It was put to Faye that this was not only in order to protect Norah, but also to protect Rob himself from suspicion or the opportunity for accusation against him. Faye promised to be vigilant in ensuring this, even though she had no suspicions of Rob.

When Norah returned home from school, Faye introduced the writer as suggested earlier, simply as a visitor. Time was taken to engage with Norah, look at her schoolwork

together with Faye, and discuss the day's events, before eventually leaving. On returning to the office the issues were discussed in supervision. It was decided to keep an open mind on both Garry and Rob. The spotlight was on Garry but Faye could be seen as having an axe to grind after their acrimonious marriage breakup. Rob on the other hand had far greater access and opportunity for sexually abusing Norah as both he and Faye worked staggered hours. However in view of Faye's willingness to ensure that Rob did not have the opportunity for time alone with Norah, it was considered that there was no need to panic and seek protective custody for Norah.

The next day, the work began of interviewing those having direct contact with Norah. The local doctor confirmed the dates of appointments and also expressed the increasing concern he had held about the indicators of possible sexual abuse. The pediatrician confirmed that not only was there clear medical evidence of recent penetration, but that Norah's presentation showed genital self-awareness. During examination, Norah had in the pediatrician's words, *'assumed a sexually receptive pose'* and had assisted examination by parting her labia.

The class teacher revealed that Norah had frequently touched boys sexually and also displayed herself sexually during class and in the school grounds. When asked about the pattern to Norah's behaviour, the teacher had felt that it seemed to be cyclical on a fortnightly basis, strengthening at the start then waning as the fortnight progressed. The educational psychologist confirmed the same concerns about Norah's precocious sexual interests and that she had discussed the formal notification with the school. The occasional minder was even more definite that the difference in behaviour between alternate weeks was striking.

In eliciting this information about Norah's behavioural pattern from these witnesses, care had been taken to not apprise them of what others had said and it was apparent that they had not already discussed it amongst themselves. It was therefore considered that their views were uncontaminated and could accordingly be given strong weight. The occasional minder also expressed concern that only recently, Norah had remarked to her that: *'When Daddy and me sleep together, we don't wear pajamas'*.

With this corroborating evidence on Norah's pattern of behavioural disturbance, Garry was now firmly in the frame. It was therefore decided in supervision that Faye should seek immediate suspension of Garry's access through the Family Court, while at the same time a protection application by notice was issued, for hearing in the Children's Court. In the meantime Garry would be told of the concerns about Norah's behaviour, of the medical evidence confirming abuse, and be requested to voluntarily cease access while the protective investigation continued.

Garry was consequently interviewed, but was immediately furious about the encroachment on his rights and the accusations implied against him. He failed to express concern for Norah and disputed that the medical evidence could be correct. He was instead fixed on seeking legal redress for himself. He subsequently made threats to Faye of contempt proceedings in the Family Court, if access did not go ahead as planned.

Events to date were reviewed again in supervision and the supervisor strongly agreed that Garry's self-focus and lack of empathy for Norah, had been striking, and served to focus the spotlight more strongly on him. In consultation with the police it was then decided that a formal disclosure interview should now take place. By this time Norah had become quite comfortable in my presence and I therefore told her what my everyday job was. I told her that I was as a 'child protector' and that I had really come to see her because the doctor had told me that someone had hurt her. I told Norah that I was very good at my job, and would make sure that she would not be hurt any more. I gave her advance notice that myself and a good friend from the police would be wanting to talk more with her in a couple of days time.

The next day, the school advised that Norah had that morning announced to her class that she had her own protector and that he would protect her from her daddy. However, at the subsequent videotaped police disclosure interview a couple of days later, Norah made no allegations or agreement that she has been hurt in any way by anybody. The interviewing police officer eventually gave up and asked the writer if he wished to try. I asked Norah if she wanted to tell me who had hurt her, so we could make sure we could protect her. Norah looked at me earnestly and asked: *'If I don't tell, will you still protect me?'*

When I confirmed that I would indeed do this, Norah then said that she has nothing more to say. Given Norah's statement to her class, I was left with the indelible impression that her failure to disclose was a deliberate act that successfully served two purposes. She had both ensured her own protection, but not at the cost of police action against her father. Norah's failure to disclose was therefore not taken as an indication of her father's innocence.

In subsequent supervisory discussion it was decided that in view of Garry's intransigence, and Norah's refusal to disclose, the prosecution of the protection order would need to be carefully planned and executed. All the specialists interviewed were therefore asked to prepare formal reports for the court, but rather than submitting them direct to the court, to submit them through the writer. By this means all aspects of the evidence were to be co-ordinated, cross-referenced in the protection report and appended as part of one consolidated report.

Adjournment of the hearing was then sought in order for this to be done properly. At the court prior to the adjournment hearing, the writer was approached by Garry in company with his new wife, Jessica. She upbraided me for the action that had been taken on such flimsy evidence. It was apparent that Jessica was unaware of the unequivocal medical evidence and I therefore apprised of this. She was mortified and upbraided Garry for having kept this fact from her.

The requested adjournment was subsequently granted and a detailed prosecution plan was then discussed and decided on, in consultation with the barrister representing the department. Despite the protection application being vigorously contested by Garry in a five-day hearing, the protection application succeeded. Norah was placed on a supervision order in Faye's care, with no access provision for Garry.

As a postscript, three years later the writer was rung by Faye, to inform me she had just found out that Garry's second marriage had dissolved, amid allegations of sexual abuse against his now four year old son.

10.2 Insights Gained from Case A

As with all the cases to be cited in this thesis, the aim with Norah's case was to gather information, create a case specific theory that would constitute a satisfying explanation of the total circumstance and would accordingly guide intervention. In doing so each case yielded insights that were integral to the forming of the case specific theory, but which also served as prisms through which to examine subsequent cases. These concepts were used in conjunction with other concepts gained from the substantive literature and in discourse with colleagues. Gradually a modeling process took place in which the various insights were placed in relationship to each other to ultimately form a process model of child sexual abuse validation that will be detailed in chapter twelve.

With Norah's case, investigation revealed a number of insights that were integral to the validation process. The initial factors coming to attention related to Norah's functional disturbance, her behaviours of bed-wetting, nightmares and tantrums, which aroused suspicion of possible sexual abuse. This was confirmed by medical evidence, but a new concept of evidence contextual to the medical examination was gleaned from the comments of the pediatrician who indicated that Norah had 'assumed a sexually receptive pose' when examined and had assisted in parting her labia.

Further evidence of Norah's sexually explicit language and behaviour soon emerged to confirm concepts from the literature, but her spontaneous comments about her and daddy not wearing pajamas, seemed to indicate an aspect of naivety not specifically touched on in the literature. Opportunity of the abuser also presented as a vexing question early in the investigation, with both father and stepfather being under suspicion. Ultimately the temporal relationship between Norah's behavioural problems and the access visits with her father showed that abuse opportunity was consistent with the external facts as well as the prior behaviour of her father.

What came through clearest of all was that validation of sexual abuse was not in this case dependent on a direct disclosure by the child, despite the strong emphasis of the literature and preoccupation within the organisation on the disclosure process. Norah's case thus provided an initial template of the validation process deriving from a coherent interrelationship of factors relating to symbolic behaviour, spontaneous comments, direct and contextual medical evidence, logical consistency, and abuse opportunity.

10.3 CASE B: *Don't You Believe The Child?*

Kylie was a newborn baby of a relationship of some 18 months standing, between Jack aged 43 and Julie aged 32. Both Jack and Julie had children of previous marriages, with Jack's three children all being late teenage and beyond, and all of whom lived independently. Julie's three other children, Reg aged 14, Kristie aged 10 and Jenny aged 8, had all exhibited long-standing and significant behavioural problems, with Reg having a derisory and predatory attitude to women, even though only 14. Kristie and Jenny were inveterate runaways, frequently being apprehended by police riding trains. Reg was subject to a supervision order and living in a departmental youth accommodation unit. Kristie and Jenny were on guardianship orders and were in foster care

Shortly before Kylie's birth, a notification had been initiated within the department, that Kylie was at risk of being sexually abused by her father, Jack. A couple of weeks after Kylie's birth, the case was co-allocated to the writer and a male colleague. A case conference was then convened which the co-workers attended. The case was considered to be high priority. Julie's older daughters, Kristie and Jenny, had made formal police statements disclosing sexual abuse by their stepfather, Jack, who had a criminal history for weapon carrying. Jack was also thought to be a brother of a well-known pedophile.

Although the writer and his co-worker had not had the opportunity to be briefed fully on the family background and circumstances, nor had the opportunity to sight the police statements by the sisters, we were nonetheless assured that the police statements were '*graphic and unequivocal*'. We were also advised that medical examination of the sisters had revealed they had been victims to '*long standing sexual penetration*' and that the mother's inability to protect her daughters from such sexual abuse was well established and would without doubt also apply to Kylie.

Authority to proceed by immediate apprehension of baby Kylie was therefore issued. It was decided that the co-workers would apprehend the baby immediately, while her father Jack was absent interstate as a truck driver. The plan was to place Kylie in safe custody then a guardianship order would be sought, with the intention of permanently removing Kylie from her mother's care.

On attending Julie's house she informed my co-worker and myself, that the police had already investigated the accusation by her daughters against Jack and they had consequently cleared him. She stated that she believed the girls' statement to be mischievous and motivated by the fact that Jack *'made them behave and made them eat their vegies'*. The writer and his colleague therefore decided not to apprehend as directed before we had checked out this new information. We accordingly went to the police station and read the children's statements against Jack. We both decided that the girls' statements indicated problems of possible contamination between them. Also, only digital abuse had been alleged against Jack and this did not explain the long-standing severity of penetration that had been substantiated by medical examination. Nor did Jack's relatively recent arrival in the household match the long-standing nature of the abuse evidenced.

On returning, my colleague and I were castigated by our supervisor for not having apprehended the child as directed. We raised our doubts on possible contamination of the disclosures between the sisters, on the inconsistency of the medical evidence with the disclosures and the possible ill feeling of the girls toward Jack as a new source of discipline in the home. The supervisor however considered that the similar statements were simply indicative of the *'modus operandi'* of the abuser and not of contamination. She considered that the incongruent medical evidence was explained by the fact that children frequently have experience more than one episode of abuse and that more may later be disclosed about Jack. In relation to the possible antagonistic motivation for a false disclosure, the supervisor simply asked: *'Don't you believe the child?'* As far as she was concerned the children had both made clear and unambiguous disclosures and had the right to be believed.

The supervisor then stated she considered that in all probability Jack was a serial pedophile, who moved in on vulnerable women in order to gain access to their children. She then categorically stated that she was not going to risk the baby *'spending one more night under the same roof as that man'*, then arranged for fresh authorisation to be issued for apprehension of the child before Jack returned from interstate. The supervisor also stated that she would discuss with the police herself, the matter of the supposed dropping of charges against Jack.

My colleague and I reluctantly executed the apprehension of Kylie the next day and placed her in safe custody with a foster family, without any access provisions to her parents. Jack and Julie immediately appealed to the Supreme Court and on hearing the matter the Judge voiced some reluctance in confirming the order, but ordered that the mother be given twenty hours access per week so as to ensure the continuance of bonding between mother and child. The supervisor was incensed at this decision and voiced an inclination to lodge a formal complaint against the Judge. She was dissuaded from this course of action by the departmental barrister.

The Protection Application was eventually listed for contest some months down the track. In preparing the protection application report, my colleague and I were instructed by our supervisor not to interview the alleged abuser, as the matter was '*sub-judice*' because the police had now referred the matter of the sisters disclosure to the Director of Public Prosecutions for opinion. We were also instructed not to prepare a family assessment of the relationship between Julie and Jack. Our request to interview Julie's three children was declined by the supervisor, on the grounds that it would be abusive for the children to be subject to more interviews.

In preparing the initial court report we found that Jack's vaunted criminal record consisted only of a minor theft at age nineteen, plus an innocuous weapon carrying offence. This had also occurred many years before. It had apparently involved only the possession of a fishing knife and had been dealt with by an obviously nominal fine. Jack's imputed pedophile link was proven to be non-existent. He just by coincidence happened to share the same quite common surname with a known pedophile.

We also discovered that in the intervening period since apprehending baby Kylie, all three of Julie's other children had made further police statements disclosing sexual abuse several years before by their natural father. On checking with our supervisor we found that she already knew of these disclosures, but had not passed the information onto us because she did not consider it particularly relevant.

At the hearing of the protection application a couple of months on, the foster care agency worker produced a recently gained tape recording of a further '*disclosure*' she has gained from Jenny and Kristie. My colleague and I had no prior knowledge of the plan to submit

this evidence, which had apparently been gained at the instigation of our supervisor. The tape was played to the court and it consisted of the girls giggling and saying in unison into the tape, '*Jack did a fuck with us*'. It was a disclosure of virtually no evidentiary worth.

After a part hearing of the protection application, the magistrate expressed displeasure that there has been no completion of a family assessment. The matter was then adjourned for two further months to enable the preparation of a full family assessment by the co-workers.

Further information was therefore now able to be gained from Julie and Jack, and direct observation be made of their personal interaction and relationship. Observation was also able to be made of the parental interactions in the virtual daily access visits with baby Kylie that my colleague and I continued to supervise. A more complete understanding of relevant background and relationship factors was therefore now able to be gained.

Julie had been a sexual victim since about the age of twelve and had experienced a series of exploitative and abusive relationships until she met Jack. Julie had separated from the father of her three children some three years previously because of long-term emotional abuse, but the precipitating cause was an accusation that he had molested a three year old niece.

After knowing each other a few months, Jack had joined Julie in her home and the two girls were at that time still at home and under a departmental supervision order. Jack began to exert some disciplinary influence over Kristie and Jenny. Reg had only just moved out of home to a youth hostel, but had been fairly accepting of his mother's relationship with Jack. The girls had however not been accepting of their mother's relationship with Jack or Jack's role in their lives. Less than six months after Jack joined the household, the sisters had again been apprehended after running away. Their supervision order had then been breached. They were subsequently put on a guardianship order and placed in foster care through a local voluntary agency.

Whilst in care, the foster parents had become concerned over the highly sexualised behaviours of the girls and a medical examination was arranged. The examination

showed clear evidenced that both girls had been subject to long-standing but not recent penetration. The agency worker had suspicions as to the stepfather Jack's attitude to females. She cited as evidence of this, that he had once wolf-whistled her prior to a caseplan meeting that Jack had attended with Julie. After the medical examination the agency worker had on her own initiative then questioned the girls as to who was responsible for their abuse. They agreed that it was Jack and subsequently made their police statements.

In these statements, Kristie and Jenny recounted separate but identical episodes of digital abuse by Jack, in the upstairs bedroom of Jack's parents house across town. Both girls said that he had shown them a pornographic video of two people in a shower together, prior to molesting them. Some two months after this disclosure against Jack, both girls spontaneously disclosed sexual abuse by their natural father, several years previously. They subsequently made full police statements, graphically describing separate incidents of full penetration by their father, when their mother was absent from the house. Reg also made a statement describing anal penetration by his father. This had first occurred when Reg was aged four and his mother was in hospital giving birth to Kristie.

During the adjournment period, the Director of Public Prosecutions finally advised that Jack would not be prosecuted on the basis of the disclosures by the sisters. The police then also advised the writer that they had established at the outset, that the story of the sisters was at odds with the factual evidence. Contrary to the details in their disclosure, Jack's parents did not in fact possess a TV in their upstairs bedroom, nor was there a TV outlet plug in the bedroom and their only downstairs TV was not a portable one.

During one of my home visits to prepare the family assessment, the writer noticed that the bedroom at the top of the stairs in Julie's place had a TV and VCR in it. On asking I was advised that the bedroom belonged to 14 year old Reg. Realising that sibling abuse by Reg had been a scenario not considered, I later took an opportunity to talk with Reg, despite my supervisor's previous prohibition on interviewing any of the three siblings. Reg freely admitted that he indeed possessed a pornographic video of two people in a shower and that he had originally taken this from his natural father when the parents' marriage broke up. He also admitted that he had shown the video to his sisters in the privacy of his upstairs bedroom.

Faced with this information that now directly implicated Reg as having digitally abused Kylie and Jenny rather than Jack, and also armed with both the police evidence and the strongly favourable family assessment, my colleague and I sought a formal review of the caseplan. Following the reluctantly granted review, the decision to seek guardianship of Kylie remained unchanged. It was considered that the mother still had no demonstrated capacity to protect her children. We were instructed not to provide any prior briefing to the family's barrister on the family assessment and the department's barrister was instructed to make submissions from the bar table, that the assessment '*showed nothing unfavourable*' but to not offer any of the substance to the assessment

On resumption of the hearing, the magistrate was not satisfied to hear bar table submissions and directed that the writer give evidence about the assessment. In doing this the observation by both workers of a close and mutually tolerant and supportive relationship was recounted. The police information relating to the inaccuracies of the sisters disclosures was also cited, as were the confirmatory admissions made by Reg. The opinion was offered that all the evidence was consistent with the abuse that was disclosed, as having been perpetrated by Reg, but attributed by the girls to Jack.

In determining the case the magistrate concludes from the evidence that Jack was not an abuser and was not a danger to the safety of baby Kylie, but the mother would nonetheless be likely to benefit from continued support and supervision. By negotiated consent the protection application was found proven and Kylie was returned home immediately on a supervision order. By this time some ten months had elapsed since Kylie had been apprehended.

After returning to the office, I found myself charged with disciplinary offences for failing to give evidence supportive of the department's view. The charges never proceeded to hearing and were ultimately withdrawn. As a postscript I discovered more than two years later, that Kristie and Jenny were still in care and that when on access visits with their mother, Jack was still being required by the department to be absent from the house. The reason for this was that despite the court having actively ruled on the basis of factual evidence that Jack was not an abuser, the department still considered him to be so.

10.4 Insights Gained from Case B

The investigation of the case of baby Kylie and her two older sisters, proved to be significant not only in terms of the tension and balance between various validation factors on child sexual abuse, but also graphically pointed up issues of organisational error process. At the outset there was a tendency for speculation to be accorded a factual status. This was demonstrated by regarding the stepfather as the brother of a pedophile, when he only shared a common surname. He had also been regarded as a dangerous 'weapon carrying perpetrator' because of a minor twenty year old offence.

These speculations, combined with his status as a stepfather, saw a number of organisational error processes emerge that will be detailed further in chapter 13. These processes included the 'templating' of the stepfather, which was supported by justificatory theorizing and very quickly resulted in processes of information closure and decisional commitment. This case was singularly compelling in demonstrating the power of the ideological proposition that children do not lie and must always be believed, in leading to organisational error processes.

In regard to the validation process, the case quickly highlighted a number of tensions. Sexual abuse was clearly confirmed by medical evidence, but the issue of the abuse not being recent threw doubt over the opportunity of the stepfather. Also the abuse disclosed did not match the severity of abuse evidenced by the medical examination. The written disclosures of the sisters were concrete, explicit, graphic and obviously experienced based, but contrasted completely with the taped 'disclosure'. The parallel nature of the disclosures by the sisters also threw up the issue of cross verification versus contamination. There was also the issue of the long-standing symbolic behaviours of the sisters that clearly predated the arrival of the stepfather, but he could nonetheless have been a subsequent abuser.

Ultimately however, the case turned on factual issues and the logical consistency of the way in which the facts fitted together. The case compellingly demonstrated the way in which pre-emptive beliefs by a professional could directly facilitate a false disclosure, but it also showed that truth or falsity was not absolutes. The abuse recounted by the sisters was true, but both the location and abuser identified clearly were not.

10.5 CASE C: *Disclosing To a Male Will Traumatise the Child*

Fiona, aged seven, was in long term foster care with a view to permanent care, but she had been with her current foster parents only a couple of months. Her case had only just been allocated to the writer when a call was received from the foster care agency supervising Fiona's placement with her new foster parents.

The foster care worker advised that Fiona had just made a disclosure to the new foster mother, of sexual abuse by the seventeen year old son of the previous foster parents. The agency worker then informed the writer, that she did not want a male worker involved in the formal disclosure interview. When asked why, she replied that research shows that as abusers are predominantly males, it traumatises the child further when interviewed by males. I expressed interest in getting hold of such research, but suggested that in the meantime, the case would be considered in relation to its own particular needs and merits.

Following supervisory discussion, it is decided to play the situation by ear, rather than making any pre-emptive judgments. By co-incidence, when I subsequently contacted the foster mother, we happened to know each other from university some years earlier. The foster mother advised that coincidentally also, I had spoken at Fiona's school a few weeks previously and so was already known to her in a positive way. The foster mother had at that time confirmed to Fiona I was 'a family friend'. Arrangements were made for a joint police interview with two female police, for the next day at the foster home.

In the meantime Fiona's file was examined, and previous departmental and agency workers were contacted to discuss details of background. What was gleaned was that Fiona had been removed from parental care more than three years before and placed in foster care, after allegations of sexual, physical and emotional abuse were substantiated. The sexual abuse was medically evidenced and the father was strongly implicated as the abuser. There were no other suspects. The mother also seemed to have been actively complicit in the abuse.

The parents continued to live an itinerant, drug abusing lifestyle after Fiona had been removed. The father was denied access altogether and the mother maintained little commitment to her supervised access during the time Fiona was in foster care. The

access that did occur was notable for the erratic and unsettled behaviour of the mother, and the lack of emotional bonds between mother and daughter. After twelve months in care a case plan of permanent care had accordingly been decided.

Fiona had exhibited disturbed and sexualised behaviours while in the foster placement, and some apparent confusion between fantasy and reality had been evidenced by Fiona's frequent fanciful claims and stories. After about a year in her placement and a lengthy period without contact by her parents, Fiona, by then aged six, spontaneously disclosed previous sexual abuse by her father. The foster parents recorded these unsolicited comments and relayed them to the foster care agency, which then contacted the department. The nature of the contact was recorded and advice was then forwarded to the police. Later however, there was no police record confirming this and no action on the disclosure was taken either by the department or the police. Neither had there been any referral by the foster care agency for sexual abuse counselling or follow-up.

A few months later Fiona's mother contacted the department again, saying that she had finally split from her husband as she now accepted that he was Fiona's abuser. She said that she wished to re-establish access with a view to reuniting with Fiona. Access was consequently re-established and supervised by the foster parents, who considered that the mother did not seem to have substantially improved in her parenting skills or sense of bonding to her daughter. Fiona herself seemed unsettled by the resumption of access and seemed not to find it enjoyable.

The departmental worker however believed that the mother '*deserved another chance*' as she had split from her husband, now recognised him as an abuser and seemed to be '*getting her life in order*'. The worker's supervisor stated she also agreed, and an unscheduled caseplan review was arranged. Despite the strongly voiced reservations of the foster family, the caseplan chairperson made her decision in favour of family reunification and reversed the previous permanent care plan, but to be implemented under strict departmental supervision. Fiona clearly expressed both prior to and after the caseplan meeting that she did not want to live with her mother. She was nonetheless returned home immediately.

The day after her return home, Fiona was visited by her departmental worker. Fiona told her that it was a secret but that mummy had given her a surprise and daddy was in the cupboard. When confronted, the mother explained the incident away. Yes, they had seen her ex-husband, but at a distance on the railway station. The rest was just Fiona fantasising as usual.

However, immediately after this a notification was received from the neighbours of the mother. They informed that the father was living permanently with the mother and that they had witnessed the father forcing Fiona into the boot of the car before locking it and driving off. The neighbours also advised that they had informed the police of this and of the fact that it was apparent that both parents were involved in selling drugs from the house.

It was then confirmed with the police that the parents were indeed under surveillance as known drug dealers and a raid on their house was imminent. Fiona was therefore immediately re-apprehended and because the original foster family express that they would find it too difficult to cope with their sense of having betrayed Fiona, she was placed with a new foster family. The worker involved was also deeply shocked and dismayed that the mother had so duped her and her superiors, that they had virtually assisted the mother in procuring the child for further abuse by the father.

Fiona's disclosure about the previous foster family's seventeen year old son was then subsequently made to the new foster parents, resulting in a joint visit by two policewomen and myself. On arriving at the house the policewomen and myself chatted amiably for a while with the foster mother and Fiona. She was then asked to whom she would like to talk, about what had happened to her. Fiona pointed to myself first, then one of the policewomen. The interview then proceeded with the foster mother also present. Fiona disclosed that the seventeen year old son of the previous foster parents had some months before, sexually abused her *'behind the flower curtains in the lounge room'* after he had come home from playing cricket. The disclosure impressed as graphic, and experientially based.

The policewomen then referred the matter on for possible criminal investigation interview with the youth, while I then discussed strategic considerations with my

supervisor. It was apparent that Fiona was safe in the care of the foster mother and would not come into contact with the youth. His parents would need to be interviewed to see what further information could be elicited, but only as long as they agreed not to forewarn their son of the impending possibility of a police interview.

In company with my supervisor, the previous foster parents were visited and we discussed the full details and implications of what we knew to that time. Although shaken and distressed, the parents willingly provided all the information being sought. The culmination was that there seemed to be no issues of adjustment, development or behaviour relating to their son, who presented as a happy, healthy, sport loving adolescent, who enjoyed positive family relationships, and this had included a positive relationship with Fiona when she had been there. The mother emphasised that because of Fiona's sexualised and affection seeking behaviour, she had made her husband and son aware of the possible implications for them. As such, many precautions in relation to dressing, bathing, toileting, and not being alone with Fiona, had been put in to place during her time with the family.

When told the specifics of the allegation, the parents showed us that the curtains clearly referred to, faced to the front street, and there were no screening shrubs between the window and the street. Anybody behind the curtains would be clearly visible from the street, day or night. Also their son did not and had never, played cricket. He played baseball at night, but Fiona clearly knew the difference between the two sports. Also their son had no other way of getting to and from baseball, other than being driven by his parents. They therefore firmly believed that he had no opportunity at any time to be alone with Fiona and this even extended to any time of night. This was because his bedroom was at the opposite end of the house to hers and there was an internal movement sensor inside the house. Even when the sensor alarm was turned off, it still recorded internal movements for checking in the morning.

We subsequently conducted a thorough examination of the information that had been gleaned and measured it against a model of disclosure authenticity that I had been developing. We both agreed, that whilst the disclosure appeared to meet all the criteria needed to judge it as a real episode of abuse actually experienced by the child, it failed completely to impress as an accurate disclosure in relation to time, place, and identified

abuser. It also simply did not match the external, objective facts. It was therefore considered that the disclosure most probably had its roots in original sexual abuse by the natural father, but had been displaced onto the son of the previous foster family. The reasons for this could at that time only be speculated on.

We then discussed the matter with the police, who had independently reached a strong '*gut feeling*' that there were elements of fantasy and inconsistency in the disclosure that would have doomed any prosecution to failure. On the basis of the further information elicited from the first foster family, the police confirmed that they now intended to close the matter without any further interview of the youth or family. The details of the case and the reasons for the decision were then not only documented on the case file, but the supervisor then also completed a special report to senior management on the issues of agency liaison and investigatory process, that the case had highlighted. However the report languished two further levels up the hierarchy and ultimately did not contribute to organisational learning in any formal way.

10.6 Insights gained from Case C

As will be recounted in detail in the following chapter, Fiona's case was highly instructive in pointing up issues of gender and power in relation to sexual abuse disclosures by children. Additionally, this case came at a time when the writer had essentially formed the framework of validation factors that is modelled in chapter 12. This case therefore served as a conscious '*road testing*' of the model and to a final shaping of the concepts involved and the interplay between them.

Most clearly demonstrated was the interplay of factors in determining the logical consistency of the disclosure against the seventeen year old son of the foster family. Although the credibility of the disclosure seemed strong because it contained an appropriate quantity and quality of details, was both concrete and explicit and had extraneous details, it nonetheless lacked consistency with the physical evidence relating to the layout of the house, and the time and location of the alleged abuse. The disclosure therefore lacked credibility in relation to its consistency with known facts and consistency with prior behaviour of the alleged abuser. Considerable weight had to be given to the fact that Fiona had been previously subject to significant sexual abuse by her parents, they had again collusively plotted to bring Fiona back into their care, this had

been done against Fiona's wishes, and she had consequently been traumatized by further sexual and physical abuse.

Again as in case B with baby Kylie, it seemed that the disclosure was a true account of an abuse experience, but inaccurate in terms of both the location and identity of the abuser. It seemed the inaccuracy of this disclosure was not related to the pre-emptive belief of a professional as in Kylie's case, but was tentatively explained as a wholly understandable fear of the real perpetrator, her father. It was considered that the disclosure against the youth was not motivated by retaliation of any sort against him. It seemed that Fiona had wanted to disclose her abuse, but instead substituted the name of someone she in fact loved and trusted. This appeared to have been done without any recognition of the implications for him, and such an action seemed consistent with her developmental status.

Supervision action at the close of the case also pointed up the potential of the reflective practice involved to influence organisational learning, but also possibly demonstrated how reputational considerations in relation to the writer may have subverted the opportunity for organisational learning.

10.7 CASE D: *Confess or the Child Doesn't Come Home*

Amy was an eight year old with a moderate intellectual disability. This was evidenced in her school achievement being about three years behind average for her age, but she was otherwise an emotionally and socially responsive child who functioned and learned best in a structured environment. Amy was on a supervision order to the department that had been made some six months prior to allocation of the case to the writer. Under the terms of the supervision order, Amy was *living as directed* with her maternal grandparents, only a couple of streets away from her mother, Maureen, aged 29 and her step-father, 'Davo' aged 25.

The briefing on the case by my supervisor was that this was a classically collusive family who continued to protect the abuser. The department therefore planned to not return the child until the stepfather Davo confessed and undertook perpetrator counselling. On questioning whether this plan was legally sustainable given that the child was on a supervision order, and would in six months return home at the expiry of the order

anyway, the supervisor strongly criticised the decision by the court, for having been counter to the department's recommendation of guardianship. It was because of this, that the department had invoked the reside-as-directed clause, as a means of over-riding the court's lamentable failure to protect the child.

She reluctantly agreed however that on the surface, the department needed to be seen to be testing out family re-unification as the order implicitly required. She also commented though, that research clearly showed that children could only be safely returned home after the abuser had accepted responsibility for the abuse and undertaken counselling. Because of this, the supervisor considered that family reunification was unthinkable and that the department needed to retain a covert plan to breach the order at the end of the twelve months. The writer expressed doubts that any legal basis existed for such a breach prosecution, but said that I would keep the supervisor's comments in mind.

After reviewing the case file, I was puzzled that the department had not at any time gained an expert assessment of Amy's cognitive disability and what this might have meant for her sometimes garbled disclosure. The file indicated that some eight months previously, while on a school camp, Amy happened to talk about 'tickling games with Davo. She also commented about being '*kissed on the funny*', which was her way of saying '*fanny*'. Notification to the department resulted in immediate apprehension and placement of the child in safe custody with the maternal grandmother.

Although further interviews with the child added nothing substantially more to the disclosure, medical examination revealed significant long-standing, but not recent sexual penetration. There were also long standing problems of soiling, indiscriminate affection seeking and disturbances to Amy's sleep and behaviour that were suggestive of sexual abuse. The entire family, including Amy's mother Maureen, remained highly supportive of Davo, and were consequently seen by the department as being '*collusive*'. The child subsequently retracted her limited disclosure when she saw the impacts on the family, and this served only to reinforce the departmental view. The retraction was interpreted as conforming with the '*Accommodation Syndrome*' that predicts such retraction in response to pressure from the abuser.

In gaining family background information for the court report, Amy's natural father was interviewed, but could offer little information. He had separated from Maureen when Amy was an infant, had a later brief period of access with Amy, but ceased this when it seemed she had little bonding to him. The continuing hostility between Maureen and himself also meant that it was better to have no contact at all with Amy and this has been the situation for the past four years.

The matter proceeded to court and whilst the magistrate found the protection application proven on the basis of the clear medical evidence, he considered that there was insufficient evidence to determine who was responsible for the abuse. He therefore released the child on a twelve month supervision order, with a '*reside as directed*' clause. The department subsequently invoked this clause, as it was considered she remained at risk while Davo was in the house. On meeting the family, I was impressed by their openness and the equality of relationship between Maureen and Davo. Each day, Amy spent the period from after-school to dinnertime at home, before return to the grandmother who lived nearby and I also observed that she seemed completely at ease in Davo's presence.

In explaining to Amy that I was replacing the previous worker, with whom Amy had extensive previous contact until her departure several weeks before, I was intrigued that Amy could not recall the previous worker, even when given a close physical description of her. Subsequent discussion with family and school and a review of previous testing by Intellectual Disability Services, confirmed that Amy was almost completely dependent on the present visual field for her recall. That is, her recall of past events always seemed prompted by and often confused with events in the present. This situation seemed to be illustrated by the fact that she tended to call any male whose name she did not know, as 'Davo'. Accordingly, a fresh cognitive testing was organised, asking that these particular issues be considered. The results confirmed that this was indeed a particular characteristic of Amy's functioning, and that she was heavily dependent on the present visual field for her recall.

After engaging the family and discussing these issues with them, I undertook a values clarification process with Davo over a number of weeks. The results strongly indicated him to be the responsible, mature and empathic person that the family considers him to

be. On further research of the IDS file on Amy, it was noticed that her pattern of soiling and disturbed behaviour had been well established prior to Davo coming into the home. In fact the onset of the behaviours coincided with the commencement of overnight access with her natural father at about age three. Access with the father had subsequently ceased because of her uncontrolled behaviour with him, and this was about the time that Davo entered the family. Closer examination showed that in fact, since Davo had been in the family, Amy's behaviour has improved considerably. The information on file about the extent and duration of the natural father's access with Amy, which had been gained prior to any allegation of sexual abuse, also directly contradicted the information gained from him subsequent to the allegations being made.

These issues were then explored with Maureen, without indicating what had been gleaned from the IDS files. The account Maureen gave of Amy's adjustment problems and development remained consistent with the facts and timelines gained from the IDS file. However, Maureen also revealed that a strong underlying reason for ending her first marriage had been her husband's bondage fetishes. The worker realised that Maureen had previously expressed concern about some of Amy's tying up games with dolls and that this had also been a play theme within the disclosure interview.

After discussing this issue with agency providing therapy to Amy for her sexual abuse, a rope was innocuously left in the corner of the play therapy room. Amy then spontaneously played this bondage theme in her therapy sessions. It was therefore strongly suspected that the natural father had in fact sexually abused Amy, and that some aspects of bondage had been incorporated with this abuse.

A case review report was subsequently prepared setting out the new facts that strongly indicated the natural father had perpetrated the abuse several years before. In view of this I strongly recommended that Amy be returned home and the order be allowed to expire in a couple of months time. On receiving the report, my supervisor berated me, suggesting that my assessment of Davo was invalid, as I was not qualified as a psychologist. She demanded that the assessment therefore be removed from the report, and I return to her originally suggested recommendation of breaching the order at court. I refused to alter the substance of the report in any material way and advised that I had in fact already given the family a copy of this draft report for their comment. Therefore,

should the matter be breached on the basis of an altered report, the family would no doubt demand that the department explain to the court, the reasons for the amendments. Eventually, the case plan review proceeded on the basis of my unaltered report, but my supervisor did not attend the meeting. The chairperson duly adopted the report recommendations and Amy was returned home prior to the expiry of the order.

10.8 Insights Gained from Case D

Like the preceding case of baby Kylie, the case of intellectually disabled Amy proved valuable for the insights gained both in sexual abuse validation and organisational error. The tautological assumption inherent in the proposition that the child could not come home until the perpetrator confessed, was immediately apparent in light of the court decision that was prefaced on family reunification. It was also immediately apparent that there was a high level of decisional commitment and information closure, points that will be elaborated on in chapter 13.

A second tautology was also immediate apparent in the assumption that the retraction of an abuse allegation was evidence of a collusive family in accordance with the 'accommodation syndrome'. This was made even more apparent as it conflicted with actual observation of the family. The family was not closed or collusive. Nor was the stepfather dominant, controlling, self-focussed, or defensive. Neither did the stepfather lack empathy or attempt in any way to minimise or rationalize the effects of the abuse on his stepdaughter Amy.

Factors of cross-verification, consistency with known facts, symbolic behaviour, spontaneous comments, and abuse pattern all came into play in this case, but what exercised the writer's mind above all, were the factors relating to developmental and functional appropriateness, particularly the key relevance to her functional impairment, which had to the writer's knowledge not previously identified in the literature as a separate factor. Amy's cognitive status had effectively been ignored. Rather than trying to establish what the child had been communicating and how her cognitive limitations impacted on her disclosure, the imperative of believing the child abrogated the duty to subject her disclosure to proper scrutiny and set in train a process of organisational error that was extremely difficult to correct.

10.9 CASE E: *We'll Never Know if Anything Did Happen*

A protective notification was received from Wendy aged 28, the mother of three year old Sheree, with concerns that her ex-husband Bob, had inappropriately touched her whilst on overnight access. Wendy stated that Sheree had made some comments to the effect that, *'Daddy touched my pee-pee and it hurt'*. She also said that Sheree was exhibiting some openly masturbatory behaviour that had been observed and commented on by others. The case was then assigned to the writer for investigation.

On interviewing Wendy, she was highly agitated and wanting action taken to immediately deny access to her ex-husband, Bob. However no immediate decision needed to be made as her next access visit with her father was not for another fortnight. From Wendy's comments alone, it was apparent that the marital breakup had been acrimonious, and remained so. The marital breakdown had in fact occurred in the context of the death of the Wendy's father, her subsequent personal illness, Bob's arduous business commitments and the ultimate financial collapse of his business.

Although Sheree had been present at the time of interview with Wendy, it was not attempted to interview her as it seemed more prudent to try and engage with her over a longer period, whilst investigating the case. This tactic was also influenced by the fact that Sheree did not seem to be a particularly verbal or articulate child and somewhat shy with strangers. Arrangements were made for a pediatric examination of Sheree, which consequently indicated that the genital soreness and masturbatory behaviour was attributable to a hormonal problem, rather than the likelihood of it being indicative of sexual abuse.

Bob was then interviewed and was extremely angry at what he considered to be malicious accusations by Wendy. Bob was now in a new relationship, but he indicated that before this relationship began, Sheree had frequently slept in the same bed with him on her overnight access. He vigorously denied any inappropriate touching and claimed that the fact of his daughter sleeping with him only arose out of her unfamiliarity with the new house. It had been of some concern to him in bathing Sheree that she had a genital rash, and she was quite sensitive when he washed her.

It was indicated to Bob and his new partner Nerida that it was not a matter of accusation by Wendy, but of some medical and behavioural concerns that had been reported and needed to be checked out. Concerns that Bob obviously held himself. In the meantime, it was a matter of mutually working out how to ensure that Sheree was seen to be in a situation that was safely structured and which removed any capacity for accusations to be made. Nerida immediately apprehended what was required, and suggested that as she had now moved in with Bob, she could ensure that she took personal responsibility for bathing and caring for Sheree, and that there would no longer need to be any situation that would necessitate Sheree sleeping alone with Bob. Nerida pointed out to Bob that the acrimony of his previous marital breakup made him vulnerable to accusation of abuse and that their job was to ensure that Sheree was seen to be in a safely managed situation, regardless of how unfounded the accusations might be.

Fortunately, Wendy's antagonism did not extend to Nerida, and in fact she felt quite confident of Nerida's ability to care for and protect Sheree. She therefore readily agreed that in future, Nerida would be the person to pick up and return Sheree from her access, so that Wendy and Bob did not continue to inflict their acrimony on Sheree every time they met. In subsequent supervisory discussion, it was considered that a quite tentative validation could be reached that abuse had occurred, in the form of inappropriate touching by the father. In reality however, the likelihood of establishing this to the satisfaction of a court, would be quite remote. After all, the naive comments might quite be explained by normal hygienic care related to genital soreness. The stress on the child of the acrimonious parental relationship, may of itself explain the masturbatory behaviour. Or perhaps the mother was projecting her relationship anxieties and fears onto the child, and the child was simply reflecting these, as is often observed in access and custody disputes. Surely it was also normal, acceptable and even desirable behaviour, that a father should be able to comfort a child by having her sleep with him, if sleeping alone in a strange house in a strange bed is upsetting for her.

An important consideration though, was that inappropriate touching by Bob, did not present as being in any way characteristic of any past behaviours. There had been a surrounding context of significant life transition stresses, of marriage and business breakdown, setting up a new home and business, establishing a new domestic relationship and having a closer responsibility than before, for the direct nurturing and

hygienic care of his daughter, when she was on access with him. Even if Bob had actually been involved in inappropriate touching and felt a need to admit this, it was still entirely unlikely that he would do so, because of the acrimony of his relationship with Wendy and his fear of permanent loss of access.

It was decided that in cases such as this, the real truth could probably never be ascertained and one is likely to do far more damage to the child and to malleability of the situation, by trying to pursue a legal intervention. This would only drive people into rigidly defensive positions and create only a win/loss situation, where either way still further damage would be wreaked on the child and family. The over-riding concern was to achieve protection of the child and minimise future risk, whether or not this involved legal intervention. This had obviously been achieved to the satisfaction of all, by negotiation and agreement rather than by statutory intervention.

10.10 Insights Gained from Case E

The case of little Sheree proved important not because of the clarity of insights that brought the case together as a comprehensive whole, but for quite the opposite reason. There were a great number of tensions, dilemmas, ambiguities, and credible alternative explanations that made this case a brain teaser. More than any other case it underlined the importance of negotiating these dilemmas without resorting to the refuge of ideology or precipitative intervention through panic, that would have had unnecessary and unjust outcomes for two families. Effort was instead directed toward controlling the structure of the situation until sufficient information could be gained to guide a considered intervention. As a result, concepts of *'freezing and cocooning'* were consolidated

The acrimony of the marital breakup was an immediate initial alerting factor to the possibility of family relationship issues being a plausible alternative explanation of behavioural disturbance in Sheree. The medical evidence was also neither conclusive nor suggestive of abuse, although it remained a possibility. An immediate problem also faced was the developmental maturity of Sheree and relevance of this to not only what she had already said, but to any further, formal disclosure process. Because of these considerations, a clear decision was taken not to interview Sheree further, because the credibility and reliability of such a disclosure would be in serious doubt.

Ultimately, the lack of concreteness and explicitness in the child's spontaneous comments, the lack of detail and lack of clarity in the comments, the lack of cross verification, and the lack of evidence of similar prior behaviour by the father, meant that abuse could not be objectively validated. It was also persuasive that the father co-operated fully despite his understandable anger, and that confidence could be felt that Sheree would be safe without legal intervention, despite the continuing possibility that abuse had actually occurred.

10.11 CASE F: *It's Not Abuse We're in Love*

The writer was urgently assigned the case of Kathy age 15. Kathy's foster care placement had broken down and the agency believed that Kathy might be in a sexual relationship with the foster-father Simon, aged 48. The agency therefore wished the department to immediately resume direct control of Kathy's case, as the situation was now too complex and fraught with danger. A departmental caseplan meeting was scheduled for the following day to be attended by the writer, his supervisor, his unit manager, agency staff, Kathy, her mother Jo, the mother's partner Mike, and the foster-father Simon, who as it happened, was also Mike's father. Fortunately, the unit manager had known Kathy and her family for many years and being aware of the intricacies involved was able to assist in a rapid and detailed briefing prior to the caseplan meeting.

Kathy had been subject to a custody order for the past three years because of her uncontrolled behaviour. She had originally been subject to violent, long standing sexual abuse by her mother Jo's previous defacto, who had been jailed for the offences. Kathy had continued to have significant outbursts of destructive temper and self harm, despite ongoing specialist counselling and support. Her mother Jo, now aged 34, had two years before, formed a new relationship with Mike, eight years her junior, and now aged 26.

Jo and Mike had found that Kathy's outbursts were too difficult for them to handle, and Mike's father, Simon, had been called on to assist. They found that Simon was able to communicate with Kathy and help her through her outbursts. This led to Kathy spending time in respite with Simon and his wife Lauren. This situation had been discussed between the department and the agency supervising Kathy's order and it was decided that Simon and Lauren should be assessed as foster parents so as to enable the respite to

continue. This was done, with Simon and Lauren then being approved as foster parents. Soon after, Susan aged 14, was placed with Simon and Lauren.

As Jo and Mike were still having difficulties with Kathy, it was decided to also place Kathy with Simon and Lauren on a long term basis. Within a few months of Kathy's placement with them, Simon and Lauren began to experience relationship difficulties. Lauren felt that Simon was devoting far too much attention to Kathy, and that Kathy had formed an unhealthy attachment to Simon, seeking every moment of private time with him that she could extract. The agency had concerns that Simon saw himself as 'counselling' Kathy when he has no training, and had not sought any agency advice or direction about the issues he was discussing with Kathy. It was also clear that Simon had allowed his relationship with Kathy to compromise his marital relationship.

The other girl in foster placement, Susan, then informed her agency worker that Kathy had confided in her that she and Simon were 'in love'. Susan said that because Kathy dominated Simon's time, she wished to be removed from the placement. This was done, and after the agency discussed the matter with Lauren and Simon, Lauren demanded that Kathy be also be removed from placement. As a result, Simon and Lauren's relationship broke down. Simon left and moved in with his son Mike, and Kathy's mother Jo. Kathy then immediately absconded from her placement with Lauren and returned home to live with Jo, Mike and Simon. It was at this point that the agency requested an immediate review of the case, saying the situation was now too complex, and they wanted out.

At the caseplan meeting, the agency confirmed their wish for the department to resume direct responsibility for the case. Simon asked what he was being accused of, and Jo voiced her continuing confidence in Simon, and that without his help she would not be able to manage Kathy at home. The writer immediately indicated to the meeting that there was no evidence that Simon's behaviour with Kathy had been sexually inappropriate in any way or that Kathy was at protective risk in his care. The manager confirmed this, saying that the meeting was simply to handle the formal transfer back to departmental responsibility. The sorting out of Kathy's placement would be the immediate responsibility of the new worker.

Following the caseplan meeting, my supervisor, manager, and myself discussed the issue and agreed that Simon should be requested to immediately remove himself from Jo's house until another placement was found for Kathy, while a thorough investigation of the situation took place and the protective risks to Kathy were determined. The next day, the writer visited Jo's house and explained to Jo, Mike, Kathy and Simon, that the structure of the situation was open to serious question and that Simon must therefore take responsibility and immediately move out into alternate accommodation. Kathy was sullen and angry and refused to engage with the writer in any way, or even look at me. She stormed out of the house and Simon followed, then talking privately with her. Kathy calmed down and returned. Simon then removed himself from Jo's house and returned home to Lauren. That night, Kathy had a destructive outburst, causing her to be immediately removed by the after-hours service and placed in temporary foster accommodation.

The day after this, when the writer visited Kathy in her new foster placement, she was quite welcoming and polite. When asked why the big difference from yesterday, Kathy explained that she realised she had been impolite. I informed Kathy that because the structure of the situation had created suspicion against Simon, she must now accept some responsibility in protecting his reputation. On this basis I therefore requested Kathy to refrain from any contact with Simon until the matter was satisfactorily cleared up. Kathy was angry at the request and said that Simon's support was indispensable to her.

Simon and Lauren were then visited and both said they were hoping to reconcile. It was indicated to them that Kathy was showing an unhealthy level of dependence on Simon and that this made her vulnerable, particularly when one considered the sustained traumatic abuse she had previously suffered. I indicated to Simon that I thought he had made an error of judgment in trying to handle Kathy's complex problems by himself, and without professional backup. In view of this I asked Simon to voluntarily undertake not to have any contact at all with Kathy, until officially informed that whole matter had been fully investigated and satisfactorily resolved.

Simon asked how this resolution would occur and was advised that it would involve a thorough assessment after interview of all parties, and consultation with Kathy's therapist. Simon proposed that he should first confirm the necessity of this with Kathy,

but it was firmly indicated to Simon that all contact must cease immediately, as both Kathy's well-being and his reputation are at stake. Simon then agreed not to initiate or accept any contact with Kathy until it was authorised by myself.

A few days later, I was advised by the new foster parent that Kathy has been receiving phone calls by a person claiming to be a boyfriend from school, but who sounded much more mature. Kathy has been blissfully happy, contented and co-operative in the placement and constantly playing love songs on her cassette. She had scribbled poems redolent of a sexual relationship with an older man and she has also talked about running away interstate and getting married at age sixteen. Kathy had also been disappearing on mysterious walks by herself. Another of the girls in placement with Kathy advised that she saw her talking to an older man who apparently matched the description of Simon. When asked about to whom she had spoken, Kathy had claimed it to be an ex-neighbour from a long time ago.

Contact with Kathy's therapist revealed that she had ceased contact with him over the last few months. This was at a time when the therapist was having increasing concerns about her level of attachment to and dependence on Simon, and her description of him as *'the only person in the world I can really talk to'*. An interview was then arranged alone with Simon's wife, Lauren, for the purpose of gaining background information on Simon and their marital relationship. This was gained, and indicated that although Simon was a gentle natured person who responded sensitively to others, he also had a secretive side and seemed to bask in the adulation of others, particularly younger people. Lauren revealed that Simon had a 'nervous breakdown' about ten years before, after the death of his mother. It was at this time Lauren learned from Simon's brother, that Simon had years earlier spun some fanciful stories to her about his supposed childhood deprivations, which according to the brother, were indicative of Simon's tendency to mesh fantasy with reality.

Lauren felt that since the death of his mother, Simon had been even more of a secretive person and she had suspected him of having some extramarital affairs. It concerned her that although Simon was a person with a very high sexual drive, their physical relationship had been virtually non-existent over the past few months. She remained suspicious that Simon's return home was actually a convenient device, rather than a real

wish to reconcile. I then informed Lauren that I had similar reservations and that I was suspicious that Simon and Kathy had not in fact abided by their agreement to remain out of contact.

Following this meeting with Lauren the police were consulted. The police agreed that there was as yet no evidence that warranted their action and that protective investigation should continue independently. The next day Lauren called to say that she threw Simon out of the house the previous evening. That night, she had been suspicious when Simon went up the street on a pretext of getting cigarettes, as she knew he had plenty. She followed him and when she saw him in a phone box, she approached behind him and snatched the phone from him. The person at the other end would not answer and then hung up. Lauren was convinced it was Kathy on the other end.

Lauren then said there were two more facts of which I should be aware. The first was that prior to their break-up, Lauren had caught Simon in Kathy's bed, cuddling her. He had explained that he had heard Kathy having a nightmare, and had gone to comfort and soothe her. Lauren had wanted to believe the incident was innocent, but it nonetheless showed Simon had lost his sense of personal boundary and was over-involved. However, Lauren considered that Simon's continued contact with Kathy demonstrated that the situation was even more serious, and that this evidenced a sexual relationship between them.

The second fact that Lauren felt I should know was that ten years ago, the fifteen year old girlfriend of their son Mike had accused Simon of rape, after he had taken her horse riding alone. Simon had denied the accusation and the charges were ultimately dropped because the girl's story could not be corroborated. I immediately checked the documentation on Simon's clearance as a foster parent, which showed no criminal convictions recorded against him. I then phoned the police and asked them to check their intelligence record which always has more details and which cannot be transmitted as a formal document. The police confirmed that Simon had indeed been accused of rape and that the matter failed to proceed because of want of evidence, and not because of their want of belief in the girl's story. I then checked with Kathy's current foster parent. Kathy had indeed received a phone call from her 'boyfriend' at exactly the time that Simon had made his call. However, Kathy had suddenly hung up and had since been upset and

uncommunicative. The foster parent was asked to try and ensure that Kathy did not go out unescorted, until further notice.

Immediate briefing was then sought with both my supervisor and manager. The circumstances of Simon's failure to honour his undertaking to not contact Kathy now made it extremely likely that they were involved in a sexual relationship with Kathy. The police were consulted and it was decided that the department against Simon should seek an intervention order, and that all this should be put in train without any prior warning to any of the parties. It was decided that all parties should be informed only after Simon had been served with the interim order. In view of Kathy's potential for self harm, Kathy would be advised in a secure environment and in company with her therapist.

The plan was executed and Simon was served with the interim order, he admitted to contacting Kathy but only because she had sent him an urgent message. He protested his innocence of a sexual relationship and said he would fight the intervention order to clear his name. Simon was advised that any breach of the order would have a certainty of criminal charges, and any attempt to abscond with Kathy would result in child abduction charges.

Jo and Mike were then advised of the full circumstance and both were devastated. Lauren was also advised. Kathy was spoken to in company with her therapist. She was advised of the intervention order and the criminal charges that would follow for Simon, for breach of the order, or for any attempt to abscond interstate with her. For a time, Kathy was hysterical. It was put to her that Simon had insidiously exploited her vulnerability and their relationship was therefore every bit as abusive as the original abuse by her mother's defacto. Kathy tearfully claimed that *'It's not abuse because we're in love'*. She then recovered her composure and stated that she knows Simon will come for her when she is sixteen, and we will not be able to do anything about it. Subsequently, Simon did not appear at court to contest the order. He disappeared from view and had no further contact with Kathy.

10.12 Insights Gained from Case F

Validation of sexual abuse in such cases as Kathy's, where the victim does not perceive their status as such, is a complex and onerous task. There is of course no disclosure, a

binding to secrecy and denial of both parties. The primary task in Kathy's case was therefore to expose any secrecy in the relationship by careful control of the situation. To successfully do this requires the engagement of all parties without any prejudgment, especially the alleged perpetrator, but with a searching skepticism and systematic investigation.

Engagement was indeed carefully crafted with each of the multitude of parties to the situation. As in the case of little Sheree, the structure and process of the situation was carefully controlled and agreement reached with all parties as to roles and responsibilities, all on the overt premise that no abuse was occurring, only a misjudgment of role by Simon. This case was therefore most instructive in the way in which we untangled the abuse process and the secrecy surrounding it, by utilizing the concepts of freezing and cocooning and impinging on Simon's control of the situation.

His duplicity in manipulating Kathy and indeed his arrogance in believing he could maintain this undetected, soon became apparent, and was an important indirect identification factor. Simon's prior behaviour was also brought to light and this was also an important context to his indirect identification as an abuser, as was his closed and collusive family and social relationships and his rather self-focussed and defensive stance. The final key factor of validation however was Kathy's emotion charged disclosure that it was not abuse because they were in love, and that Simon would come for her and they would elope.

This case was also important for its demonstration of commitment to reflective practice principles by worker, supervisor and manager alike. Mutual confidence and support were evident in the strategies and processes employed, and the case was utilised in a team learning exercise. The success of this process was however not related to specific organisational factors, but more to the fact that the writer had previously worked with the supervisor as a colleague, and the writer had also been a contemporary and colleague of the manager some twenty-five years previously. It was through these previous experiences that the mutual trust and respect in each other's reflective practice had been established and which was an important factor in the successful outcome achieved.

10.13 CASE G: *Don't Worry About Mum the Dad is the Problem.*

The writer was allocated a case in which a supervision order on a family of four children was due to expire in some four months time. In the handover briefing, my supervisor advised me that due to an address change by the family, the case had been referred by another region some six months previously, but the case had since remained unallocated. Lena, aged 32, had been married to John, aged 35, for the last ten years. John was the stepfather to 12 year old Sandra and the natural father of the three younger children, Darren aged 9, Rosie aged 7 and Tina aged 6.

Because the order was due to expire in a few short months, the supervisor considered it would therefore need to be breached, so as to gain more time to work with the family. I expressed serious doubts as to the legal and moral right to breach a case that was not considered serious enough to allocate, and when it was ourselves that had failed to meet the conditions of the order, rather than the clients themselves. My supervisor affirmed that this was the course she considered appropriate, as the father John, was a dangerous and violent man whom she considered to have been responsible for the sexual abuse on his stepdaughter Sandra, now 12, when the family was in Queensland three years previously. The supervisor also indicated she believed John may well also have been responsible for the two suspicious cot deaths in the family that had occurred some three and ten years previously. Her reasons for this belief were that John had an institutional upbringing, was a neurotic and inadequate person and had a long history of seeking intrusive medical interventions for his imaginary illnesses.

There was also the matter of the several episodes of breathing arrest that Jon's son Darren, now aged 9, had suffered in his infancy. The supervisor considered that this fitted the pattern of Munchausen's Syndrome by Proxy, in which John was seeking intrusive medical treatment on Darren, because of John's own deep-seated psychiatric difficulties. The supervisor then provided me with the transferred case file plus a parcel of unattached papers from Queensland, that she had not as yet had time to properly peruse. All this documentation was then reviewed before seeking contact with the family. In a case note by a worker from the previous region John had been described as violent, but there was nothing recorded of what had actually been involved. On ringing the worker who has described John as violent, she stated that John was prone to get angry, shout and wave his arms a lot, but he had never actually hit anyone, smashed anything,

or even actually threatened to do so. In other words, the worker had felt intimidated, but had instead used the word 'violent' to describe John's behaviour.

The weighty files indicated John and Lena had a long standing history with the department due to problems of parenting and the frequent incidence of suspicious medical emergencies with their children. The most dramatic of these had been a significant number of breathing arrests by Darren in his first year of life eight years before. However no physical basis was found for his apnoea. There had also been two previous cot deaths, to a child immediately after Sandra, and a last child after Tina, three years previously. John and Lena had then moved to Queensland with their children to live, after this cot death.

A police report was then discovered from the unattached Queensland documents. It revealed that John was not with the family when Sandra was sexually abused, so he could not have been responsible, as the supervisor had suspected. Moreover, the new partner of Sandra's mother, Lena, had actually confessed to the crime and had been jailed. The writer was somewhat perplexed to read that even after the confession and conviction, Lena had continued to express faith in her new partner's innocence. John and Lena subsequently reunited and moved with the children back to Victoria. On receiving advice from Queensland of the family's move, a twelve month Victorian supervision order was sought and gained for the children

On digging further back through the Victorian file, a previous protection report was discovered. It was intriguing that the report contained a complete history and highly condemnatory three page assessment on John. However it contained only a one paragraph sketchy assessment on Lena, which noted only that she seemed somewhat emotionally detached from her children. An extensive psychiatric assessment of John from eight years before was then uncovered on file. It had been completed at the time of Darren's breathing arrest, specifically because of the possibility that John might have suffered from Munchausen's Syndrome by Proxy. The psychiatrist was quite categorical and detailed in his refutation of such a diagnosis. On reading this it struck me that according to research this condition was almost exclusively a female condition, yet John had been the immediate focus and subjected to an intensive assessment, whereas Lena had been subject to only the sketchiest of assessments.

Even further back in the file, a medical report was discovered, indicating that John's mystery illnesses, which he had long harangued the medical profession about, had actually found to be an obscure condition with a real and treatable physical base. More papers were then found relating to the first cot death. On checking these it was immediately apparent that John had not yet even met Lena at the time of the first cot death. Following this file research I visited the family, indicating to them that in the little time left on the supervision order, we may as well try and resolve whatever problems they consider important. As outlined in the case discussion of chapter five, much needed medical treatment was negotiated for Rosie's splayfeet. John was then successfully engaged in developing negotiation strategies and techniques for dealing with the children's school and other agencies.

Lena however remained distant, but it was noteworthy that Lena seemed able to incite John to anger about issues, while remaining detached herself. As John rapidly progressed in his coping skills and was becoming less volatile however, it was also noticeable that at the same time, Lena was herself becoming more volatile. In supervision, the successful engagement of the family and work with John was recounted. I indicated my reservation with the originally limited assessment of Lena and the over-focussing on John, given that an extensive psychiatric assessment had rejected the Munchausen's by Proxy label. My supervisor stated that she was aware of that report, but that the department had at that time held a dissenting view, with which she still agreed. The supervisor stated that whilst the children were now possibly all old enough to protect themselves against intrusive medical treatment, she considered that Sandra in particular still remained at risk of sexual abuse by John. When I pointed out that police investigation had shown that John was clearly not responsible for the abuse against Sandra, the supervisor stated that she remained unconvinced that John had not also abused Sandra and the other children.

The work with the family continued and particularly on John's anger management and negotiation skills. However, as he improved, so his relationship with Lena became more difficult. Only a month from the expiry of the orders, Lena exploded while in the street with the children. In front of witnessing neighbours she violently attacked Sandra, who then laid a formal police complaint against her mother.

Lena left John to take up residence with a male friend from her workplace. None of the children, except Tina the youngest, wished to have access with their mother. When Tina did have access the next weekend, she was later returned home and left on the doorstep in a tearful state by Lena. Tina then disclosed that she has been sexually abused by Lena's boyfriend. The police were called, the boyfriend was interviewed, and he admitted the offence. However, from Tina's disclosure and the boyfriend's confession, there was strong suspicion by police that Lena had actively facilitated and observed the abuse. However there was insufficient evidence to lay charges against Lena. It was immediately apparent that the circumstances of this abuse and Lena's role in it were strikingly parallel to the abuse on Sandra a couple of years before in Queensland.

The protective issues were then discussed with John, who now considered that in view of Lena's behaviour, he could never reunite with her and would go it alone in caring for the children. He then offered to agree to an extension of the departmental supervision order if the writer remained on the case. As previously indicated, this was refused and John was instead linked with a voluntary agency. In supervisory discussion, John's substantial progress was outlined. The supervisor however was highly skeptical that such progress could have been achieved in such a short time, and believed that the orders should still be breached in order to continue helping the family. The writer indicated that following referral to a local support agency, John had indicated he would not consent to a further departmental order. In view of this the writer believed that there is no legal basis for a breach, and requested that the supervisor seek formal confirmation of this. As already discussed, this was done and the order was consequently allowed to lapse.

Only a matter of days after the order lapsed, John was seriously injured in what was a deliberate and seemingly planned bashing. From comments to him during the bashing, John was sure that Lena has organised it. The writer then discussed with John, the actual circumstances relating to the Darren's breathing arrests in infancy, and the second cot death, asking him to recount in step by step detail what had happened on every occasion he could recall. From John's account Lena was always the last person to check the children before going to bed, but would then get John to check them again. It was thus always he who found the children not breathing and he who rushed the children to hospital, and he who would be frantically demanding medical attention.

The writer then put to John that based on that account and all that has transpired, he would need to consider how likely it may have been that Lena was in fact being responsible for Darren's breathing arrests and the cot deaths. John was initially horrified at such a thought and was literally struck dumb. Such a consideration had never entered his head, but now on reflection, he accepted it as the overwhelming reality. Soon afterward, he and the children moved interstate to an undisclosed address.

10.14 Insights Gained from Case G

The case of John and his family has already been discussed in chapter five as a case study in heuristic eclecticism. Like the cases of baby Kylie and intellectually disabled Amy, this case also gave rise to a number of insights on organisational error process, which will be discussed further in chapter twelve. Again, processes of decisional commitment, information closure and justificatory theorizing were in evidence, despite information on hand that contradicted the views formed.

Easy assumptions had been made that John's institutional background and emotional volatility fitted him into the profile of an abuser. In actual fact though, neither this nor the imputation of 'Munchausen's Syndrome by Proxy' withstood any proper scrutiny. The imputation against John as an abuser proved to have no factual basis. Although there was opportunity for him to have been responsible for smothering the infant son and thus cause the breathing apnoea, and for causing the 'cot death' of the youngest child by smothering, he demonstrably had no opportunity of involvement in the first cot death. Similarly he clearly had no opportunity of involvement in the sexual abuse of his stepdaughter.

With his wife Lena however, opportunity became a crucial factor in confirming her as the actual abuser. In every prior circumstance she not only had the opportunity to smother each of the children, but she was also shown to have a role in both episodes of sexual abuse on her daughters. Once the focus shifted to Lena, the facts coalesced in a logically consistent way that was also consistent with her established prior behaviour, her emotional detachment from her children and her quite apparent lack of empathy with them.

All seven case studies from this chapter thus contributed significant insights into the process of child sexual abuse interviewing and on the factors involved in the protective validation of child sexual abuse allegations. The following chapter will discuss the insights gained from these cases on the process of child sexual abuse interviewing and these will also be contextualised with existing theory. The subsequent chapter will then identify the range of factors involved in child sexual abuse investigation and will model their relationship in a conceptual framework.

11.1 The Heuristic Approach to Child Sexual Abuse Investigation

As we have seen from previous discussion on the heuristic method and the case specific interventive research process, heuristic practitioners approach each situation without preconceived ideas and simply let the facts speak for themselves. Police detective work in many ways epitomizes the heuristic investigative approach, the master of the approach being the literary figure of Sherlock Holmes, who admonished Dr Watson, '*Data, data, my dear Watson. It is a capital mistake to theorise before one has data. Insensibly, one begins to twist facts to suit theories, instead of theories to suit facts*'. In the same vein Detective Sipowitz the character from the television series NYPD Blue commented more bluntly, '*Don't anticipate, it stops you from seeing what's in front of you.*'

The wisdom of similarly not jumping to conclusions in child protection matters cuts both ways. First, it prevents you from reaching an early conclusion that is wrong and therefore impacts unjustly on people. Second, it also prevents you from reaching an early conclusion that is right, but cannot be supported by the facts, then fails and is unable to protect the child (Scott, 1993:5). In Furniss' (1991:172) words: '*Time and again professionals realise later during the intervention, and usually too late, that they had insufficient facts to intervene*'.

The heuristic approach to child sexual abuse investigation is therefore in the first instance a fact gathering exercise. The successful interventions involved first in Case A with Norah, Case E with little Sheree, and Case F with fifteen year old Kathy were directly related to the care taken in gathering facts, and in not substituting opinion or dogma for fact. This is what happened in relation the step-fathers, Jack in Case B and Davo in Case D, as well as the father John in Case G. Too often, protective workers accept as fact what in reality is just second hand opinion. As we saw in Case B involving the disclosures of the two sisters, not only were exaggerated and inaccurate claims made at the outset about the step-father's background, but the contents of the sisters disclosures were touted as evidence without first-hand sighting and verification. There had been no checking with police of the alleged facts in relation to the 'crime scene' of the upstairs bedroom with the TV and VCR, and this proved to be a crucial error.

Sighting of actual locations being referred to by the child or others is therefore of vital importance in placing 'facts' within their physical context. In other fields of Social Work practice, there is not the same need to actually witness the crime scene, but in child sexual abuse this can often be of critical importance in testing the consistency of any explanation (Jones, 1987:138). This point was again demonstrated by reference to Case C where six year old Fiona alleged abuse behind the flowered curtains. Even though the disclosure of the child was graphic and rang true, witnessing the alleged crime scene showed that the circumstances described in the child's disclosure did not gel with reality.

In both cases B and C the conclusion reached after proper investigation was that the children had falsely identified their abuser. Had sole reliance been placed on the child's disclosure, the substantiation of the abuse would have included a wrongful identification of the abuser. Conversely, as well as preventing such possible errors, witnessing the alleged crime scene often proves vital in supporting aspects of the child's story and lending greater credibility to it (Pence & Wilson, 1994:101).

Fact gathering is vital in any field of Social Work investigation, but in child sexual abuse it becomes critical because there is less room for error in this field. As we saw from Case B, although no facts were verified the stepfather, Jack, was originally templated as a dangerous criminal and pedophile. John from Case G was similarly templated as violent and psychiatrically disturbed. Neither assessment was based on actual fact. There was little attempt in terms of procedures adopted by the supervisor, to ensure a differentiation between fact, opinion and pure speculation. Innuendo, gossip and rumor are often revealing sources of information, but are notoriously unreliable and many professional people fail to make the distinction between real facts and this type of information (Jones, 1987:145).

11.2 The Value of Maintaining Skepticism

The investigative process is therefore highly dependent on the investigator remaining receptive to new information, continuing to actively and objectively seek new information and not allow an '*information closure*' process to occur. As information is gathered, speculation naturally arises as to the relationship between the various facts at hand. In other words one gets hunches. Such hunches can open up specific lines of inquiry in the search for more facts, but there is at this point a danger in only seeing what

you are looking for. The investigator adopting the heuristic approach therefore retains skepticism about their hunches and also seeks information that will disprove it. This process involves more than crosschecking and cross-verification of information from various sources. It involves looking at the situation from all possible angles so that alternative explanations can be checked out. The heuristic investigator thus actively seeks the flaws in their own emerging explanations of the facts and tries to examine the facts from a variety of standpoints.

This '*prism testing*' process has already been referred to in chapter four as a means by which different theories or explanations can be tested against the facts. This is of key importance in the investigative process. It is a tool by which the investigator can open up divergent lines of inquiry and is also a tool for reconciling contradictory information. Gaining a total perspective is therefore dependent on the investigator adopting this critical stance, one that is even critical of your own opinions, even as they begin to form. Investigators must constantly pose questions to themselves such as, 'What if?' (Goldstein, 1990:38) and they must then seek to satisfy these questions in a logical and objective way (Schon, 1983:145).

What if the aunt is crazy? What if the doctor is wrong? What if the child has been terrorised? Or bribed? Or brainwashed? Investigators must work through a myriad of such questions with an open mind. The pieces of jigsaw must be methodically sifted, looking for pieces that match. The pattern must come from the pieces themselves, not from any preconception of the investigator. As will be further explained in chapter thirteen, this is the crucial difference between '*prism testing*' and '*templating*'. In the former, a conceptual frame is being used to see if the pieces available fit and openness is being maintained to further information. In the latter the template becomes a set of conceptual blinkers in which the investigator sees only what they are looking for. The information gained will be made to fit a classic mould, rather than the facts all fitting together as a coherent and unique whole, as is the intention of interventive research.

Therefore to properly protect children, an objectively focussed heuristic investigative process must guide all interventions. Failure to do this only opens the process up to error by the substitution of unstated goals. This process was clearly in evidence in cases B, D, and G, where the stated purpose of each intervention had been '*to protect the child*'. The

actual purpose in such cases is however described by Furniss as a '*Primary Punitive Intervention*'. Here the target is the abuser, and the aim is to punish him as a perpetrator (Furniss, 1991:60).

11.3 The Primacy of the Protective Process

It is therefore extremely important that child protection services ensure their ability to retain a primary focus on the protective purpose of the investigation. The fact gathering and causal speculation functions of the investigative process are to ensure protection of the child, not to punish offenders or provide therapy for the child. If such secondary functions of punishment or therapy are achieved as a byproduct, this is well and good, but when there is an actual or potential clash between these functions, they should not at any time be allowed to compromise the protective process.

In this respect, it is vital that protective organisations ensure the primacy of this protective focus, by establishing protocols between themselves and other involved agencies. This is especially so in any relations with the police (Hetherington, 1998b:9). For instance if there is a dilemma between whether to delay intervention to protect the integrity of police evidence at a crime scene, or to intervene immediately in order to protect a child, the dilemma should be viewed only in terms of the sufficiency of evidence to protect the child, not to sustain a criminal prosecution. The balance needed is often a fine one, between intervening earlier and finding that there is insufficient evidence to prove a protection application, and intervening later in order to sustain a criminal prosecution. In both scenarios, the intervention may be failing the primary purpose of protecting the child.

It is impossible to cater for such fine matters of professional judgment through the development of highly detailed inter-agency protocols and it is therefore important that such protocols be broad guidelines, so that flexibility and adaptation to local conditions and case circumstances can be maintained. This also has the added advantage that local agencies will need to actively collaborate in further elaborating such guidelines and it is this process of collaboration that is most important in building and sustaining co-operative relationships (Pence & Wilson, 1994:44).

The value of establishing such relationships between police and protective services is apparent in the discussion of Case C involving six year old Fiona, Case A with seven year old Norah, and Case F with 15 year old Kathy. With Fiona, a co-operative plan of engagement and interview with the child was decided and the police also willingly withheld criminal investigation against the seventeen year old boy in order to be informed by the protective investigation. With seven year old Norah, joint interview of Norah with the police was not attempted until protective investigation was virtually complete. The inter-agency co-operation was in this instance clearly geared to protection first and criminal prosecution second. With fifteen year old Kathy, the futility of expecting a disclosure was recognised at the outset and again, the protective investigation clearly assumed supremacy.

These cases clearly contrast with Case B, where the apprehension of baby Kylie was punitively focussed, even though there was insufficient evidence to sustain a police prosecution. The rush to remove baby Kylie was rationalised on protective grounds, but in fact the level of inter-agency co-operation and communication was limited. On the one hand restriction of interagency communication to being only between the protective supervisor and the foster care worker, led to enmeshment, subjectivity and lack of access to all the facts by the workers. On the other hand antagonism between police and protective service supervisors also distorted the communication of facts to the workers.

11.4 Maintaining Situational Control in Protective Investigations

In the case of baby Kylie, protection of the child was equated with removal of the child. The supervisor stated that the child should not *'spend one more night under the same roof as that man'*. Such interventions, which O'Hagen (1989:105) terms as *'lightning strikes'* are most often not based on an accurate knowledge of the alleged perpetrator, and not on any evidence that is capable of sustaining a prosecution and conviction. The prior question that needs to be considered in all interventions is, how the protection of the child is best achieved whilst the substantiating investigation is proceeding. This is equated with the ability to confidently *'freeze'* the situation and *'cocoon'* the child and does not necessarily mean removal of the child. These notions of freezing and cocooning relate to ensuring that the structure of the situation is controlled and there is strong confidence that the child is not exposed to uncontrolled contact with suspected perpetrators. Case E with little Sheree, and Case A with Norah were cases in point. As

demonstrated, such control over situations can often be achieved without resort to the exercise of formal powers and are best reached by agreement with the family members (Jones, 1987:143).

Case F, with fifteen year old Kathy, also demonstrated this process. Agreement was initially sought with Kathy's mother Jo, and with Simon, that he should absent himself from the house in order to ensure the integrity of the situation. This situation was then further frozen when an agreement was extracted from Simon and Kathy to cease contact with each other in order to protect Simon's reputation. That this agreement was subsequently not honoured indicated success of the process rather than failure. The fact that Simon was prepared to risk all in continuing his contact with Kathy, only proved the extent of his manipulation of the situation and his manipulation of Kathy, who did not regard herself as being abused. The freezing and cocooning strategy in this case again provided the additional evidence necessary to support a successful intervention.

While voluntary agreements can be reached to freeze a situation and design a supportive structure to protect the child, it is the very reality of being able to invoke formal authority that gives the glue to such agreements in the first place. For instance, a person against whom there was direct suspicion would be requested to voluntarily reside outside the home during investigation, to ensure the integrity of the situation. A refusal would only serve to reinforce the necessity for invoking a formal exercise of authority to ensure protection of the child.

Whilst some argument can be mounted that techniques of freezing and cocooning will still give abusers the opportunity to continue the abuse, bind their victims to secrecy and increase opportunities for family collusion, the opposite approach has far greater dangers. The 'lightning strike' removal of children only serves to throw families into chaos and compromise the ability of the protective agency to engage family members. This also includes damaging the engagement with the child, who may well now feel responsible for the devastation to the family.

11.5 The Necessity For Inclusive Engagement

One of the most important advantages to seeking control over situations through the negotiation of voluntary agreement is that it requires an active engagement of all parties,

including the suspected or alleged perpetrator. As was graphically shown in Case B, the active refusal to engage the suspected perpetrator, Jack, or to include him in the formal assessment process, created a gross injustice to him that years later he was continuing to experience. However this is not a situation that is by any means unique to the Victorian child protection scene. As O'Hagen (1989:93) has noted:

'Child abuse inquiries (Beckford, Colwell, Henry etc.) invariably demonstrate the marked reluctance of professionals to even have contact with the perpetrators. The consequences have always been disastrous in these cases....The real reason was that professional, mostly middle class, mostly female social workers, had not the slightest inclination to engage male perpetrators they perceived as violent or threatening, incomprehensible or beyond the pale.'

This of course was exactly the situation in relation to John in Case G, who had been templated as both violent and mentally disturbed in order to justify the failure to engage him. As was clearly demonstrated in the engagement of Norah's father Garry, and Kathy's foster father Simon, valuable information and evidence flowed from the contacts. It is even appropriate to conclude that in Simon's case engagement encouraged him to believe he had deceived the writer and that he was safe to continue his manipulation of Kathy. It is clear that the successful intervention in this case grew out of the pursuit of engagement with all parties, the victim, the victim's mother, the perpetrator and the perpetrator's wife. Without the information that flowed through these engagements, the investigation would quickly have foundered and the abuse would have continued unhindered.

As was seen in Case A with Norah however, even a strong engagement with the child, provides no guarantee that she would directly disclose her abuse. For this reason it is important that engagement with and interview of the child not be saddled with expectation of it being a *'disclosure interview'*. First and foremost these are investigative interviews with the child that seek to establish fact and observation in relation to the child's functioning, perceptions, relationships and experiences. The child interview is simply one phase and one part of the investigative process. The success or failure of a protection application cannot be left to rest primarily on a child's statement of disclosure.

What is of utmost importance is the process of the protective investigation itself and the level of planning within the protective service agency and between all the involved agencies, on the conduct of the investigation. Organisational procedures and inter-agency protocols must therefore be flexible enough to be adapted to the individual circumstances of each case. Questions of whether to interview the child immediately as in Fiona's case, or later, as in Norah's and Kathy's cases, or not at all as in Sheree's case, or whether the suspected perpetrators should be interviewed sooner or later need to be decided on the merits of the individual case.

11.6 Myths on the Male Role in Child Sexual Abuse Interviewing

A further strategic question that needs to be decided is the part that individual skills, experience, and gender might play in the engagement and interviewing of sexually abused children. Does the worker's gender in fact cut across considerations of skill and experience? You will recall that in relation to six year old Fiona in Case C, the foster agency worker initially demanded that Fiona not be interviewed by a male. Although the decision was taken to judge this issue on the merits of the individual case, and this was vindicated, it is worthwhile to examine this issue in greater depth. This is because along with the proscription of *'believing the child'*, the view that *'men should not interview children because men are abusers'* has been a central new myth of contemporary protective work that continues to impact directly on practice.

The issue of worker gender in child sexual abuse interviewing is in an entirely neglected research topic. It is a topic on which there have been very few attempts at informed debate. This situation is reflected in a 1992 Victorian protective services departmental conference paper, which reported that there existed within the department: *'...a belief that it was not preferable to have male workers involved in the investigation of child sexual abuse. But that is where the discussion appeared to begin and end'* (Tucci & Mitchell, 1992:150).

At that time, Tucci and Mitchell were only able to identify one article that dealt specifically with the issue of worker gender in child sexual abuse disclosure. This was a 1988 article by Stephen Frosh, a clinical counselor from the UK. This situation appears to remain the same almost a decade later. Frosh's article is still strongly relied on to support the notion that men should not interview sexually abused children. It will

therefore be necessary to examine Frosh's seminal article in some detail. Frosh first contrasted the impacts of Feminist theory and Family Systems theory on the field of child sexual abuse investigation. He states that, *'Whereas family systems theorists place the origin of child sexual abuse in disturbances in family structure and interaction patterns, feminists link it with wider practices of male oppression'* (Frosh, 1988:3).

Frosh then correctly points out that the overwhelming majority of sexually abused children have had these things done to them by men. However his subsequent statement is a non sequitur. *'...it is probable that relationships with men will become a disturbing question for all'* (Op Cit:3). In fact this conclusion even flies in the face of Frosh's own preceding rider, that the impact of sexual abuse on individual children will vary markedly, according to the nature of other non-sexual relationships they may have with adult men and women.

This though, is only a small part of the picture. Frosh entirely neglects to mention a whole panorama of factors that might impact on the sexually abused child's attitude to males. As well as the impact of the abuse varying according to the nature of their other non-sexual relationships; it will also vary in relation to the nature, extent and duration of the sexual abuse, its level of association with other forms of abuse, the total context of the child's relationship with the abuser and the nature of the child's abusive experiences with women, whether sexual or not. It will also vary according to the total context of these female relationships, as well as in relation to the age and developmental phase of the sexually abused child.

Frosh then discusses the personal clinical implications of child sexual abuse for male workers, and raises some pertinent points for consideration. He contends in Freudian terms that:

'In particular, reaction formations and reparative wishes, arising from the challenge presented to one's own sexuality by awareness of sexual abuse, may operate in a transferential way to produce tendencies towards over-involved pseudo-identification with the child victim of abuse. This can lead to unhelpful 'mirroring' of a child's anger and to rescue fantasies which produce impulsive and unbounded interventions' (Ibid:4).

11.7 Myths on the Female Role in Child Sexual Abuse Interviewing

However Frosh has posed only half the question and fails to consider the transference problems that may be experienced by female workers. This omission is puzzling because the level of sexual victimisation of females is many times greater than that of males, and given the numerical dominance of females in the protective field, surely it is likely that many more females than males in protective work have suffered personal experiences of sexual abuse. For these women in protective work there is the strong possibility of significant unresolved issues creating problems of transference in their dealings with sexually abused children.

Surely it is just as likely that unresolved feelings of anger, fear and powerlessness in a female worker are going to prompt a similar 'mirroring' of the child's anger that Frosh postulates for males. This mirroring is also just as likely to lead to impulsive and unbounded interventions by females. Over-identification with the abused child by female workers is also just as likely to create barriers or distortions to them hearing the child's story. Reaction formation and reparative wishes is similarly just as likely to lead females to the rescue fantasies that Frosh proposes for males, but perhaps also to vengeance fantasies toward the alleged or suspected perpetrator. Perhaps it could also be fairly speculated that these unresolved issues could more readily lead female workers to pre-emptive beliefs and self-validating conclusions that are not properly grounded in fact, and will fail to survive close legal scrutiny. The discussions of Cases B, D, and G in chapter ten of this thesis might suggest that such an idea might well have some validity.

O'Hagen (1989:93) raises similar issues relating to the higher incidence of sexual abuse for females in the general population. He contends that it is likely some female workers may be faced with painful memories of their own past abuse and unless acknowledged, this may lead to unrealistic expectations and hopes that mothers can protect children. He adds that this may stem from the worker's avoidance of the male perpetrator, rather than their conviction that the mother can actually protect the children.

This assertion is lent support by the 1993 research of Stanley and Goddard that shows a frequent underestimation by protective workers of the potential for violence in the client families studied. A '*Hostage Theory*' is used to explain this phenomenon where the family seemingly holds the protective worker emotional hostage (Stanley & Goddard,

1993:8). One factor that is however not addressed in this study is the way in which an overestimation of violence is supported by organisational norms. In Case B for instance the workers were clearly given a rationale by their supervisor for non-engagement of the alleged perpetrator Jack, because of his alleged dangerousness. This pressure toward non-engagement was also evident in Case G with John, whom a worker had inaccurately described as violent.

The question is, would less experienced workers have been able to resist such pressures? Do such pressures in fact lead to workers becoming emotional hostage to the protective service itself? The study by Goddard and Stanley unfortunately does not address this question, and the writer's own hunch would be that the concept of *organisational hostage* might well be more salient than the idea of *client hostage*. One can also only wonder as to what differential rates there might be between males and females as hostage victims, either as hostages to their employers or to their clients.

11.8 Demonstrating Respect for the Child's Wishes

Frosh does not address any of these issues. He instead makes the simple and direct assertion that as a disclosure interview will often involve a worker unknown to the child, it is likely to be far more anxiety provoking for the child if they are interviewed by a male rather than a female. It is on this assumption that Frosh concludes with only two exceptions men should not be involved in disclosure work. These exceptions are:

'...when an already trusted male interviewer is available and is clearly likely to be preferred to other possible interviewers by the child.' and second, *'Where a child, perhaps especially a boy, is known to have a strong and positive non-sexual relationship with an adult male and/or is known to trust and like men more than women'* (Frosh, 1988:7).

It is interesting to contrast this proscriptive statement concerning the investigative phase, with Frosh's later statement concerning the stage of therapeutic engagement that follows the investigative interview. In the therapeutic interview Frosh sees a legitimate role for men and concludes his article stating that:

'The only guideline that can be stated with confidence is that if a child expresses a clear preference for a therapist of either gender, this should be respected - both to further the chances of the child becoming engaged in the therapeutic process, and also because the

expressed wishes of sexually abused children should be obeyed where possible, as lack of recognition of their desires is precisely one of the destructive characteristics of child sexual abuse' (Op Cit:16).

One can only but wholeheartedly agree with such sentiments, but regard for the wishes of the child should not be limited to the therapeutic process, which is actually Frosh's own area of practice. It should be an immutable practice principle that the views of the child be sought in both phases, not just one. Social Work practice principles simply should not be compromised by doctrinaire approaches such as that adopted by Frosh. One cannot enter into an investigation of child sexual abuse from a unilateral or ideologically blinkered perspective. To do so only invites error.

It is interesting to note that despite Frosh being unable to rely on his own or anyone else's research to support his contentions, the notion of excluding males from disclosure work, was readily and uncritically incorporated into child protection practice in the 1990's as a conventional wisdom. It is also interesting to note that these extremist views by Frosh were published in 1988 just prior to the Cleveland Report being released. The whole Cleveland affair can in fact be seen to have derived from a like-minded uncritical acceptance of a proposition, without having examined its actual impact in practice. That is, the diagnostic certainty of the so-called '*anal reflex*' as a sign of sexual abuse. As Howitt (1992:39) states:

'Here the entire set of events was triggered by the promulgation of the view that a relatively simple 'medical' test would demonstrate that buggery or other forms of anal penetration had occurred.'

In reality, dogged belief in the veracity of the test, regardless of any contradictory social evidence, ended up causing grave injustices to many innocent families. As O'Hagen (1989:98) caustically notes, specifically in relation to the ideologically based ideas of Frosh:

'This timing is ironic, as Cleveland demonstrated the disastrous and inevitable consequences of a half-baked child sexual abuse strategy clearly based on extreme feminist views.'

11.9 Avoiding Ideologies of Gender and Power

Howitt (1992:29) also takes up the cudgels against extremist views such like those of Frosh, commenting that:

'Part of the engine house of child protection which leads to some devastating errors are a number of ideologically based themes about gender and power in modern society. Child protection activity does not emerge from the minds of individual professionals in the child protection system. No-one has awoken one morning and decided in isolation that a child ought to be removed from its abusing family. What they do is as much a product of the ideological support with which their training, reading and profession provides them as anything else.'

In other words the system itself has encouraged the growth of simplistic and ideologically based views to replace the professional knowledge, skill and method of Social Work. This is a problem that has been experienced both in Australia and overseas for more than the past decade, and is still being worked through. Child protection systems, such as in Victoria, have been driven by proscriptive and inflexible administrative procedures, rather than by a coherent framework of professional practice principles and it still continues as a significant difficulty.

Views such as those expressed by Frosh, are therefore clearly intellectualisations and abstractions that lack specificity in practice. As Howitt (1992:35) states,

'Child protection practice is essentially theory led. These theories may not be particularly well articulated as such by individuals, but this is irrelevant. The vaguer the conceptualisation of the theory, the fewer bounds there are to its application.' He also later states: *'The socially created language of abuse brings its own problems....One worrying feature is that its emotive and over-inclusive nature destroys its ability to communicate'* (Op Cit:50).

Such concerns of emotive and over-inclusive language are clearly evident in Frosh's work. The propositions of his 1988 paper are unable to be sustained when analysing specific cases such that of six year old Fiona in Case C, who disclosed abuse against the seventeen year old son of the foster family. In this case it was an obvious advantage for the writer to have had some knowledge and relationship with of one of the foster parents, however limited that may have been. It was a further advantage in the engagement of the

child, to have had some previous indirect contact through her school. However, none of these apparent advantages in any way met Frosh's minimum conditions for the involvement of a male. The worker could not have properly been described as '*an already trusted male*'. Fiona could arguably have been described as '*known to have a strong and positive male relationship*', but could not have been deemed to be '*known to trust and like men more than women*', as Frosh stipulates.

There is no doubt a male had originally sexually abused Fiona, but was this of itself enough to assume that disclosure to a male would be more traumatic than to a female as Frosh asserts? Regardless of the question of a second sexual abuse episode in foster care, the later removal of Fiona from her natural parents took place after it became abundantly clear that her mother had not only been complicit in the original abuse, but she had then conspired with the father to procure Fiona back into his care once more. Fiona had then been immersed back into a family culture of secrecy, deceit, fear and abuse despite having clearly indicated that she did not trust or feel safe with her mother. Her first foster mother tried valiantly to argue against reunification, but was unable to protect her and felt tremendous feelings of guilt at letting Fiona down. Both the caseworker and the caseplanner who made the decision for reunification were female. What reason then, was there for Fiona to have implicit faith in the ability or intention of women to protect her from abuse? This is the nub of the question, and gives indication to a dimension of feminist theory that is entirely missing from Frosh's analysis.

Any analysis, feminist or otherwise, gives us a clear basis of agreement that men are in fact the more dominant power holders in society. How then, is this fact perceived by children? Are they daily exposed to only negative images of male power, or is it reasonable to expect, even if only through the medium of television, that neutral or even positive images of male power can develop? What views of male role and power will children come to in watching Naturalist or Gardening programs hosted by men? Even on television, men are not all Rambo's or psychopaths. It is therefore not valid to claim that, unless there is clear contrary evidence, we must assume a child has negative images of males. If children are in fact socialised into seeing women as the lesser power holders in society, then it is more likely they will believe a male has greater power to protect them from harm. But this is also speculation and not based on research evidence. We simply

do not know and while we do not know we cannot afford to make doctrinaire claims about the role of worker gender in child sexual abuse interviewing.

11.10 Issues of Power in Child Engagement

The uncharted complexity of this is amply demonstrated in a case anecdote recounted by Furniss in which a sixteen year old girl sought him out after a period of eighteen months in order to make a disclosure. To do this, the girl had to trace him to his new place of employment then travel across London to see him. As Furniss states, the child had originally:

'...been referred to the GP and to the local child psychiatrist, to the school nurse and to the education social worker, who had all tried to link up with the child. She had been sent to the local Child Guidance Clinic and did not dare to disclose either. She told me she was frightened of men, only to continue to tell me as a man that she had not dared to disclose to the female school nurse and the female education welfare officer who had both asked her repeatedly' (Furniss, 1991:187).

Furniss' anecdote clearly shows that even though the child confessed a fear of men, it obviously did not traumatise her to discuss her sexual abuse with a male worker, as Frosh would have us believe. In fact, having been abused by a male obviously did not even create an effective barrier to Furniss' engagement of the child. It would seem that instead, there was a barrier to the child disclosing to a range of female professionals. Part of the answer as to why this may be so, may lay in the individual skills of the practitioners involved. It may also have been that the child's capacity to trust, to some extent depend on their gender-based perceptions of power. Perhaps being male can be an advantage in reassuring the child of a worker's capacity to protect them. Perhaps females might find that their capacity to engage a child is enhanced if they can effectively reassure the child of their power. Such techniques as were observed with seven year old Norah in Case A may be relevant. Here, the writer first asked the child if she know what my real job was. She was then told: *'I am a child protector and I am very good at my job.'*

Perhaps then, it is the ability to **reassure the child of the worker's power to protect them** that is the crucial factor, rather than gender as such. Unfortunately there appears to be a complete dearth of research information into the role of worker gender in child sexual abuse disclosure and how this may or may not affect engagement technique. Also,

whilst Feminist theory has devoted considerable attention to structural issues of power in society, little effort seems to have been directed towards developing operational concepts of power within our professional technique, such as was briefly indicated above. What research there is on worker gender, seems to focus exclusively on adult survivors of child sexual abuse.

In reviewing this research on worker gender in respect to adult survivors, Draucker (1992:12) concludes that:

'...in general, counselor's ability to examine their own gender related issues as these influence their beliefs and attitudes, and the ways in which power issues are handled within the counselling relationship, may ultimately be more important than the gender mix between counselor and client.'

11.11 Issues of Power in False Disclosure

This may well be so, but it only serves to point up that more reflection on practice experience and some definitive research is sorely needed and this needs to be done free from doctrinaire assumptions. For instance the completed investigation into six year old Fiona's case contains some valuable food for thought. What ultimately transpired, was that the disclosure against the seventeen year old was false. In brief the youth simply did not have the access or opportunity described by Fiona. She had certainly described a graphic and real episode of abuse, but it was not by the person she nominated as the abuser. Why then did Fiona, as was believed, recount a real episode of abuse but wrongly identify her abuser?

First, it was clear from the comments and behaviour of the child, that she was in physical fear of her father and also feared the collusive manipulation of her mother. In contrast, there had been a very positive relationship of the child with both the foster father and the seventeen year old son. There was therefore no hint of personal antipathy or gender based animosity in the child's motivation to disclose against the seventeen year old, nor did any of these factors present as being a barrier to disclosure with a male worker. Perhaps the explanation of Fiona's false identification of her previous foster-brother as the perpetrator of her abuse could be posed as follows.

Fiona had moved from the culture of her natural family, which had been replete with many forms of deceit and secrecy, into a new foster family culture of openness, honesty, supportiveness and reliability. Fiona had made some naive comments about sexual abuse that alerted the foster mother. She was then encouraged to elaborate on her tentative disclosure. It is easy to imagine the dilemma that Fiona then faced. If I tell, what happens? Will mummy and daddy find out? What will they do if I get sent back to them again? But if I don't tell, will my new mummy and daddy still love me? How can I tell but not tell? We can clearly see the application of what Furniss terms as the child being caught between the motivation to trust and not to trust (Furniss, 1991:36).

It seems that Fiona may have resolved her dilemma by having it both ways. To disclose safely she seemingly chose to substitute the name of the real abuser for someone she trusted, and from whom there was no fear of reprisal. Such an hypothesis was in fact quite consistent with Fiona's developmental and functional status. With the lack of definitive research on issues of worker gender, power, and engagement in the process child sexual abuse investigation, common sense therefore dictates that three principles need to be adopted by child protection services.

First, child sexual abuse teams should include both genders, in some reasonable balance. **Second**, the roles played in the investigation by each gender should be decided according to the way in which the skills and experience is fitted to the specific demands of each case. The division of roles should not simply be on the basis of gender politics. **Third**, and most important of all, the child should not only have gender choice available to them, but a choice as to who they wish to interview them.

In the final analysis, the views of Frosh do not seem to have contributed anything of value to an understanding of Fiona's case, or indeed any of the other cases discussed in chapter ten. The successful engagement of the child may well have ultimately been irrelevant to the gender of the worker, but if other ideological presumptions had been made, such as an unqualified belief in the veracity of a child's disclosure, then the intervention would have certainly gravely miscarry. However as was shown in Fiona's case, error was avoided by the implementation of a clear validation process.

The validation model formally trialled in Fiona's case had been developed through the heuristic theory building process outlined earlier in this thesis. Initial insights were gained into each individual case as part of the intervention research process and these insights were briefly reviewed in the case studies. Together with other insights gained from the relevant literature, these case-specific insights were used as prisms through which to examine subsequent cases and test the utility of the insights for generating understanding. Gradually these insights were ordered in their relationship to each other and contextualised to the literature, in a clear second process of modeling research. The model that was consequently developed, and the theory contextual to it, will therefore be detailed in the following chapter.

CHAPTER TWELVE DEVELOPING A MODEL OF CHILD SEXUAL ABUSE VALIDATION THROUGH REFLECTIVE PRACTICE

12.1 The Wider Context to Validation

In this discussion on validation the word '*allegation*' has been deliberately chosen in preference to the word '*disclosure*' as the latter term is too limited to embrace the full context of protective investigation. Allegations do frequently arise from self disclosure by children but may also be imputed by others through a range of factors, such as particular behaviours observed in the child, through medical evidence, through observation of the behaviour of a specific adult toward the child or through other contextual comments of the child. In the past however, many theorists have emphasised, even over-emphasised, the importance of the disclosure interview with the child. The following two comments being typical:

'Validation of child sexual abuse depends almost entirely upon investigative interviewing of the child' (Sgroi, 1988:69).

'...importance must be given to the child's statement itself as the primary source upon which to assess whether the allegation is true or not. All other information and findings may be considered as supporting the child's statement, or alternatively detracting from its worth, but cannot substitute for the child's statement' (Jones & McQuiston, 1988:43).

This tendency to exaggerate the importance of the disclosure interview has come from therapists rather than protective investigators and the issue of this confusion of roles and purposes within protective investigation will be addressed later. As has already been demonstrated in the case discussions of chapter ten, it is contended that although they are important such disclosure interviews are **not vital** to successful protective intervention. It is important that all eggs should not be placed in the one basket of child disclosure. Such pressure on the child can have disastrous results through either false disclosure or refusal to disclose. This situation was amply demonstrated in the discussion of Case A involving seven year old Norah, who refused to disclose abuse. Fortunately, successful protective intervention was not dependent solely on gaining a disclosure. Proof, both of the abuse and the identity of the abuser, was readily drawn together from the range of other factors such as the child's behaviour, the father's behaviour, medical evidence and the time relationships between them.

The reality is that although the lack of a direct disclosure may prevent criminal prosecution, we still have the task of protecting the child. We should therefore not confuse our protective purposes with other punitive or therapeutic purposes. Validation of child sexual abuse allegations needs to embrace a wide range of factors. To date most of the research work that has been undertaken on validation processes has focussed almost exclusively on the child's disclosure and the degree to which the form and content of the disclosure is associated with successful criminal prosecution. When cast in this light of sufficiency to sustain a criminal prosecution, the child's disclosure tends to stand or fall in its entirety as either a true or a false allegation. However, as we saw from the discussion of Cases B, C, and D, a disclosure may recount a true episode of personally experienced abuse, and may also contain inaccuracies in regard to time and place of the abuse or even the identity of the abuser.

The child may also describe a relatively innocuous episode of abuse, that fails to accord with the severity of abuse that is medically evidenced, as occurred with Jenny and Kristie in Case B, and intellectually disabled Amy in Case D. We also saw from the case discussions that inaccuracies in the child's disclosure may arise through cognitive or developmental factors, through fears of reprisal by the abuser, through a wish to protect family or individuals, through mischievous intent, or through an accommodation to the pre-emptive belief of a professional.

12.2 The Effect of Professional Bias in the Disclosure Process

It is this final factor, the pre-emptive belief of a professional that has proved to be the factor most associated with false or inaccurate disclosures by children. This demonstrates the very real difference between elicited and solicited disclosures. As was evident with the sisters Jenny and Kristie in Case B, the belief of the agency worker was the crucial factor in soliciting the disclosures that implicated Jack, not any antagonistic motives that may have been attributed to the sisters. With such clear stereotyped views of Jack being expressed by the professionals involved, the covert and even overt cues to the children would readily persuade them that such a disclosure was the right thing to do.

While the case studies presented in this thesis recount three instances of seriously inaccurate disclosures out of the seven client cases cited, false disclosures comprise only

a very small proportion of all disclosures. These cases have been cited because they gave cause for considerable reflection and the further development of practice theory.

Research in medical diagnostic settings indicates that false disclosure occurs in only some 6% of cases in children's court settings. In some research on custody disputes in family court settings, the rate of false disclosure has been recorded at dramatically higher levels of 33% and more. This seems to be an atypical finding however, due possibly to an overrepresentation in such family court samples of parental influence in the allegation process. Further studies have indicated that when these parental factors are discounted by examining only child-initiated disclosures, the rate of false disclosure in custody disputes reverts to a more standard level of something above 5% (Schetky & Green, 1988:106). More recent Australian research has also strongly supported this view and shown that the 9% rate of false allegations in the Family Court was no more frequent than that recorded in Australian child protection services (Brown et al, 1998:2; 2001:6).

Regardless of how small the minority that false disclosures may be, the inclusion of three such instances out of the seven in this study has been to demonstrate two very important and tragic results. First, such disclosures can lead to gross damage in the lives of those falsely accused and to the lives of their families. Second, they compromise the credibility of true allegations and increase the chance of prosecutory failure in cases of true disclosure. Research clearly shows that professional bias is one of the most common factors involved in false allegations of sexual abuse. A premature commitment by a professional to a belief in the child's allegation can be an important factor in miscarrying the investigation, as was graphically demonstrated in Case B with the two sisters. Additionally, where research has identified the existence of a pre-emptive belief by a professional in the cases under analysis, and the allegation has been disproven, it has also often been accompanied by the child's subsequent confirmation of having made a false disclosure (Klajner-Diamond et al, 1987:610).

On the basis of our previous case discussions a corollary to this is also apparent. That is, premature commitment by a professional to a belief as to whom is responsible for an abuse will be the factor most consistently related with false identification of an abuser. It is of crucial importance then, that we seek to place such direct disclosures within the total context in which they have arisen, rather than to accept or reject them in their

entirety. Even palpably false allegations of sexual abuse may occur within contexts of acute protective concern. Often, when a child purposely gives inaccurate information, it is for wholly understandable if not completely justifiable reasons.

12.3 Separating the Investigative and Therapeutic Roles

On the other hand, some elements of construction to a child's story may simply be an attempt to make sense of their experience. A child will perceive their experiences in a way that is consistent with their particular developmental stage and cultural background, and they will attempt to communicate that experience through the language and cognitive processes that are available to them. These communications will not necessarily be consistent with our sense of objective reality. This may be beyond the child's experience and comprehension. In such circumstances the inaccuracies of a child's statement may even enhance the authenticity of the disclosure once the total picture is understood (Bradford, 1994:97).

Adopting a rigid attitude in the investigative phase of *believing the child* will compromise an heuristic investigation process, by closing the mind to specific possibilities, possibilities that may contain key pieces of the jigsaw. The proper context of the philosophy of believing the child is **after** the investigation and during the therapeutic engagement of the child. Overseas authors such as Coleman, and Mason, have clearly identified this issue. They see it as a basic conflict between the investigative and therapeutic roles and argue cogently that these two approaches require quite different philosophical approaches (Coleman, 1990:545; Mason, 1991:394).

As argued previously, the investigator must seek to maintain a critical and analytical attitude. On the other hand the therapist must adopt a supportive and affirmative role. The investigator is focussed more on external objective reality, whilst the therapist is focussed more on the internal reality of the child and the subjective meaning of the abuse (Mason, 1991:393). Within any investigation of child sexual abuse there are therefore three competing interventive interests, the punitive, the therapeutic and the protective (Furniss, 1991:60). Accordingly, a child protection service must be mindful of its primary purpose and ensure that its focus in investigating child sexual abuse remains on that of protective intervention, rather than either a punitive or a therapeutic intervention. The

protective investigation process is therefore one that needs to be objectively focussed and persistent in piecing the facts together. As Doyle (1994:156) states:

'They will be concerned to find out exactly what happened, when, where, to whom, by whom and how often. The questioning of children will need to be more specific: rather than simply letting the child unburden themselves, the investigators may have to be persistent in their questioning'.

Once all the evidence has been gathered, then specific methods need to be employed to determine the degree of confidence held that abuse has occurred and, if so, by whom (Pence & Wilson, 1994:51). However, whilst a number of theorists have identified a great many factors pertaining to this validation process, the focus of these instruments has mainly been on therapeutic and punitive intervention purposes rather than protective purposes. The task that will now be addressed in this thesis is to examine these factors and construct a model of validation more appropriate to protective purposes.

12.4 Identifying Key Factors in Validation

In the United States, Wehrspann et al (1987:4) defined two basic categories of factors, medical findings, and criteria arising from the child's presentation. A deficiency of their model is in not defining any further factors within the medical findings category, whereas in the category relating to the child's presentation ten further factors are defined. Without detailed discussion at this time, some appreciation of the intent of each of the ten *'child presentation'* factors can be gleaned from the terms Wehrspann uses.

These ten factors identified by Wehrspann in the child's presentation are spontaneity, repetitions over time, internal and external consistency, embedded responses, amount and quality of details, story told from the child's viewpoint, emotional state consistent with disclosure, presence of the accommodation syndrome, consistency in the face of challenge, and sexually specific symptoms.

Similarly, the British psychologist Roger Bradford (1996:96) defines eighteen criteria in his *'Criterion Based Credibility Assessment'* that he groups into five major categories. By adopting this conceptual device of factors within categories, Bradford begins to address some of the semantic issues and structural relationship issues that tend to detract from Wehrspann's analysis.

The first of Bradford's five categories is termed as the '*general characteristics*' category, and has constituent factors of logical structure, unstructured production, and quantity of details. The second of the five categories is the '*specific contents*' category, of contextual embedding, description of interaction, reproductions of conversation and unexpected complications during the incident. Third of the categories is '*peculiarities of content*', consisting of the factors, unusual details, superfluous details, accurately reported details misunderstood, related external associations, and accounts of subjective mental state. Fourth of the categories is '*motivation related contents*', consisting of spontaneous corrections, admitting lack of memory, raising doubts about one's own testimony, self deprecation, and pardoning the perpetrator. Fifth category, the '*offence specific elements*' category, contains only one factor, that of 'details characteristic of the offence'.

Both Bradford and Wehrspann identify factors relating mainly to the form and content of a child's formal disclosure, while being quite limited in their attention to such aspects as medical evidence, behavioural evidence, abuse patterns, dynamics of the abuse situation, developmental appropriateness, individual functional status of the child and sources of objective verification to their story. Bradford goes some way to addressing these problems by placing his Criterion Based Credibility Assessment as part of a three phase process of '*Statement Validity Analysis*'.

The first phase involves formal psychological assessment of the child. The second phase subjects the child's disclosure to his eighteen factor CBCA checklist. The third phase then subjects these CBCA results to an eleven factor 'validity checklist'. These eleven factors relate to such factors as developmental appropriateness of the language used, the way in which the interview was conducted, the presence of false reporting motives or pressures on the child, and the statement's consistency with other evidence such as medical findings.

Again however, the basic purpose of Bradford's Statement Validity Analysis, even more so than Wehrspann's model, is to assess disclosure credibility in terms of likely success in criminal prosecution. That is, because of the higher standard of proof required to convict in such cases, many of the situations that would otherwise satisfy a court on a

civil standard of proof as to the necessity for protective intervention have been selected out in approaches such as Bradford's.

12.5 A Process Model for Protective Validation of CSA Allegations

As the 1990's have progressed, broader models of validation more directly related to the protective perspective, have begun to develop. Pence and Wilson (1994:124) for instance list seven categories of factors for exploring evidence. These include the child's statement, statements of other witnesses, medical findings, physical evidence, behavioural indicators, relevant psychological information on child, family and alleged perpetrator, and the statement of the alleged perpetrator. It is considered that building such a model might best be attempted by an approach similar to that of Bradford, and that also implied by Pence and Wilson, where specific factors are logically grouped within broader categories, but that this also should in some way attempt to reflect the sequential process of protective investigation. Rather than focussing strictly on children's formal disclosures, an attempt will be made to follow the process of protective investigation whereby in the terms of Furniss (1991:69), '*vague first-line suspicions*' are investigated and may be successfully translated into '*well founded second-line suspicions*'

From a review of the available literature, various authors have identified well in excess of fifty factors associated with validating various aspects of child sexual abuse allegations. Whilst there is some duplication by different authors using different terms to describe essentially the same phenomenon, there is also some conceptual overlap. Some authors have used more inclusive terms that cover a wider range of constituent factors listed separately by other authors. In endeavouring to make sense of the various factors and models available, and through reflecting on the writer's personal practice, a ten category and thirty-six factor model of validation has been constructed. Discussion of this model will therefore follow, with reference to the cases cited in chapter ten and to the research and writings of various overseas authors.

It is important to bear in mind that each of the ten categories and thirty-six constituent factors are not discrete, they are interactive and have reciprocal influence. Changes in the valuation of one factor will have a consequent influence on the valuation of other factors, both in that category and in other categories. The model is intended as an holistic tool

and its interactive nature will become more apparent as the specific cases are discussed under the respective category titles. The ten categories within which the thirty-six factors of validity assessment have been aggregated, are therefore as follows:

1. Spontaneity
2. Concreteness and Explicitness
3. Associated Symbolic Behaviours
4. Logical Consistency
5. Developmental and Functional Appropriateness
6. Abuse Pattern
7. Medical Evidence
8. Identification of Abuser
9. Opportunity of Abuser
10. Unempathic Abuser Response

To aid recall of these categories, a two part anagram can be formed from the key letters to each of the ten categories. The first five categories form the word SCALD with the second five categories represented by the five vowels, AEIOU. (with E being treated in a rather plastic way to stand for medical evidence) This model for obvious reasons can be labeled as the 'hot water vowel test' and as such, can be more easily committed to memory. In practice, I have found this ease of recall to have three quite distinct advantages. First, you have a mental checklist available and a coherent framework to work with in the investigative phase. Second, in the validation phase it again provides you with a reference tool for checking the completeness of your information. Third, in the protective prosecution stage, it provides a valuable organising framework for giving evidence in court. Hopefully, the following discussion on each of the ten categories and thirty six factors will demonstrate this utility.

12.5.1 Spontaneity

This category refers to the degree to which a child has offered information about their abuse unprompted, uncoaxed and unsolicited. The greater the degree of spontaneity to the child's comments, the greater the level of confidence one can have in its veracity. Commonly this term has in the past been used to refer to self-initiated disclosures, where the child has announced spontaneously that they have been abused. However within this

broad category four different factors have been identified. These are *Naive Comments*, *Embedded Responses*, *Approach Comments* and *Self-Initiated Disclosures*.

First, '*Naive Comments*' are those made in seeming innocence by children, that arouse suspicion in adults that perhaps all is not as it should be. A typical example of this factor is the comment made by seven year old Norah in Case A, that: '*When Daddy and I sleep together we don't wear any pajamas*'. Often there may well be an innocent explanation for such one-off comments, but when abuse is occurring such naive comments are likely persist. Naive comments will also be likely to complement other indicators, such as sexualised behaviour or language, as indeed was observed with Norah.

Second, '*Embedded Response*' is a factor identified by Wehrspann and is a more clearly indicative of sexual knowledge that is based in personal experience. The graphic poetry by 15 year old Kathy is an illustration of this, although it may have reflected Kathy's previous abuse experience rather than being evidence of abuse by Simon. Perhaps the most graphic example of an embedded response is that cited by Wehrspann of a young girl at the dinner table who commented of the salad dressing, '*That looks like the stuff that comes out of men's dicks*'. Such embedded responses as this are often elicited by a present field stimulus and are an alert the child's precocious level of sexualised knowledge. These responses can also significantly inform an investigators approach to investigative interviewing of the child and the exploration of how their precocious knowledge has been gained.

Third, '*Approach Comments*' are usually made to a trusted adult. Sometimes the child will raise questions to the trusted adult in the third person, and talk about 'a friend who has this problem'. The child may otherwise pose hypotheticals of a 'what if?' nature. To some extent this was experienced with 15 year old Kathy, when she began to raise questions about the legal age of leaving home or getting married. The common aspect of such approach comments is their often surprising level of transparency.

Fourth, '*Self-Initiated Disclosures*' are the most direct and unambiguous type of spontaneous comment. Here the child blurts out the essence of the situation, virtually unprompted. This may or may not follow on from earlier naive comments, embedded responses or approach comments by the child. In the writer's experience, such self

initiated disclosures tend to occur in the later childhood or pre-adolescent period, when the child is beginning to gain a more mature perspective on sexual behaviour. Such self-initiated disclosure may often have been prompted by school sex education programs.

The value of these various Spontaneity factors in either enhancing or detracting from the validity of sexual abuse allegations, is demonstrated by reference to the disclosure of the two sisters Jenny and Kristie in Case B. Here, there was no element of spontaneity present in the disclosure against the stepfather. The later disclosure against the natural father was however entirely unprompted but was self-initiated and therefore had greater credibility in relation to this factor.

12.5.2 Concreteness and Explicitness

This category refers specifically to comments of the child in describing their abuse, and the degree to which those comments are detailed, graphic and seemingly experience based. Three factors have been identified within this category, *Experience Based Graphicness*, *Quantity and Quality of Details* and *Idiosyncratic or Extraneous Details*. Factors in the category of Concreteness and Explicitness factors are some of the few that have been subject to more controlled research.

In Faller's study of 103 child disclosures that had also been verified by abuser confession, she identified four factors as being consistent with true allegations. First, the child was able to describe the specific sexual acts to which they had been subjected. Second, these descriptions were from the child's viewpoint. Third, the child displayed a sexual knowledge beyond their developmental stage. Fourth, there was a specific emotional reaction of the child in recounting the story (Faller, 1988:397). This issue of emotional reaction of the child is however a somewhat thorny issue and will be subject to further discussion under the category of *logical consistency*.

The first factor in this category '*Experience Based Graphicness*' concerns the child's ability to describe in their own words the mechanical detail of specific sexual acts. It is a highly compelling aspect of a child's story as for instance is evidenced in the comment of a four year old in one of the writer's investigations, '*Daddy's dick spits on me, then he wipes me with a towel*'. Or the comment of an eight year old to the writer, '*He opened his pajamas and showed me how he could make his dick go straight*'. These are indeed

powerful, graphic and experience based comments that reek of truth. Contrasted to this is the solicited tape recorded disclosure of Jenny and Kristie referred to in Case B. Their comment, '*Jack did a fuck with us*', shows no mechanical detail of a sexual act and there is virtually no sense of experience based graphicness. The comment conveyed little more than knowledge of a common expletive and the statement of itself therefore significantly lacked in credibility.

The second factor in this category is also identified by Wehrspann and Bradford, refers to the '*Quantity and Quality of Details*' in the child's account of the abuse. Bradford also includes a factor of 'reproductions of conversations', but here this is treated as more a subset of quantity and quality of details. The gist of this factor is readily demonstrated by comparing the preceding quotes from the four year old and eight year old with that of the two sisters. The latter comment of '*Jack did a fuck with us*' is obviously entirely lacking in any quantity or quality of details.

Like all other factors, the quality and quantity of details cannot be taken in isolation from other factors in the model. For instance if we recall six year old Fiona's reference to the flowered curtains, this would at first face be taken to enhance the credibility of her comments. When matched with the physical reality of where the flowered curtains were, credibility was lost. Factors such as quantity and quality of details therefore need to be considered further under the category four heading of '*Logical Consistency*', rather than simply being accepted at face value.

The third factor in this category is '*Idiosyncratic or Extraneous Details*' and is an aspect originally identified in Faller's 1988 study. It refers to details within the child's story that are specific to the event itself and are in a sense extraneous. They are not fanciful or fantasy based comments, but impress as reality based and can sometimes be verified by witnessing the crime scene or by independent third party verification. Examples of this factor can be seen in the child's reference to an unusual ornament being in the offenders room, a fire engine going past at the time of the offence, or that a red dressing gown was hanging behind the door.

Bradford similarly identifies four factors of this ilk. *Unusual details, superfluous details, related external associations, and, unexpected complications during the incident.* In this

model these have simply been regarded as components of '*idiosyncratic and extraneous details*'. The central point with all factors in this category is that the child's account of the abuse experience will impress as being the child's own experience. The child will convey their story in simple, mechanical, age appropriate language, without the use of sexually sophisticated terms. The use of sexually specific adult terms would signal the need to more closely investigate family dynamics and attitudes, cultural differences, and the child's wider socialisation experiences.

12.5.3 Associated Symbolic Behaviours

This category refers to the child's acting out of their abuse experience, and is essentially an indirect form of disclosure. It often involves a symbolic portrayal of what has happened to them. This category is therefore seen to consist of three fairly self explanatory factors, *Sexualised Language and Knowledge*, *Sexualised Behaviour* and *Evidence of Functional Disturbance*.

The first factor in this category of '*Sexualised Language and Knowledge*' is a judgment that needs to be made with careful reference to a child's developmental stage and social learning experiences. Naturally it does not simply refer to a precociously coarse vocabulary or a parroting of sexual ideas gained from older children. It is a use of language and knowledge by the child that impresses as being derived from personal experience.

The second factor in this category is '*Sexualised Behaviour*' and refers to various display behaviours that abused children often evince. These might include mounting or simulated intercourse movements with other children, informed and persistent genital play with other children or adults, persistent masturbatory behaviour, sexualised cuddling and stroking of other children or adults and indiscriminate affection. Such behaviours were clearly in evidence in relation to Jenny and Kristie in Case B, and Norah in Case A.

However care must again be taken not to view specific instances of such behaviour out of their developmental context. Many children in the course of development will display mounting or masturbatory behaviours and persistent sexual curiosity. Many children may also model sexual behaviour with others, simply through having surreptitiously or by chance, having witnessed adult sexual activity. Apart from this, the writer has on some

occasions been appalled in case conferences, to hear some professionals glibly talking about '*sexualised behaviour*' in a child when nothing of the sort has been established. An affectionate child is not necessarily one who has been sexualised and one does not have the right to use such terms as '*sexualised behaviour*' indiscriminately. It is extremely unfortunate, but when such terms are used unchecked they tend to become '*accepted fact*', sometimes with disastrous implications for intervention.

The third factor in this category is '*Evidence of Functional Disturbance*'. It refers to clusters of behaviours rather than single behavioural symptoms. This includes the onset of persistent bed wetting, soiling, nightmares, obsessive fears or preoccupations, disturbed or anxious behaviour, or changed adjustment and suchlike. Typically, the behaviour is seen to have a fairly rapid onset and represents a significant change in the child's characteristic previous behaviour. Care must be taken in carefully establishing the context of these behaviours and all the behaviour, language and knowledge factors in this category. Alone and without context they lack persuasiveness as indicators of sexual abuse. Such problems as bedwetting, soiling, nightmares, fears, preoccupations and masturbatory behaviours, may be indicative of significant family stress or grief trauma rather than sexual abuse. Marital stress or family bereavement is nowhere near valid grounds for protective intervention.

It is vital then that the investigatory process elicits information on issues of family grief, loss, trauma, relationship difficulty and life transition, that could serve as a valid alternative explanation to the child's behaviour. Care must also be taken to cross-refer these symbolic behaviours to other categories in this model, so that they are again seen in a total context. In the past there has been a tendency for enthusiastic over-inclusion of behavioural factors as being indicative of sexual abuse, many of which have been contradictory of each other. Sgroi (1988:40) for instance has included factors such as overly compliant behaviour, acting-out aggressive behaviour, early arrival and late departure at school, a sudden drop in school performance, inability to concentrate in school, poor peer relationships, inability to make friends and a lack of trust in adults.

These sorts of comments on what factors may relate to sexual abuse have in the past been picked up and even intensified in other '*guides*' to behavioural factors that indicate abuse. These have included unkempt appearance, refusal to speak in class, and frequent lateness

or absence. Such emotive and over-inclusive language does little to assist in communicating a sense of the real individual picture. It carries real dangers both of making the trivial more serious and the serious more trivial (Howitt, 1992:50).

Observed behaviours therefore needs to be cross checked across other categories in this model. We need for instance to question whether there has also been spontaneous comment or medical evidence of abuse and do the behavioural indicators have a clear temporal relationship with abuse opportunities by a suspect? As was demonstrated in Norah's case, these behaviours must be as closely mapped as possible, verified by cross-checking with whatever sources are available, and matched for fit against the timing of other life events or traumas; not just against the known or suspected abuse opportunities.

12.5.4 Logical Consistency

Within this category five factors have been identified that are respectively, *Consistency / Rigidity of Sequence*, *Consistency of Added Detail*, *Consistency With Known Facts*, *Emotional Congruence* and *Cross Verification / Contamination*.

In Wehrspann's 1987 article, logical consistency was subject to considerable discussion, and five of the eleven factors he identified related to this issue. However these five factors present some difficulty in terms of their own logical relationship. These five factors were listed by Wehrspann as: consistency in repetition over time, internal consistency, external consistency, evidence of the child's emotional state, and consistency when challenged (Wehrspann, 1987:618).

As indicated earlier, evidence as to the child's emotional state was a factor that in itself lacked logical consistency. The 1988 Faller study showed that emotional state was not a consistent factor across gender, and Wehrspann's 1987 study demonstrated that there are unacceptable problems of subjectivity in interpreting emotional state. The only way we can hope to use emotional state in a logically consistent way is as a device that refers in some way to the continuity and consistency of the child's own emotional patterns.

Wehrspann's criterion of internal consistency also seems more logically to be a subset within his other factors of consistency in repetition over time, and consistency when challenged. Internal consistency is a test that needs to be applied to reiterations of the

child's story, and in this model has been subsumed within the other two factors of '*Consistency/Rigidity of Sequence*' and '*Consistency of Added Detail*'.

In the first factor of this category, *Consistency/Rigidity of Sequence*, the term has been chosen specifically to highlight the dilemma inherent in judging this aspect of logical consistency. On the one hand, consistency of sequence when repeating a story can be seen to enhance its credibility. On the other hand, an inflexible repetition of all details without gain, loss, or variation, will detract from its credibility. Bradford (1994:97) endorses this point with the comment that:

'...statements which are highly organised, lack spontaneity, or are characterised by a continuous chronological account with illustrations of causal connections prominently displayed, are thought to indicate low credibility'.

That is, a story repeated over time by a child in the same precise detail and without variation, is more an indication that the child has been rehearsed. When a child has been rehearsed in a story in this way, it is the writer's experience that they can only rely on a verbal memory and not a visual one. There will thus be an absence of idiosyncratic or extraneous information or added detail. The story will present as highly linear in form, as it depends on a memorising of sequential facts. This linear memorising and lack of visual recall thus make it extremely difficult for a child to diverge their thinking. The memorised facts must be regurgitated in precisely the same sequence and with no omissions, because there is no back-up reference of visual memory. If under questioning, gaps appear in the rehearsed story and detail is manufactured to cover the gap, the consistency of this added detail is therefore likely to be significantly lacking. This is of course a situation with which the police are entirely familiar in their everyday investigative work. They therefore possess considerable skill and knowledge in detecting story fabrication that protective workers could well profit from in their training.

The second factor in this category of Logical Consistency is therefore, '*Consistency of Added Detail*'. This is meant to include a factor labeled by Bradford as 'spontaneous corrections' where the child will self correct an error when it is realised, rather than as a response to questioning. Correction in the face of questioning does not necessarily denote a loss of credibility and in this model such corrections, whether spontaneous or not, are viewed as subsets of 'consistency of added detail'.

The third factor, '*Consistency With Known Facts*', is in essence a retitling of Wehrspann's factor of 'external consistency'. The renaming is simply meant as an aid to understanding that it involves a cross-checking verification process with the objective facts of a situation. This was demonstrated in Case C with six year old Fiona, and also ultimately seen in Case B with the two sisters. This term also caters for the motivational aspects that Bradford includes in his Validity Checklist. Here he indicates that unreliable allegations of abuse can arise in circumstances of parental access and custody dispute (Bradford, 1994:98). Investigators must therefore remain alert to such external motivational aspects, but within this model it is regarded as being able to be properly catered for within the factor of '*Consistency With Known Facts*'.

The fourth factor of Logical Consistency has been titled as '*Emotional Congruence*'. Some care must be taken in the breadth of its application. In this thesis it is more narrowly defined in its application, than it has been by other authors. In Faller's study for instance, there is a problem in the way in which the definition of the factors she tested, shifted during the course of her study. Specifically, the factor of '*emotional reaction of the child in recounting the story*'. Although not originally planned to be tested, it becomes included in the findings. This is despite the study itself showing equivocal support for such a factor, particularly in relation to the emotional reaction of boy victims.

The use of this '*emotional reaction*' factor by Wehrspann is similarly suspect, in that completely opposite emotional reactions can be claimed to be evidence for giving either credit or discredit to a disclosure. For example, he makes the comment that: '*A flat withdrawn response is compatible with either a defense against overwhelming feelings associated with the abuse, (that is, a dissociation) but it may also occur with a false allegation*' (Wehrspann, 1987:619).

Bradford's conceptualising of the issue was slightly different, and he referred to it as '*accounts of subjective mental state*' (Bradford, 1994:96). That is, the child's references within their disclosure as to how they felt at the time of the offence. This represents a step by Bradford toward greater objectivity but, in the ultimate analysis, assessing the appropriateness of emotional reaction will always remain something of a two edged sword. Rather than rejecting this factor entirely, Bradford's line has been followed. It has

been included to depict the way the child's emotional response in retelling the story is congruent with the child's usual mode of adaptation and personality and is consistent with their response to the abuse experience itself.

The fifth factor in logical consistency has been termed as '*Cross Verification/Contamination*'. Wehrspann touches on the issue of cross verification with other children's stories, within his factor of external consistency. However, as we saw from the closely parallel nature of the disclosures by Jenny and Kristie in Case B, this issue is more of a double edged sword than Wehrspann indicates. The investigator therefore again faces a dilemma in this factor, as to whether the same story repeated by different children is indicative of either cross verification or cross contamination. Again, the weighting of these seemingly contradictory elements will be dependent on one being able to identify scenarios such as rehearsal, brainwashing, mischievous or unwitting collusion, adoption of the delusional beliefs of others, mimicry of others, misplaced loyalty or secretive coercion (Green & Schetky, 1988:108). The weighting of this factor will therefore obviously need to be done with careful reference to the interactive influence of factors from other categories, as was in fact done in Case B, in satisfying the court that Jenny and Kristie's statements had been collusive.

12.5.5 Developmental and Functional Appropriateness

As was graphically shown with the situation of eight year old intellectually disabled Amy in Case D, assessing the developmental and functional appropriateness of children can be a crucial aspect of understanding the content and context of their story. In this category four factors have been defined that need to be considered, *Age/Stage Appropriateness of Perceptions*, *Relevance of Individual Trait/Abilities*, *Relevance of Cultural Differences*, and *Relevance of Functional Impairment*.

During the 1980's research grew rapidly on the relevance of developmental factors in assessing the credibility of child sexual abuse disclosures and in relation to the credibility of child testimony in court proceedings. In reviewing the literature Klajner-Diamond (1988:610) contended that the evidence showed that children three years and above could reliably register, retrieve and describe an abusive event. However this ability is subject to limitations. For pre-operational children, those in the two to seven year age group, meaningful cueing is often required for effective retrieval and clear articulation. This is

because their memory at this age relies more on recognition than recall (Steward, 1993:26). This however brings with it the clear danger of influencing the child's recall through leading questions. While research has also shown that children can be resistant to leading questions, it has also shown that children can be influenced by their perceptions as to what they are expected to say and their expectations as to what the outcomes are for truth-telling (Bussey, 1993:73).

This view is strongly supported by Quinn (1988:181), who indicates that predisposition to a belief about the truth or falsity of a child sexual abuse allegation by a professional, is the major reason for faulty investigation and the most immediate cause for falsely accepting or falsely rejecting an allegation. Quinn's research also highlights the need to understand a child's developmental stage before putting questions of time or sequence to a child. With pre-operational stage children in the two to seven year age group, they are best assisted in locating an abuse experience in time by reference to important events such as birthdays, Christmas, Easter, holidays, or important family events. Such reference points are also valuable in cross checking with other family members and in gaining relevant contextual information from adults close to the child.

The first factor in the category of Developmental and Functional Appropriateness, is therefore '*Age/Stage Appropriateness of Perceptions*'. As the label implies this relates to understanding the general style of mental operations and perceptions that attach to particular ages and stages, so that the child's story can be seen in a subjective context. It seeks to assess against a general developmental standard for that age and stage, the developmental appropriateness of in particular, the sexual content of children's comments, drawings, stories, or allegations. Inaccuracies or inconsistencies in the child's story therefore may be simply explained through appreciation of the child's lack of concept of such things as colour, time, or days of the week. The converse situation can also be seen to apply. For instance, a three year old child will often at this age still lack a true concept of colour. A correct use of colour in a disclosure would therefore need to be verified by inquiry with them, as for instance to the respective colours of grass, sky, clouds, bananas and blood. However children can and do vary dramatically in their performance across a range of developmental tasks. They can also demonstrate quite marked variation from child to child, in more global functions of intelligence and verbal fluency. So care must be taken in gaining an appreciation of that child's individual

developmental history, and understanding what has been developmentally normal for that child.

The second factor in this category is '*Relevance of Individual Traits/Abilities*'. As well as gaining a more individual understanding of the developmental factors applying to that child, this also refers to understanding that particular child's characteristic behaviour, personality and adjustment, their motor skills, observational powers, activities, interests and special abilities. In short all the things that set them apart and make them a unique individual. By appreciating the child's individual abilities we can reach a more complete understanding of their subjective abuse experience.

In similar fashion, the third factor has been defined as '*Relevance of Cultural Differences*'. These cultural difference factors can of course greatly influence ideas and expectations of what is normal and developmentally appropriate behaviour in a child. The cultural medium can distinctly influence broader patterns of language competency and fluency, cognitive style, verbal imagery and behavioural norms, as well as particulars of child rearing practice and issues such as encouragement or discouragement of sexual curiosity. Again, an understanding of what is culturally accepted or expected in a particular family, and placing that family in relation to their broader cultural reference group is an important aspect in establishing the context of the child's experience.

The fourth factor is that of '*Relevance of Functional Impairment*'. Just as it is important that we understand a child's individual traits and abilities, so it is equally vital that we understand a specific child's limitations or deficits, and the impact that this has on their perceptions, behaviour and communication of experience. The impact of impairment was clearly seen with intellectually disabled Amy in Case D. Amy's style of cognitive functioning and her dependence on the present visual field for recall, was able to be demonstrated and verified through formal testing and shown to be a vital factor in understanding the nature of her suspicion-arousing comments.

12.5.6 Abuse Pattern

Three factors have been defined within the category of Abuse Pattern, *Progressively Phased Abuse*, *Binding to Secrecy* and *Use of Bribes/Threats*. Usually other authors refer to these factors in the context of the '*Accommodation Syndrome*' whereby the secrecy of

the abuse and silence of the child is maintained. When the child attempts to breach the secrecy through disclosure, there is often also a subsequent retraction by the child due to pressures from the abuser (Summit, 1983:183).

In this model the accommodation syndrome will be discussed separately under category ten as part of the assessment of abuser responses to the reality of the child's abuse. At this point the three factors referred to above have been separated out for discussion as part of abuse pattern. The reason for this is that these factors of abuse pattern must be established prior to any retraction of the child, so that the retraction can be given proper critical appraisal and be seen in its full context. To do otherwise is to create the danger that was demonstrated in Case D with Amy, where the retraction was wrongly taken as proof of family collusion. It is plainly illogical to impute the presence of the accommodation syndrome simply because the child has retracted a disclosure. This simply begs the question and assumes there is no such thing as a true retraction of a false disclosure.

It must also be born in mind that whilst the presence of each or all of these three factors of abuse pattern will enhance the validity of an abuse allegation, absence of all three factors of abuse pattern does not necessarily diminish credibility. Many instances of abuse can have strong situational components of access, opportunity, disinhibition, stress or suchlike, which mean that the event has not necessarily occurred as part of a pre-existing pattern. In such situations however, it is more common for the child's disclosure to be met with an admission of guilt by the perpetrator (Tomison, 1995:2). On the other hand longer standing more progressively phased cases are more likely to be met with a persistent denial by the alleged abuser, and be accompanied by their pressure on the child to retract.

The first factor in this category of *'Progressively Phased Abuse'* therefore essentially refers to the grooming process that is apparent in many abuse cases. Here the abuser may spend considerable time and effort in engaging and building a relationship with the child, and gradually breaking down the inhibitions of the child to full sexual participation. At the same time the abuser will be building the loyalty and affection of the child. This may also at the same time involve the offender in assiduously building parental trust, loyalty and confidence. To the offender this is time well spent indeed. The progressive phasing

of abuse is however not necessarily consistent with seductive grooming of the child. In the case of Kathy in Case F, her original abuse at the age of twelve was perpetrated in an essentially unphased manner, by dint of sheer coercion, threats and intimidation. That is, she was raped, then terrorised into silence.

The second factor of '*Binding to Secrecy*' should be seen as a separate issue from the use of bribes or threats. Certainly, bribes and threats both have the effect of binding to secrecy, but as we again saw with Kathy, Simon spent considerable time building Kathy's affection and loyalty, as the means of successfully binding her to secrecy. He used neither bribes nor threats. By the same token, an analysis of the situations of Jenny and Kristie in Case B, Fiona in Case C, and Amy in Case D, created some level of doubt, through a lack of evidence of either progressive phasing to the abuse, a binding to secrecy, or a use of bribes or threats. This was particularly so with the sisters and with Amy, where they disclosed only lesser levels of molestation. Medical evidence however clearly revealed that they had all been subject to long standing full penetration.

As indicated, the third factor '*Use of Bribes or Threats*' needs to be examined separately from binding to secrecy, even though they are often interrelated. Often, the perpetrator has fostered in the child loyalty, affection, fear of exposure, or fear of reprisal, and the child will be reluctant to disclose the abuse. However some evidence on abuse pattern may still be able to be gained, through examination of a child's unexplained fears for safety of family members or pets, or a similarly unexplained fear of police apprehension or jailing of the suspected perpetrator.

12.5.7 Medical Evidence

Unfortunately medical evidence tends to be seen in a singular undifferentiated form and this is evident by the way in which Wehrspann for instance, includes it as a single factor in his validation model. In this thesis medical evidence is seen as composing of four factors: *Direct Medical Evidence*, *Indirect Medical Evidence*, *Evidence Contextual to the Medical Examination* and *Medical Evidence Contextual to the Disclosure*.

In seeking medical evidence as part of the investigation of a sexual abuse allegation, it is important not to place too heavy a reliance on gaining medical evidence, in order to prove protective grounds. It is too easy, and an abrogation of the protective investigator's

responsibility, to put all eggs into the medical basket. Medical evidence may in fact often be equivocal, and open to serious disputation in a court of law. Often there may be no medical evidence at all, but this does not mean that abuse has not happened. Lesser forms of abuse such as inappropriate genital touching, which may represent the initial stages of an insidious grooming process, cannot be detected medically. Perpetrators do not leave fingerprints on their victims.

The first factor under Medical Evidence is '*Direct Medical Evidence*'. In other words direct proof of consistent or traumatic penetration, or of sexually transmitted disease. This was readily seen with Norah in Case A, the sisters Jenny and Kristie in Case B, and Amy in Case D. Each of these girls presented with clear medical evidence of consistent full penetration. However, as was shown in all of these cases, it is important to look further than simply the direct medical evidence of abuse and cross refer this to the fourth factor in this category.

The second factor is '*Indirect Medical Evidence*'. Here, the medical evidence is not proof of itself that abuse has occurred, but is suggestive of abuse, and needs to be seen in context with other factors to determine its persuasive worth. For instance genital soreness or redness may be indicative of abuse. It may also be attributable to hormonal effects or simply to infection. Damage to the hymen may be detected, but may be of an equivocal nature that could be attributable either to accidental trauma or to sexual abuse. Accordingly in such cases, it is importance to have confidence in the ability to prove protective grounds in such cases, without any reliance at all on medical evidence.

The third factor is '*Evidence Contextual to the Medical Examination*'. Here the situation of seven year old Norah's presentation during the medical examination is instructive as to the intent of this factor. Regardless of whether or not evidence of penetration was present, Norah's obvious level of genital self awareness was compelling. Quite without any self-consciousness, and to facilitate medical examination, Norah laid back with knees splayed and held her labia apart with her fingers. The doctor was moved to observe that Norah had strikingly adopted '*a sexually receptive pose*'. Conversely, one would for instance have to be skeptical about the experience base of a girl's lewd schoolyard prattling, if on medical examination she displayed no genital self awareness whatsoever.

The fourth factor relating to Medical Evidence is '*Medical Evidence Contextual to Disclosure*'. That is, the way in which this evidence is contextual or not to any disclosure that the child has made. As we saw in the case of the two sisters and intellectually disabled Amy, the clear, incontrovertible medical evidence was accepted as proof of the abuse that had actually been alleged, even though the allegations related to much lesser forms of abuse. Such discrepancies between abuse alleged and abuse substantiated cannot be left unexplored. We do not have the right to make such unexplained leaps of logic. As was clearly seen in both these cited cases, this leap of logic had significant detrimental impacts on the lives of the families involved.

12.5.8 Identification of Abuser

Three factors have been identified in this category, *Clarity / Ambiguity of Direct Identification*, *Indirect Identification*, and *Prior Behaviours of Suspected Abuser*. In the first factor where children have directly identified an abuser, there will be variation from case to case, in the clarity or ambiguity of that identification. However, as was seen with the unambiguous disclosures of Jenny and Kristie in Case B and Fiona in Case C, this cannot of itself be accepted as necessary and compelling evidence as to the veracity of the identification. Careful cross checking with other aspects such as logical consistency and abuser opportunity needs to be undertaken, so that any identification of an abuser is made in the fullest context.

Where children have suffered long term abuse by one abuser, this will often tend to enhance the clarity of the abuser identification, but perhaps at the expense of clarity of the details of particular abuse episodes. It is therefore important that in such cases the focus remains on the most recent or most vividly recollected event. Say for instance, an abuse that occurred on the child's birthday. Here the integrity of memory is likely to be high and vivid. On the other hand some confusion or ambiguity may also occur in identification where a child has had multiple abusers. It is therefore important to ensure as far as possible that this does not represent confusion in the mind of the investigator. In this respect, developmental considerations on the subjective perceptions and communication patterns of the child must be properly understood. Without this we will be unable to properly appreciate the level of the child's clarity about various events. As was shown in Amy's case, an appreciation of the nature of her cognitive impairment had

immediate consequences for what had seemed at first face an unambiguous although rather innocuous disclosure.

The second factor in this category is that of '*Indirect Identification*'. Such situation often attach to naive comments similar to that made by Norah when she stated that she and daddy didn't wear pajamas. Some confirmation was also offered by her comment to the class at show and tell that the worker was going to protect her from her daddy. As was noted at the time however, care needed to be taken that this was not just an innocent recycling of her appreciation that daddy was the key suspect, rather than a confirmation of the abuse itself. Further indirect identification may be imputed through a child's evincing of fear or discomfort in the presence of a particular person or the child's refusal, through apparent fear, to discuss any aspect of their relationship with that person. Conversely, indirect identification may arise from situations when a child refuses to discuss a relationship with a particular person because it is 'secret'. Such forms of indirect identification indicate issues that require closer examination and cross checking. They can certainly enhance the level of confidence in a direct disclosure, but should not be regarded as persuasive in and of themselves. It is also important that alternative explanations of relationship dynamics be explored, before accepting a child's attitude toward a particular person as indicative of indirect disclosure.

This is again evident in Case B, where Jenny and Kristie's attitude toward their stepfather, Jack, was explained by their mother as antagonism to him, because he represented a new source of authority in the house and 'made them eat their vegies'. Given the mother's previous difficulty in controlling the behaviour of her daughters, such a claim had some immediate intuitive appeal and investigators therefore must remain alert to the need to elicit and explore such alternative explanations. In this particular case for instance not only was Jack a new source of authority, but he also represented a complication to the sisters' previous ability to dominate their mother. On top of this they had experienced a previous highly abusive and damaging father-child relationship. Why should they be expected to trust a new man? Might he not be just the same as their father? The professional involved certainly seemed to think he was a distinct danger to their safety, so why not get rid of him? Why not oblige the professionals when this clearly seems the right thing to do? By following through such a line of thought it is easy to see that such false identifications are not necessarily intended maliciously or

mischievously as the mother first thought; but arise more in accommodation to the pre-emptive belief of professionals. There is also strong research support for such a contention, in the studies that show children's recall to be affected by the expectations of adults whom they respect (Mason, 1991:392).

The final factor in this category is that of the '*Prior Behaviours of the Suspected Abuser*'. Any identification of an abuser will tend to be enhanced if a prior behaviour pattern of the alleged abuser is established. However the converse does not necessarily apply. Absence of any previous history of abusive behaviour does not imply any lesser credibility to the identification. Even if the alleged abuser has previously seemed to have led a responsible and blameless life, this should not blind us to either the element of design in their behaviour, or the presence of situational factors and forces that have provided opportunity.

Many abusers will serially move into situations of trust where they have access to children and can groom them over time. We need to be aware of such possibilities through a close examination of the backgrounds of persons against whom allegations are made. Similar elements of design were evident in the behaviour of Simon gaining access to Kathy in Case F. Careful investigation and engagement of all parties, was ultimately able to establish the abuse as being consistent with Simon's prior patterns of behaviour. Similarly, Norah's mother initially recounted behaviour in the father that, although not abusive, was suggestive of a lack of appropriate boundaries between himself and his daughter. Elements of control, self centredness and self indulgence in his behaviour also had concerning implications.

12.5.9 Opportunity of Abuser

In this category, three factors of abuser opportunity have been identified, *Opportunity Consistent with Disclosure*, *Opportunity Consistent with Behavioural Evidence*, and *Opportunity Consistent with External Facts*. Here the basic questions that need to be posed are whether the abuser had demonstrated access that was consistent with either or all of the three factors in this category. Whether opportunity was consistent with the child's disclosure, with behavioural disturbances in the child or with other known facts? Opportunity needs to be defined on something of a sliding scale, according to a common sense appreciation of other factors and variables. It needs to be recognised that in some

circumstances, dedicated abusers can take the slimmest of conceivable opportunities to perpetrate abuse. Also, they may be so confident of avoiding detection through their ability to manipulate the victim and others, that they will take seemingly unnecessary risks to continue their abuse. The situation of Simon in maintaining access to Kathy, despite the obvious risks, is a case in point.

This instance of opportunity by a dedicated abuser could be contrasted with the abuse opportunity by the seventeen year old son of the foster family in Case C. In technical terms a dedicated abuser such as Simon would have had plenty of opportunity for abuse of Fiona, but in common sense terms the opportunity in this case was virtually nil, when it was contextualised with the house layout factors and the developmental level and prior behaviours of the 17 year old. As we also saw from the discussions of Cases B and D, opportunity in strict terms, was present in all these cases, but it did not appeal to common sense or fit with the total circumstances as a realistic opportunity. In all these cases medical evidence had verified that all children had in the past been subject to consistent penetration and significant abuse, but none of the children had been recently abused. The presence of the stepfathers in the families did not seem to tally with the abuse, and the seventeen year old seemed to lack independent access to the child. All suspects would therefore need to have been fairly dedicated and persistent, in order achieve abuse of the children, but this was not evidenced in any logical or common sense way.

In relation to the first factor then, of *'Opportunity Consistent With Disclosure'*, the physical realities of opportunity need to be closely measured against the specifics of the allegations, as was shown in Case C with Fiona. Congruence between the two will provided strong support to the allegation, whereas incongruence should provide immediate impetus for continued investigation.

In relation to the second factor of *'Opportunity Consistent With Behavioural Evidence'*, this is amply demonstrated by Norah's situation in Case A. Despite Norah actively refusing to identify her abuser, identification was inferred through the behavioural evidence and its close temporal relationship with opportunity. Independent verification from her schoolteachers, child minder, psychologist and doctor clearly associated her patterns of disturbed behaviour with the periods of overnight access with her father.

In regard to the third factor of '*Opportunity Consistent With External Facts*', it is instructive to examine Case G, where the father, John, had been templated as suffering Munchausen's Syndrome by Proxy. The supervisor initially made strong imputations that John may well have been responsible for sexual abuse of the oldest daughter, the suspicious cot deaths of two children and the episodes of breathing arrests in the infant son. A close examination of the facts however, showed that he was separated from the family when the oldest daughter's sexual abuse occurred and she had never made any allegation against him. He also was not in the family at all at the time of the first cot death and, whilst opportunity was present in relation to the second cot death and the breathing arrests, it was also clearly present in relation to the mother. This aspect of the mother's opportunity had seemingly remained unexplored and not measured in any commonsense way to the available external facts. Seemingly, ideological blinkers had effectively precluded such a consideration even though research clearly indicated Munchausen's Syndrome by Proxy to be a predominantly female condition.

12.5.10 Unempathic Abuser Response

Within this final category of 'Unempathic Abuser Response', four factors have been identified which if present, will significantly strengthen the credibility of an allegation. These are first, the '*Self Focussed Defensive Concerns*' that abusers typically exhibit. Second, the '*Minimisation and Rationalisation of Abuse*' that they also typically undertake. Third, the '*Closed and Collusive Family and Social Relationships*' that abusers frequently engender and fourth, the '*Presence of the Accommodation Syndrome*' which includes the elements identified by Summit of secrecy, helplessness, entrapment and accommodation, delayed conflicted and unconvincing disclosure, and retraction.

It is interesting to note that to date, formal research has not identified any consistent personality profile to abusers (Wurtele & Miller-Perrin, 1993:16). This however may indicate problems in research design or deficiencies in the scales and inventories being tested, rather than indicating a lack of consistency in certain factors or traits. This is highlighted by the fact that at a practice level, some commonality has been observed in the characteristics of abusers. The principal points of agreement are that in cases where abuse is validated as having been committed by a clearly identified abuser, they are seen to have typically exhibited strong, self focussed and defensive concerns and will also have commonly attempted to minimise and rationalise the effects of the abuse.

This self concern and minimisation of effects often tends to be in evidence either when the abuser has continued to deny responsibility for the abuse, or when they have in fact confessed to the abuse. Both these traits tends to heavily underscore the abuser's apparent egocentrism, the primacy of their own needs and their apparent inability to feel empathy with the child's situation (Op Cit:20). A further point of agreement is that confirmed abusers typically seem to seek and gain excessive control over others in their family and social relationships. This does not mean that absence of these traits is evidence that abuse has not occurred. Many instances of abuse may occur because of more transient or short term situational factors. These instances therefore tend to be more uncharacteristic of the abuser's prior or usual behaviour. What is being suggested is that where abuse is substantiated, but there is a relative absence of the self-focussed, minimalising and controlling behaviours in the abuser, the better the prognosis will be for safe and successful reintegration of the abuser back into the family.

Some support for these views can be gained from Orten and Rich (1988:615), who propose a model of assessment for incestuous families. The three most important factors in their scale for assessing if family reunification is likely to be successful, is as follows: denial of abuse, blaming the victim and the abuser's concerns about consequences to themselves. Naturally it would be inappropriate and even perverse and nonsensical, to use the first of these factors, that of denial of responsibility for the abuse, as a means of confirming guilt. However the second and third factors identified by Orten and Rich, blaming the victim and self-concerns, are salient. Therefore, within this category of 'Unempathic Abuser Response', the first factor identified is that of '*Self Focussed and Defensive Concerns*' of the suspected abuser. In the writer's experience, when an abuser is for instance confronted with news of the child's medically substantiated abuse, instead of responding with concern for the child and what they must have experienced, they will typically start to build defensive walls. Instead of saying, '*Oh my god, what's happened to my little girl...*', their response tends to be, '*Well it couldn't have been me, because...*'

They then often come out with highly constructed arguments, which are difficult to follow and in fact in common sense terms prove nothing. In the guise of wanting to help with the investigation the alleged abuser will often come out with quite fanciful scenarios or rationalisations that are striking only for their egocentrism. In the writer's experience,

these abusers are unable to make a sustained effort to implicate another person as the abuser. Such attempts will be fleeting and they will soon return to their self-preoccupied defensiveness. This is of course consistent with their knowledge that no-one else is responsible and they seem unable to escape from their basic egocentrism for very long.

It seems clear that these self-focussed concerns and lack of empathy are closely allied to the abuser's intrinsic belief that they are not hurting the child. It is contended that it is extremely difficult for an abuser with an established pattern to mask these traits. Conversely, if an abuse has arisen through more time limited or situational factors, in a family not exhibiting serious degrees of closure and collusion, then there is a far greater likelihood of the abuser admitting and accepting responsibility for the abuse. It is instructive to note that in relation to self focussed and defensive concerns, neither stepfather in Cases B (Jack) and D (Davo) exhibited these behaviours. Both instead showed clear empathy for the children, accepted without question that the children had been abused, and did not attempt to construct any defense. Rather, both just expressed bewilderment and maintained their innocence without any construction or rationalisation on their own behalf.

The second factor identified in this category of Unempathic Abuser Response, is that of *'Minimisation and Rationalisation of Abuse'*. This factor relates strongly to the work done by Furniss (1991:246) in which he highlights six typical aspects of defensive denial by abusers. These aspects of denial do not include denial of responsibility in the form of a claim of innocence and so are not open to the same criticism applied to Orten and Rich's first factor. These six aspects of denial identified by Furniss are:

- . Denial of the abuse itself (that it occurred at all)
- . Denial of the severity of the facts
- . Denial of Knowledge of the abuse
- . Denial that the acts were abusive (when admitted)
- . Denial that the acts had harmful effects
- . Denial of responsibility for initiating the abuse

Furniss' observations are clearly supported by reference to the situation of Norah in Case A, even though Norah's father did not move to the stage of any admission of involvement in the abuse. Rather than simply denying the abuse, Garry denied that abuse

had occurred at all. He rejected the conclusive medical report and complained of the denial of his rights in the proposed suspension of access. His control was evidenced by the fact that he had not informed his second wife about the medical evidence. His presentation was highly self concerned and indicative of the narcissistic traits his first wife had pointed out. He showed an entire lack of empathy and it was interesting to note that three years later, his second marriage broke down amid allegations of sexual abuse to his then four year old son.

It is again instructive to contrast this case with the responses of both stepfathers Jack and Davo in Cases B and D. In both situations there was no minimisation or rationalisation of the abuse. In both cases the stepfathers accepted without question that abuse had occurred and showed empathy for their stepdaughters. They did not express anger, blame or rejection toward their stepdaughters, only bewilderment at the whole situation. These first two factors, self focussed defensive concerns and minimisation/ rationalisation of the abuse, are factors that are internal to the abuser. The third and fourth factors by contrast are external to the abuser, but nonetheless represent their need for control and domination.

The third factor in this category of Unempathic Abuser Response is '*Closed and Collusive Family and Social Relationships*'. The comparison between the family responses in the cases of the two sisters and intellectually disabled Amy on the one hand, and Norah's father, on the other, amply illustrate this point. Both stepfathers showed support to their wife and family and interacted with them as equals. They did not exercise relationship controls, did not dominate the thinking of their spouse and did not try to control the family decision making. Norah's father on the other hand, was seen to manipulate the information available to his second wife and tried to legally derail the proceedings presumably to maintain his access to and control over Norah. Investigation of the wider social relationships of the stepfathers also indicated that they both displayed openness and honesty in these areas. No real exploration could be conducted into the nature of the wider social relationships of Norah's father, because he refused to co-operate and instead fought the matter legally.

The final factor in this category is '*Presence of the Accommodation Syndrome*', and a judgment on this issue can only be made after all the available facts have been gained. It

is only then, that an opinion can be formed on the presence of the factors and process described by Summit. Was a binding to secrecy observed under category six? Has the child communicated, in words or actions, their subjective feeling of helplessness about the abuse? Does the available evidence suggest that the child has gone through a process of entrapment and accommodation to the abuse? Has there been a delayed, conflicted and unconvincing disclosure that is nonetheless indicative of deep seated and unresolved family tensions? Has the abuser exerted pressure both directly and through the agency of the family, and can it be seen as a cause of a subsequent retraction of the disclosure?

That is, what is the total picture? What do we see when we take a step back? When we look at the family beyond the immediate impact of the protective investigation, how do they normally function? This is no easy task to do and it behooves us not to make snap or rushed judgments based on ideological presumptions rather than objective fact. As will be further discussed under organisational error processes in chapter thirteen, the situation of intellectually disabled Amy was a classic example of *justificatory theorising*. As soon as Amy retracted her disclosure, it was taken as proof of the accommodation syndrome, proof of the family's collusive nature, and proof of the abuser's control over the family. The tautological nature of these assumptions was completely antithetical to a proper investigation and clearly prejudiced the outcome.

12.6 Summary of Categories and Factors in the Validation Model

In all, thirty-six factors have been identified and discussed under the preceding ten category headings. Hopefully, the discussion has demonstrated the interactive nature of these factors and how changes in the weighting of one factor, can have flow-on effects into the weighting of various other factors. Hopefully again, the model will have demonstrated that validation of child sexual abuse allegations is not something that of itself revolves around total acceptance or total rejection of a child's disclosure. If an allegation does involve an actual disclosure by the child, then each aspect of the disclosure has to be tested for its validity.

Allegations of child sexual abuse therefore may or may not arise from a direct disclosure of a child. Disclosures when they are made may be accurate in some respects but inaccurate in others. Which may arise for a variety of reasons, developmental, motivational, situational, or other. None the least of which may be the child's wish to

accommodate to the pre-emptive belief of a professional by disclosing a particular name. It is therefore not constructive to look at the comments or statements of children in totality as being either true or false 'disclosures'. It is rather a matter of adopting an objective and heuristic investigative approach that allows the assembled facts to speak for themselves. In summary, the categories and factors of the Protective Investigation Process Model for Validation of Child Sexual Abuse Allegations are as follows:

**Figure 6 A PROCESS MODEL FOR PROTECTIVE VALIDATION
 OF CHILD SEXUAL ABUSE**

1. SPONTANEITY

- (a) Naive Comments
- (b) Embedded Responses
- (c) Approach Comments
- (d) Self-Initiated Disclosure

2. CONCRETENESS AND EXPLICITNESS

- (a) Experience Based Graphicness
- (b) Quantity and Quality of Details
- (c) Idiosyncratic or Extraneous Details

3. ASSOCIATED SYMBOLIC BEHAVIOURS

- (a) Sexually Explicit Language and Knowledge
- (b) Sexualised Behaviour
- (c) Evidence of Functional Disturbance

4. LOGICAL CONSISTENCY

- (a) Consistency/Rigidity of Sequence
- (b) Consistency of Added Detail
- (c) Consistency With Known Facts
- (d) Emotional Congruence
- (e) Cross Verification/Contamination

5. DEVELOPMENTAL AND FUNCTIONAL APPROPRIATENESS

- (a) Age/Stage Appropriateness of Perceptions
- (b) Relevance of Individual Traits/Abilities
- (c) Relevance of Cultural Differences
- (d) Relevance of Functional Impairment

6. ABUSE PATTERN

- (a) Progressively Phased Abuse
- (b) Binding to Secrecy
- (c) Use of Bribes/Threats

7. MEDICAL EVIDENCE

- (a) Direct Medical Evidence
- (b) Indirect Medical Evidence
- (c) Evidence Contextual to Medical Examination
- (d) Medical Evidence Contextual to Disclosure

8. IDENTIFICATION OF ABUSER

- (a) Clarity/Ambiguity of Direct Identification
- (b) Indirect Identification Factors
- (c) Prior Behaviours of Suspected Abuser

9. OPPORTUNITY OF ABUSER

- (a) Opportunity Consistent With Disclosure
- (b) Opportunity Consistent With Behavioural Evidence
- (c) Opportunity Consistent With External Facts

10. UNEMPATHIC ABUSER RESPONSE

- (a) Self-Focussed Defensive Concerns
- (b) Minimisation and Rationalisation of Abuse
- (c) Closed & Collusive Family and Social Relationships
- (d) Presence of Accommodation Syndrome

12.7 Practice Implications of Validation Model

Unfortunately, overseas experience has paralleled that of Australia and Victoria, where there has been a confusion of aims within protective work between the punitive, protective and therapeutic intentions of intervention. This has sometimes resulted in a subservience of the protective investigation to criminal investigation, in order to preserve the integrity of prosecutory evidence. Protective service organisations therefore need to clearly establish the primacy of the protective process in their inter-agency protocols, in particularly with the police. These protocols need to be flexible enough not only to be adapted to local conditions circumstances, but should also require active consultation at the local inter-agency level, to flesh out the implications of these broader protocols. There should also be specific mechanisms and processes of team building, joint training, ongoing collaborative review and resolution of disagreement or dispute.

Within protective services the primacy of the protective function above punitive or therapeutic considerations, needs to be ensured by the adoption of an organisational philosophy that clearly espouses the objectivity of the investigative process, and of the validation processes that attach to it. These investigation and validation processes cannot simply be the mechanistic application of rote procedures. Their intent must be to ensure a flexible application of professional judgment, and a capacity to respond to the unique characteristics of a given situation (Pence & Wilson, 1994:26).

This adoption of an objectively focussed investigative philosophy and individually focussed validation process has clear implications for the style and content of training programs for field staff. It similarly has implications for the quality and style of supervisory and managerial practice and for organisational culture, through the emphasis on supporting both objective process and professional judgment.

Various overseas authors such as Mason and Coleman have advocated the need for fundamental change in the approach of protective organisations. They contend that the social worker cannot fulfill the dual roles of investigator and therapist, and a clear separation of these roles is required. The concerns already raised in this thesis clearly echo those previously raised by Coleman in his criticism of approaches that focus on the primacy of therapy for the child.

'From the beginning in the 1970's the distinction between investigator and therapist was missed....that allegations of sexual abuse should automatically be taken at face value - soon became an article of faith. To be both progressive and caring, professionals must "believe the child." Conversely, serious investigation which tested the validity of an allegation became tantamount to non-support of the child. Because false allegations were not considered a serious possibility, it was assumed that those who raised doubts as all investigators are mandated to do, were out of touch with what the experts were teaching - children don't lie about sexual abuse' (Coleman, 1990:546).

In the same vein, Mason (1991:393) also comments that:

'All interview techniques require a specially trained investigator whose main goal is to elicit facts from the child without influencing the child and to assess the validity of the facts....The social worker as therapist on the other hand, has a different goal and different training...The therapist must build a bond of trust that deals with the child's subjective reality. The therapist must take a supportive, affirmative role, not a critical investigative role.'

As both Mason and Coleman have indicated in respect to overseas experience and as this thesis has indicated through the case discussions of chapter ten, there has been confusion at practice levels within child protection services, between investigative, punitive and therapeutic purposes. The prevention of such role blurring and distortion of organisational purpose is not solely a matter of systematic retraining of staff wherein the primacy of the investigative role is asserted. There are also issues of organisational structure, process and culture that need to be addressed. These issues and the nature of organisation error processes will therefore be discussed in the final two chapters of this thesis.

CHAPTER THIRTEEN THE IMPLICATIONS OF REFLECTIVE PRACTICE FOR ORGANISATIONAL LEARNING

13.1 Understanding Organisational Error Processes

Through a commitment to heuristic and reflective practice, the writer developed and refined a model of protective validation of child sexual abuse allegation, over a period of some six years. The immediate incentive for this task lay in the fact that at that time much of the validation process was driven by ideology rather than practice experience or grounded theory. The model had been developed in fairly complete form by the time of investigating Case C involving Fiona, *Disclosing to a male will traumatise the child*. In practice terms the model proved valuable in the investigation and validation processes of this particular case. The writer's immediate supervisor and manager immediately documented the value of this process in the hope of promoting organisational learning.

This did not happen and resistance to this new knowledge was in part due to personal antagonism toward the writer in some managerial quarters. There were nonetheless also organisational processes (or a lack of them) that contributed to this situation. As indicated in the case studies and the discussions of the preceding sections, processes of organisational error in some of these cases proved difficult to correct once set in train. These error processes by nature also proved antithetical to reflective practice.

This situation provided further food for thought and through the heuristic modelling research process, the writer began to explore issues of organisational learning and conversely, how organisational error can become an entrenched process. What this section of the thesis will therefore endeavour is to explore processes of organisational error and error correction, then try to contextualise and model the relationship this might have to reflective practice.

Errors can be seen as endemic to organisations that have no real capacity for organisational learning. In examining this issue Howitt (1992:122) identified three forms of process error in the way in which both individuals and organisations respond to problematic situations. He defines these three as, templating, justificatory theorising and ratcheting.

Templating, is a concept used previously in the case discussions of chapter ten. It refers to the process by which a worker uses a stereotypical set of characteristics to measure a client against for fit. For instance, research indicates that stepfathers are more likely to abuse their stepdaughters than are natural fathers (Murray & Gough, 1991:15). So if there is an allegation of abuse against a stepfather, there may a tendency to believe the allegation, on the basis of the template alone. Already the relationship to previously discussed Cases B and D is apparent.

Justificatory Theorising is best exemplified by what Howitt refers to as '*Contrition Theory*'. This is evidenced when a worker believes, for instance, that before a family or family member can be considered 'treatable' they must be able to show that they accept responsibility. That means even if they are innocent, a continued refusal to express contrition will be taken as proof of the individual or family's entrenched pathology. Again, the application to Case D is readily apparent.

Ratcheting is an organisational process of resistance to the potential reframing of situations. It refers to the difficulty experienced when trying to turn around the Titanic. Even when a particular intervention is clearly and objectively demonstrated to be in error, such as in Cases B and D, there is sometimes such an emotional commitment by some parties to their original decision that the ratcheting process continues regardless.

Howitt's contribution to an understanding of error processes is valuable, but the model is insufficient to explain the process by which individual cognitive error becomes transmuted into patterns of organisational error. It also fails to inform us on the processes by which error can be avoided. Some guide to this process is in the discussion on reflective practice in chapter four, as reflective practice carries with it some inbuilt mechanisms of error avoidance and error correction.

13.2 Understanding Organisational Error Avoidance Processes

Through the medium of reflective practice, we tend to avoid error by sifting and retaining information in a flexible but organised manner. The possible import or value of the information gathered is gleaned by measuring it for fit in a speculative way against various theoretical reference frames. This process has already been termed 'prism testing' earlier in this thesis. That is when we receive information we have the choice of

moving into either a process that increases the potential for error or decreases the potential for error.

In fields such as child sexual abuse however, the 'action imperative' is so strong that a tendency to rush to judgment is created. Decisional processes require some certainty and belief in order to be carried through. The decision taken thus tends to be reified and accorded greater significance than the available information warrants. We seek to reduce our uncertainty by increasing our conviction. The first stage of error is therefore in moving away from the speculative thinking of 'prism testing' down a more rigid path to 'templating' in the manner that Howitt has suggested.

Because of the greater certainty and conviction required by templating as opposed to prism testing, the individual is able to move on to a point in the error process of 'decisional commitment'. Through this process the receptivity to, and internalisation of, further information is constrained in order to consolidate belief. Information that does support the belief is incorporated into the completed template. That not supporting the belief is systematically excluded, thus allowing a continuing commitment to the correctness of the template.

The equivalent point of decision in the alternative error avoidance process does not require the same level of conviction or emotional commitment. This is because it occurs after the process of selecting the most appropriate frame, from amongst those used in the prism testing stage. This process of competitively selecting a theoretic construct that best fits the information available at that time can be labeled as 'Framing'. Commitment is to the frame that is the most plausible explanation at that point in time. This directly contrasts with templating, which tends to enshrine the construct as the sole satisfactory explanation, even before all the available information is to hand.

Within the error avoidance process it is essentially a matter of conscious 'decision taking' which occurs after 'framing' rather than 'decision commitment' as in the error process, which occurs before 'justificatory theorising'. In the former, responsibility is taken for the decision, but with full recognition of the risk of error and of the possible need to rectify the decision at a later time. Framing therefore occurs while still at a stage of speculative theorising, but it is nonetheless a stage at which a decision may have to be

taken. The trick is to avoid the level of emotional commitment to the decision and to remain open to the reception of further information.

The next crucial stage of the error process that flows on from justificatory theorising is therefore 'Information Closure'. The process of information closure is a powerful cognitive device within the individual that guards us against information overload and is a means by which certainty can be provided to decision making (Babbie, 1995:24). It is the process by which we commonly close our minds to further input, in order to retain belief in the rectitude of the decision we have made. It bespeaks an attitude that, 'I am not listening any more, I have made up my mind'.

On the other hand, error avoidance is maintained by commitment to a process of 'Incongruence Monitoring'. As well as remaining receptive to further information, we also actively seek to question our own views. We do this by seeking and attending to incongruent facts and subjecting these incongruities to a continuing prism testing process. It is an active process by which one continues to challenge one's assumptions.

As a result, we are able to either continue building a more inclusive and comprehensive theoretical frame; or alternatively, we are able to abandon our previous frame and adopt a different one that better fits all the facts now available. If we use the terminology from the figure three model on reflective practice, a stage of 'Potential Reframing' can be reached that is alternative to the 'Ratcheting' of the error process. In a very real sense, ratcheting could most accurately be retitled as 'resistance to reframing'.

13.3 The Institutionalisation of Error Processes

This resistance to reframing is a crucial part in the organisational aspect of the error process and also derives from the process of information closure. As well as being a subjective cognitive device, information closure also has objective elements that facilitate group processes of error. At an individual level we can close our minds to further information and we can also tailor our communication to others, in order to channel their opinions and decisions in the directions we wish. At an organisational level, this process of information closure is a process that draws its power from the culture and political belief system of the organisation.

This does not necessarily mean the political belief system that drives governmental policy. Many organisations are able to sustain political belief systems in the form of accepted ideologies. These can even run directly counter to the governmental policy of the day. What is referred to is the generally accepted norms and philosophies of the organisation that tend to frame the decision making process at a practical level.

Various authors have referred specifically to this situation within child protection services internationally, and it has also been graphically demonstrated by the case discussions in this thesis. Ideologies such as 'always believe the child', 'confess or the child doesn't come home', 'male interviewers traumatise children', have been shown that are able to achieve status as part of the underlying political belief system of an organisation.

In a very real sense then, they are ideological templates that are accepted without explanation, just as is done at an individual case level. Such ideological templates within the organisation generate the rationale for active exclusion or 'sifting out' of information items deemed as irrelevant and preclude new information being sought. By this means the template remains undisturbed by new considerations.

At a practice level, this preclusion and exclusion of new information may extend to actions such as the deliberate withholding from others of incongruent or contradictory information. It may even extend to deliberate suppression of the activities of others, when those activities have the potential to produce contradictory new information. As many of these processes of information closure are generated through the organisation's ideological templates, group commitment to the error process can often be extraordinarily resistant to correction or to the process of *reframing*.

It is at this point that Howitt's processes of '*ratcheting*' take over. The term ratcheting however tends to imply a more mindless and mechanical process that is more a product of organisational inertia. The error process can move further than this. Not only may there be levels of individual emotional commitments to a decision; but the decision that has been made also assumes implications for the status, authority and reputations of those involved.

13.4 When Organisational Enmeshment Occurs

To be involved in error can be perceived as a very real threat to the individual and collective status, reputation, and moral authority of those involved. This mutually felt threat to authority within the organisation is then externalised and objectified. It is perceived as a threat to the stability of the organisation itself. The actions taken to remove or suppress this threat are justified as being in the interests of all, rather than simply the interests of those involved in an error process. Perceptions of personal well-being and identity become inextricably linked with perceptions of organisational well-being and lead to organisational enmeshment.

At this point, those involved in the decisional process increase their commitment to the original decision because of the perceived threat to their mutual authority and status. The process then converts from ratcheting to a process the writer has chosen to term as 'Scouring'. That is, a process of collusive silencing and/or cover-up action now takes place. This can have either or both defensive and offensive components. The offensive elements of scouring may target individuals, groups or organisations. It may involve such strategies as devaluing professional competence, disputing credentials or discrediting worth, and this may be either covert or overt in nature. In covert terms it becomes one of 'management by gossip', secret memo, downgrading of professional or promotional assessments on individuals, or confidential 'hatchet jobs' on agencies.

In overt terms it becomes one of more directly punitive action, varying from close monitoring and fault finding in performance, to formal adverse report, harassment, victimisation and scapegoating. These offensive elements of scouring all have the primary purpose of reducing or destroying the credibility of the targeted person, group, or organisation. Such actions are rationalised and condoned, simply because it is agreed by all concerned that it is being done with the best interests of the organisation at heart. Simply, ends justify means.

The defensive elements of scouring, on the other hand involve collusive actions of both 'deinformation' and 'disinformation'. Deinformation refers to strategies ranging from the failure to make contemporaneous records, to active record destruction, record purging, and record loss. In other words deinformation means no records. On the other hand, disinformation refers to such strategies as record falsification by addition or amendment,

record invention by post-hoc reconstruction or rationalisation, and the use of selective, intentionally deceptive and obfuscatory information. In other words disinformation means false records. Such wide spread 'scouring' practices as these are only possible when they are culturally condoned within an end state of 'Organisational Enmeshment'.

Naturally, all organisations have the potential for error and the potential to reach end states of 'Scouring' and 'Organisational Enmeshment' in the denial of specific error. However, when error is endemic to an organisation so is the likelihood that this will lead to an endemic culture of enmeshment. Constant exposure to uncorrected error leads the organisation inexorably toward becoming closed, rigid, inbred, inward looking, punitive, intolerant of diversity, and resistant to new ideas and change. Change that does come about will be externally forced rather than internally motivated and will be entirely unlikely to succeed in achieving cultural change within the organisation.

13.5 Modelling Organisational Error and Error Avoidance Processes

Cultural change can only be properly achieved by institutionalising error avoidance processes that lead toward an end state of 'Organisational Learning' and a necessary preceding process that the writer has termed as 'Decisional Auditing'. This term is meant to portray systems of independent feedback that are built into the organisations processes and provide mechanisms of ongoing review of decisions, independent of normal hierarchical process.

This concept is redolent of the previous discussion on centralisation versus dispersal of power. To ensure greater internal power diversity, and a commensurately better capacity to respond both to internal tension and external 'problems of fit', and thus achieve organisational learning, an organisation requires mechanisms of error identification and correction.

These feedback mechanisms have been grouped together under the heading of *Decisional Auditing* and will be discussed in more detail in the final chapter. It is sufficient to note at this time however, that these organisational end states must be planned outcomes rather than occasional flukes that occur despite the existence of significant error processes.

It is not sufficient for individual practitioners, supervisors or even managers to be committed to reflective practice and to an abstract ideal of organisational learning. This simply creates little islands and oases within a wider context of a potentially or actually enmeshed organisation. To be properly achieved, these end states must be legitimated as part of corporate goals. Specific, formalised and legitimated processes must be instituted and embedded in the corporate culture of an organisation that is actively committed to developmental goals.

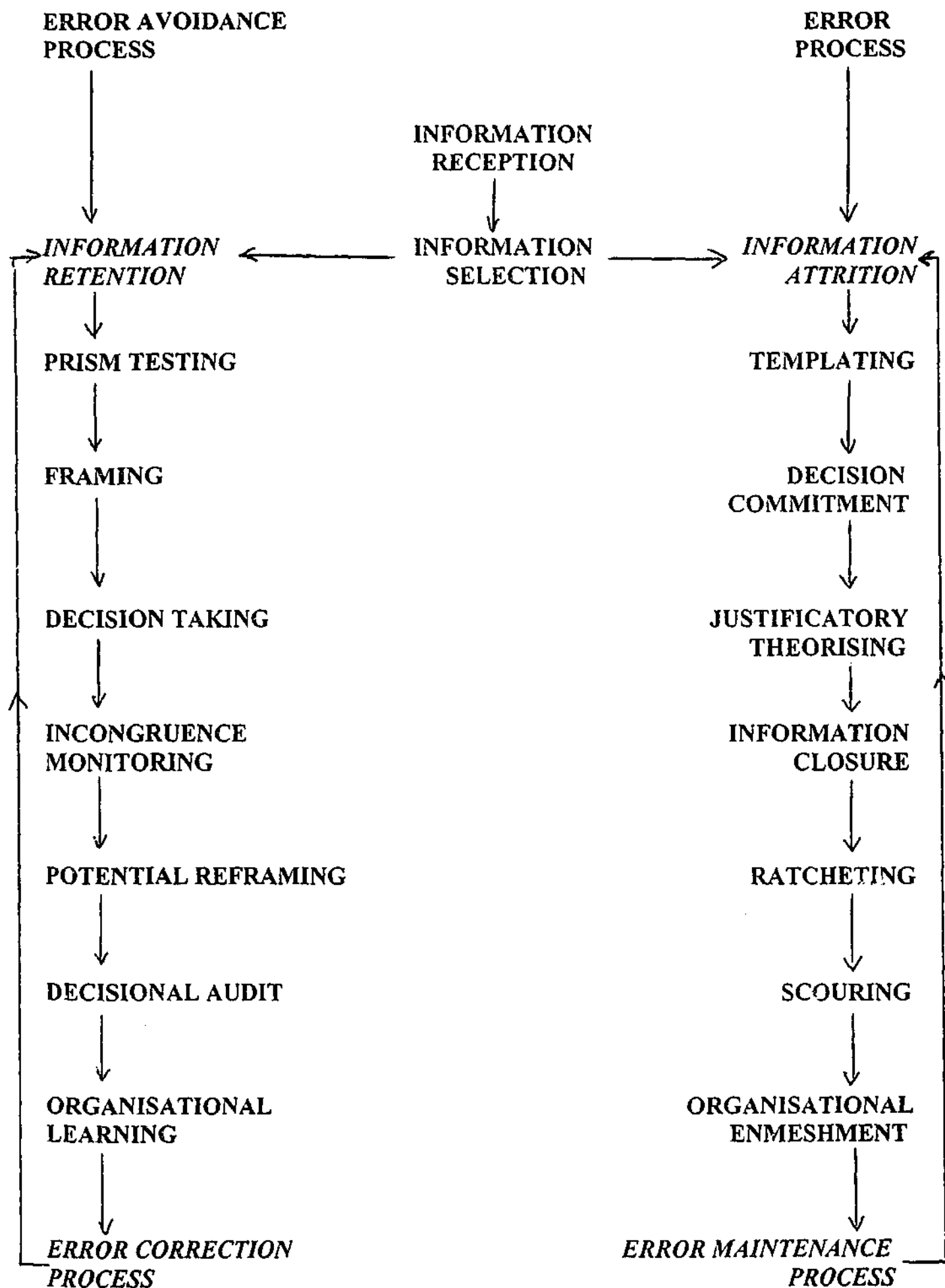
These elaborated process models of error and error avoidance can therefore be seen to have a number of similar sequential stages that take different pathways from the common stages of *Information Reception* and *Information Selection*. The 'Model of Error Process' is seen to have seven subsequent components, consisting of Templating, Decision commitment, Justificatory Theorising, Information Closure, Ratcheting, Scouring and Organisational Enmeshment. Processes of *Information Attrition* can also be seen to support the error maintenance process.

The 'Model of Error Avoidance Process' on the other hand, also has seven subsequent components, consisting of Prism Testing, Framing, Decision Taking, Incongruence Monitoring, Potential Reframing, Decisional Audit, and Organisational Learning. It is these final two stages that allow error correction to flow back to the error process and the integrated model can be schematically shown in the following Figure 7.

It is by conscious use of this process that error is avoided and end states of formally legitimated decisional audit and organisational learning are achieved. This is the real means by which practice quality is assured within an organisation. This process model of both error and error avoidance will therefore be used as a tool of analysis in the case discussions to follow. Cases A, C, E, and F will be analysed first in relation to error avoidance processes, then Cases B, D, and G will be analysed in relation to error processes. These discussions will then be summarised in the final section of this chapter, in their implication for organisational learning

Figure 7

A PROCESS MODEL OF ERROR AVOIDANCE AND CORRECTION



13.6 Case Discussions in Error Avoidance Process

13.6.1 Discussion of Case A

In the case of Norah who ultimately refused to confirm abuse by her father, a strong organisationally based adherence to an error avoidance process was seen, rather than it being simply a product of individual reflective practice. There was in fact no reasonable evidence that any of the error process elements were present. On the other hand, while all elements of the error avoidance process necessary to ensure reflective practice were present, there was however, no direct evidence that this reflective practice was in fact institutional to the organisation. That is direct evidence of decisional audit and of organisational learning was not present.

At the time of notification there was initial speculation as to the role of the stepfather, but this did not present as a templating. Judgment was suspended until further information was available, so it can be seen that the speculation in relation to the stepfather conformed to prism testing. Further information caused speculation on the role of the father as a possible abuser; but this was tempered by speculation on the possible motives of the mother, due to the known incidence of false allegations in disputed custody and access situations. However all this speculation was clearly contained at that level and did not indicate either templating or decisional commitment. Certainly no justificatory theorising was in evidence and none had taken place. There was in fact a clear and conscious strategy between worker and supervisor, to avoid information closure.

The further evidence gained from the involved professionals proved to be more damning of Garry, but this did not create a barrier to engagement of him. However Garry's belligerence, self-focus and apparent lack of empathy for his daughter, hardened the assessment of him as an abuser and the framing process became evident. Whilst this framing led to decision taking and acceptance as the preferred frame for understanding the situation, it still did not represent decisional commitment. It was mutually agreed between worker and supervisor to run with this idea as the most likely scenario, but information closure did not take place. It was actively agreed that incongruence monitoring would continue in order to remain open to the possibility that an error might have been made.

The planning of the disclosure interview did however indicate a degree of information closure. The stepfather Rob was not subject to any further real scrutiny as the focus was clearly on Garry. This strategy though, seemed more related to the direction of flow in relation to the information gained, rather than to any premature processes of templating, decisional commitment, or justificatory theorising. Even though suspicion against the father was given some credence by Norah's statement to her classmates, the alternative explanation was still entertained. That is, Norah's comment could have been a relatively innocent reflection of the cancelled access with her father and of the worker's pledge to protect Norah. Incongruence monitoring and potential reframing was therefore still active at this stage.

Some speculative theorising did occur in explanation of Norah's failure to disclose. This presents as justificatory to some degree, as it centred on Norah's imputed wish to protect Garry, and not on any possibility of her protecting Rob. However, Garry's attempt at information closure in relation to his new wife's knowledge of the medical evidence seemed to confirm the validity of the focus upon him. The subsequent co-ordination of the report process to the court and the detailed prosecution planning that occurred did not seem suggestive of ratcheting or scouring. Despite the structuring of the report to aid the decisional needs of the court and hopefully funnel the decision making, there was no suggestion of tailoring the report through deinformation or disinformation, to achieve the desired result. The information in fact ultimately stood up to rigorous scrutiny over a five day contested hearing.

While both worker and supervisor in this case demonstrated their personal adherence to the principles of reflective practice and an associated error avoidance process, this reflected more of an 'oasis' situation. Despite the strategies used in coordinating the evidence to the court and in planning the prosecution, there was no evidence of any process or mechanism of decisional audit, or even at a more pragmatic level of a staff case forum. The supervisor or worker therefore had no mechanism to utilise in marketing this as a 'best practice' approach, and so lead to organisational learning.

13.6.2 Discussion of Case C

As with Case A, a fairly positive picture on organisational error avoidance emerges from analysis of this case. Barely two of the seven elements of the error process can be judged

as present and these relate to an outside agency. Potentially all seven elements of the error avoidance process can be judged as evident from the protective organisation's handling of the case. It must be assumed that at the time of first coming in to departmental care, the intervention and gaining of a guardianship order for Fiona was objectively based on a fairly thorough assessment. However, by the time that the mother re-entered the scene and claimed she has separated from her husband and wished to be reunited with Fiona, there had been an obvious attrition of information which led to error. The first disclosure by Fiona had not been followed up either with the police, with a counselling agency, or by further departmental investigation, and was not revealed by a proper file audit. This was because of the mother now being templated in a positive way, and some information closure occurring.

Perhaps the mother had herself learned something of the power of justificatory theorising, when claimed that she now accepted that her husband was an abuser. Because of her claim, it seemed there was some impetus to her being templated as *the 'oppressed mother who has finally broken free'* or the *'woman who is ready to reclaim motherhood and deserves the chance'*. The justificatory theorising that then supported this seemed to be based more on some type of probability theory, such as *'long shots have been known to win the cup'*. The mother was therefore considered to be deserving of one last chance. It is fair to say though, that the story seemed to have been swallowed with some aftertaste, as the return home of the child was made conditional on close supervision, even though a proper file audit was neglected.

The first potential point of *ratcheting* appeared when the mother's story about the father being at the train station rather than in the cupboard, was tentatively accepted over the child's. This stance was not unreasonable, given the child's history of fanciful stories. Certainly, there was no evidence that information closure had occurred in any way at that point, and the tentative acceptance of the mother's story is still consistent with being at a prism testing stage. However, the notification by neighbours caused panic stations, and whatever closure might have been in train in favour of the 'good mother' template, was now in full reverse. The cross checking with police yielded vital information to complete an alternate framing of the situation, and confirmed the necessity of further action.

The next point of contact was between the new agency worker and the writer as the newly assigned protective worker. As a male writer was immediately templated by the agency worker as unsuitable to do disclosure work. When challenged, she provided the justificatory theory that 'the child would be traumatised by a male' but seemed unable to firmly evidence her view. No hint of information closure or ratcheting was evident in the intervention plan agreed with the supervisor. As the plan was simply to continue gathering information in a formal joint exercise with police, it is apparent that both supervisor and worker were actively and consciously maintaining themselves in the *prism testing* stage. This open process continued and the child was allowed to determine who was to be involved in the interview process. The process continued to remain in an open error avoidance process in the subsequent supervisory discussion and this flowed on to the strategy adopted with the foster parents. There was a conscious decision to remain in *prism testing* mode and refrain from *framing* the situation until after speaking to the foster parents. The parents were therefore enlisted into an open analysis of the situation, even though it was their own son who was under suspicion.

The information thus gained seemed to be compellingly in favour of the son, and some pressure toward *information closure* was then apparent, but resisted by both worker and supervisor. Instead the information was framed from a variety of alternative perspectives, actively looking for deficiencies. A view was then framed that best fitted the unique features of the case, but formal *decision taking* was still resisted until after the police have been consulted. The police then offered their reflective observation that fitted the scenario framed. The police immediately took a case closure decision and the protective staff followed suit.

Despite the great potential for error in this case, which could have wrought devastation to the lives of the foster care family, both worker and supervisor retained a clear focus on the principles of reflective practice. This closed with the supervisor attempting to ensure organisational learning from the specifics of the case, by forwarding a summary of the processes and outcome to his manager, who then forwarded the report up the line. This clearly demonstrated a commitment to reflective practice and organisational learning at least at the next managerial level. However there was still no evidence of this being an established organisational process and it seemed to represent the same 'oasis' situation as in the previous case.

13.6.3 Discussion of Case E

Case E, involving the acrimonious parents of little Sheree, was again a clear and relatively simple example in error avoidance process. Maintenance in the prism testing stage was successfully maintained and easy templates were avoided. On the one hand the mother Wendy was not dismissed as having spurious motives because of Family Court custody or access dispute. Neither were the medical and behavioural problems of Sheree taken as a template to a sexually predatory father. Focus was clearly and consciously retained in the *prism testing* stage throughout the investigation, and this was obviously assisted by the freezing and cocooning process discussed in the previous chapter.

What is perhaps most interesting to note, is that even when a framing of the situation was finally made and a decision taken not to make a statutory intervention, this clearly did not involve a *decisional commitment*. That is, the formal view was adopted that there was insufficient evidence to say that Bob was responsible for sexually abusing his daughter, and indeed on balance of probability, he most likely did not. Informally though, some doubt was still entertained over this framing, and it was nonetheless felt that some inappropriate touching might have occurred.

What justificatory theorising that did occur was more related to the ethics and pragmatics associated with such interventions, and the greater good that was seen to attach to non-intervention. Again, as with the previous cases, although an individual commitment by both worker and supervisor to reflective practice principles was apparent, there was no evidence that this was institutional to the organisation, even if only by way of staff practice forums.

13.6.4 Discussion of Case F

Even more than in the previously discussed cases, this case showed a strong commitment to error avoidance processes at a worker, supervisory, and managerial level. The pressures toward hasty judgment in this case involving fifteen year old Kathy were shown to be at times considerable. This was first shown when both the manager and worker expressed at the case review meeting that there was no objective evidence to support any accusation of impropriety by Simon. The risk of *templating* him was avoided, and even though the abusive relationship was ultimately substantiated, a pre-

emptive judgment would have at that time hardened the support of Kathy's mother Jo and the foster mother Lauren, behind the foster father Simon. This could then well have compromised the success of the investigation and doomed Kathy to continued exploitation by Simon.

The refusal to template Simon as an abuser therefore facilitated engagement with him. Alternatively the refusal to template him as a '*well meaning, innocent-but-misguided foster parent*' ensured that the worker was able to remain receptive to new information. The possible manipulative influence of Simon over Kathy was evident at an early stage, but events were also equally well explained at that stage by pure chance. *Framing* of the situation at that stage was therefore considered to be premature and may have lead to *information closure*. Framing and *decision taking* was therefore resisted and rather than seeking to protect Kathy by placing her in secure custody; a voluntary '*cocooning*' of the situation was negotiated. Simon agreed to forego contact with Kathy and in this way, information gathering could continue and the stage of *prism testing* could continue.

The engagement of Simon's wife Lauren was facilitated by not moving to the framing and decision taking stage. This proved vital not only in gaining access to helpful background information, but also in exposing Simon's continuing contact with and manipulation of Kathy. Even at this stage, the rush to conclude that a sexual relationship actually existed was resisted, even despite Kathy's seemingly explicit poems. An alternate prism was still actively considered, that Simon's own emotional needs had led him into a destructive enmeshment with Kathy. Events ultimately showed that both these prisms, far from being mutually exclusive, were both consistent with the frame ultimately fitted to the situation. That is, the pathological depth of Simon's own emotional needs led to both an enmeshment with and the sexual exploitation of Kathy.

This brief analysis clearly shows that none of the elements of error process were in evidence in this case, whilst all the elements of error avoidance up to decisional audit were evident. It was certainly apparent that both at a managerial and a supervisory level, the principles of reflective practice were demonstrated. Some relatively new ground was broken in this case in the way in which an Intervention Order was sought as the preferred means of achieving the desired outcome.

Organisational learning could therefore have well flowed from the outcomes achieved in the case, if there had been some mechanism whereby the lessons learned in the case could have been generalised. As with the previous cases cited in this section, such mechanisms were not in evidence, and the lessons learned would be likely to be retained only at the level of the individual worker, supervisor and manager involved.

It is in this way that the maintenance of *Oases* of good practice can be achieved, even in organisations that are heavily locked into an error process. The vital point is that there is a very restricted capacity of such islands of good practice to positively shape organisational learning, as they are not an intrinsic part of the organisational culture. This point will be amply illustrated in the following case discussions of error process

13.7 Case Discussions in Error Process

13.7.1 Discussion of Case B

The presence of all seven elements of the error process model can clearly be identified in the case of baby Kylie and her two sisters. Additionally, at an individual practice level, all but the last two elements of our error avoidance model can be identified. Error correction could thus be achieved in relation to the individual case, but there is strong evidence that this would fail to impact on organisational learning.

Initially, the stepfather Jack was in fact subject to templating on more than one basis. Both the agency worker and the protective supervisor took his wolf whistle at the agency worker, (naively meant as a compliment) as a template for a predatory male. His criminal history was also taken at face value and he was perceived as a sinister 'weapon carrying perpetrator'. This was also complementary to the predatory male template, and it probably didn't help at all that he was a truck driving, working class man. These templates in turn more than adequately supported his template as a child abuse suspect, due to his role as a stepparent. The sheer co-incidence that he had the same surname as a convicted pedophile was speculated as a direct family relationship, and became a template for him as a pedophile.

Although not questioning these templates at first, it is nonetheless apparent, that on their first visit, the workers had not undergone information closure, and were still open to *incongruence testing*. It was on this basis, that the warrant of apprehension was not

executed. In subsequent discussion the supervisor, some alternative *prism testing* was attempted, such as the girl's disclosure possibly being motivated by ill will to him as a new source of authority. However, the supervisor's move to justificatory theorising was evident on a number of levels. 'Believing the child' was vigorously used as a construct to reject the possibility of false disclosure. The idea of 'Modus Operandi of the Abuser' was used to reject the possibility of statement contamination between the girls. The theoretic likelihood of more than one abuser was then used to counter the discrepancy between the medically evidenced and the disclosed abuse. The spectre of system abuse was used as a rationale to decide against interviewing the children. The serial pedophile scenario was then used to legitimate immediate removal of the baby, while the distortion of the concept of 'sub-judice' was used as a rationale for not engaging the alleged perpetrator.

The justificatory theories of system abuse and sub-judice, can also be seen as devices of information closure. This operated on one hand at a personal level, and served to consolidate the supervisor's templates of the alleged abuser. On the other hand it operated at an external level, and acted to prevent the workers having access to information that might lead them into further questioning and alternate framing of the situation. In this respect, it was also interesting to note the deinformation involved in the revelation that the supervisor had failed to inform the workers of the existence of the other disclosures made by the sisters and brother, against the natural father. It was expected that the workers would complete the apprehension without either her or themselves having personally sighted the original disclosures against the stepfather. Additionally, the supervisor then took control of the process of communication with the police and was successful in having their decision not to prosecute referred to the DPP for review. This then buttressing the supervisor's use of deinformation by having this information about the second disclosures excluded from the protection report.

These omissions by the supervisor, while meant to aid the workers in movement toward decisional commitment, in fact only served to undermine trust in her openness as a manager and lessen confidence in her professional judgment and capacity for reflective practice. Therefore, whilst the workers accommodated to the decision taken to apprehend the baby, they did so with disquiet. It was evident that despite strong supervisory pressure, they actively maintained their receptivity to new information, and *incongruence monitoring* in order guard against further error. The supervisor attempted information

closure at this early time in order to maintain commitment to the original decision to apprehend and permanently remove baby Kylie. The decision not to conduct a family assessment or interview Jack also served the purpose of deinformation to the court.

This plethora of justificatory theorising and information closure therefore strongly supported the 'Ratcheting' processes of the department. The apprehension of baby Kylie proceeded as originally planned, despite the growing doubts of the workers. The potential for this ratcheting to rapidly turn to 'scouring' was soon observed in the supervisor's response to the Supreme Court ruling in granting twenty hours access per week to the parents. The judge's decision was rejected as uninformed by the supervisor and she also considered a strategy of complaint to discredit his judgement. This was not only evidence of scouring, but also demonstrated the supervisor's blissful ignorance of the constitutional principle on separation of powers.

Ratcheting then continued strongly into the initial hearing of the protection application, and included an obvious attempt to garnish further evidence through the recently gained tape recording. The court was subsequently very critical of the failure to provide an assessment on the marital relationship and the background of the stepfather. Following the court adjournment to prepare this information, the workers obviously continued to operate in an incongruence monitoring phase and evidence was gathered that strongly indicated the inappropriateness of the original case plan.

The failure of either workers to recognise at an earlier stage, the possibility of sibling abuse by Reg, seems to have been a crucial element in them having to accommodate to the error process. The strength of departmental decisional commitment had clearly inhibited active speculation and prism testing of a proposition such as sibling abuse. In this way, the culture and climate of the situation induced cognitive error in the workers and inhibited their earlier development of a potential reframing.

A formal review of the caseplan was then sought, and a reframing offered that better accommodated the total information available. The strength of the ratcheting process was however then demonstrated when this alternate frame was rejected out of hand and the original case plan again confirmed. It was apparent that there was no genuine organisation commitment to reflective practice and the existing caseplan process was

inadequate to achieve a decisional audit. The ratcheting processes then immediately escalated to scouring, due to the strength of threat the new framing posed to collective authority. This involved deliberate deinformation to the court, by attempting to withholding evidence. The department's barrister was instructed to simply state that the family assessment had revealed 'nothing adverse'. This course of action required higher managerial endorsement and indicated some level of organisational enmeshment. Following the court's rejection of the departmental recommendation, the scouring process continued, but now focussed on the writer. The writer's competence and motives were impugned in order to reject the court's decision as wrong and to vindicate the decision that had been sought. No mechanisms of decisional audit were available to review or reverse this process and initiate organisational learning.

The writer was consequently subjected to disciplinary charges and to the reputational aspersions that accompany such charges. That the scouring reached this stage indicated that organisational enmeshment had been reached. Therefore, while the disciplinary charges ultimately foundered through lack of substance, the scouring process continued in relation to the worker's reputation within the organisation. Similarly, the reputation of the stepfather as an abuser remained unchanged by the court's decision. This was evidenced some three years later, when it was revealed that the department still formally regarded the stepfather as an abuser, despite the court having ruled that he was not.

13.7.2 Discussion of Case D

Analysis of the case involving intellectually disabled Amy evidenced at least six aspects of the error process model. Conversely, and as in the previous case, all but the practice audit and organisational learning components of error correction were also in evidence at an individual practice level. Although Amy's disclosure was somewhat vague, she had identified Davo as involved in possibly abusive behaviour. He therefore seems at the outset to have been templated an abusive stepfather. The medical confirmation of abuse appears to have hardened this template as a decisional commitment to Davo as an abuser. This is despite the incongruity between the disclosed abuse and the evidenced abuse.

Decisional commitment was clearly evidenced by the information closure process. This allowed the discrepancy between the medically evidenced abuse and the disclosed abuse, and the discrepancy between Davo's continued presence in the house and the non-

recency of the evidenced abuse, to either be sifted out as irrelevant, or rationalised away by *justificatory theorising*. This may well have been through 'believing the child', or through regarding medical technique as too limited to establish the recency of abuse beyond immediate, traumatic penetration. The failure to explore the nature of Amy's cognitive disability and what it meant to the form and content of her disclosure, or even the failure to cross check her history in the intellectual disability service files, was not adequately explainable as a simple oversight. The more likely explanation was of information closure buttressed by justificatory theorizing, such as an unquestioning belief in the veracity of the child's disclosure.

The fact that the family supported Davo also templated them as a collusive family, rather than this status being established by any objective means of assessment. Amy's subsequent retraction of her disclosure then prompted more justificatory theorising through the agency of the 'Accommodation Syndrome', which posited that the original disclosure must therefore have been true. This again was seen to support the notion that the family was collusive, rather than this having being established through any process of assessment. Information closure had obviously been reached and incongruence monitoring had ceased.

Similarly, the indicators of behavioural disturbance were used in a justificatory way to support the identification of Davo as an abuser. At this point the information closure process was obviously well established, as the discrepancy between the onset of Amy's behaviours and Davo's presence in the family was not explored. This information closure also explained the failure to peruse the previous IDS files, which gave clear accounts of the onset of Amy's behaviour and the extent of the father's access. This information closure aided the departmental *ratcheting* toward permanent removal of the child. The court's failure to make the requested guardianship order then elevated the decisional commitment to scouring. The writer, as the newly assigned worker, was given an overt plan of family re-unification to convey to the family, but was to retain a covert plan to breach the order and again seek guardianship.

The writer's speculative approach was evidenced as further information began to be uncovered. This incongruence monitoring soon put the covert caseplan under increasing question. In order to undo the department's decisional commitment, the writer subjected

the supervisor to deinformation. She was not apprised of the full impact of the new information and of the potential reframing, until the completion of the review report and a new detailed alternate framing had been completed. At the same time the writer redressed the deinformation to the family in order to empower them in the proposed case plan review. The strength of the supervisor's decisional commitment was evident in her justificatory theorising about the writer's lack of credentials to undertake the values clarification process that had been completed with 'Davo'. The supervisor attempted deinformation by seeking to have sections of the report expunged. The writer's direct threat to the supervisor of exposure to the court of any attempt at deinformation was sufficient to halt the ratcheting and the caseplan was successfully reversed. Because of this there was no evidence of organisational enmeshment. By the same token there was even less evidence of any decisional audit process, which could have enabled the important implications of this case to flow through to organisational learning.

13.7.3 Discussion of Case G

Despite the satisfactory resolution to this case, virtually no organisationally based elements of error avoidance were in evidence. These were clearly seen to be a product of individual reflective practice. It was apparent from the writer's audit of the previous file papers, that processes of templating, decision commitment, justificatory theorising, information closure, and ratcheting, had all been present in the original disposition of the case. The father had evidently also been templated as 'violent' as an excuse for the failure to engage him. A movement to scouring was already evident in the supervisor's original briefing of the case, and arose from decision commitment, rather than being related to the recorded facts of the case. The fact that the writer undertook an audit process and attended to the incongruities revealed, only indicated an individual commitment to reflective practice, rather than an organisational commitment to such file audit processes.

An active receptivity to new facts, to incongruence monitoring and to a potential *reframing* of the situation was obviously demonstrated. This was tested out in the supervisory situation, but was met with resistance to reframing, and organisational *ratcheting* was evident through the supervisor's approach. The writer then deliberately effected some level of deinformation to the supervisor by not informing her of the father's offer to accept an extension of the children's orders. This stemmed from a lack of

confidence in the legal integrity in the supervisor's plan for continuation of the order, and a fear that the situation was not open to a potential reframing.

That the situation was ultimately redressed in terms of outcome for the client was not attributable to any process of decisional audit that normally might be achieved through the usual caseplanning process. The writer in fact achieved the reversal of caseplan through an exercise in power and in the strategic utilisation of process. Thus, while achieving the necessary outcome for the client, the fact that there were no mechanisms of decisional audit available, meant that this use of power by the writer, effectively precluded the likelihood of this case ever contributing to organisational learning

Naturally, the seven cases that have been cited in this discussion on organisational error avoidance and error correction processes do not remotely represent any form of quantitatively valid findings. They can serve only as vehicles for discussing some important conceptual issues about organisational process. Of the seven cases cited, positive outcomes were gained in all. Sometimes this was aided by supervisory and managerial commitment to reflective and heuristic practice, but sometimes this was despite vigorous organisational pressures to the contrary. None of the good outcomes stood as singular tributes to mechanisms designed to achieve organisational learning. The nature of such mechanisms and the way in which these need to operate in order to develop a learning organisation culture, will therefore be the final task of this thesis in the following chapter.

14.1 Balancing Competing Needs

As can be seen from the preceding discussion, for reflective practice to be able to effectively build knowledge that will contribute to organisational learning, appropriate error avoidance and error correction processes need to not only be present, but also sustained by the organisational culture. If we return to the theoretic discussion of chapter six on power structures and processes, we can conceptualise the basic problem facing any organisation, or indeed society, as one of centralisation versus dispersal of power.

A more centralised model of organisational power brings with it advantages of decisional speed and greater uniformity of operational command. It also carries the disadvantages of a lessened sensitivity to the external environment a lessened ability to act in other than traditionally established ways, and a lessened capacity to adapt in a more inclusive way. That is, a lesser ability to identify and correct error on the basis of developing knowledge. On the other hand a more dispersed model of organisational power has the advantages of greater internal diversity, sensitivity to external change, and greater flexibility of response. It also carries with it the disadvantages of greater potential for fragmentation, diffuseness of purpose as a whole entity, disorganisation and decisional paralysis.

The trick is to have your cake and eat it too. Is it possible to have these competing demands in an appropriate level of tension? To be able to do so would give an organisation the dual advantage of a capacity for decisional speed and operational coherence, while retaining a strong ability to adapt sensitively to changing external circumstances. In theoretic terms, the answer to promoting developmental bureaucracy and organisational learning lies first in the feedback loops that are available to monitor both external and internal tensions. However one cannot simply say, 'Right, now we are going to become a learning organisation. We are now going to listen to our consumers and stakeholders and staff, and learn from our mistakes'. There is a big difference between saying and doing, between having the rhetoric and having the substance.

A number of monitoring and feedback mechanisms are therefore required within an organisation, and not just to point up error. There must also be the delegated power to do

something about it. These mechanisms must be able to monitor and correct any processes within the organisation that are antithetical to a developmental approach. This is what the essential difference would be between a 'Practice Quality Branch' and for want of a better title, a 'Service Development Office'. The first, by the tyranny of its nomenclature, would be examining only issues of professional skill and knowledge, and would have no power of focus on issues of organisational process. The second would by definition be more concerned with service outcomes, and the organisational processes involved. The key point is that, whatever the title given, the power must be delegated to intervene and correct where error occurs. The only issue really is, how does that intervention take place in a way that remains consistent with a developmental approach.

These mechanisms must therefore not be coercive in their intent or approach, but must have the ultimate power to be so, if that in the end is required. Perhaps the appropriate analogy comes from the previous case discussions. In a couple of these cases, voluntary agreement was sought and gained from the clients concerned, to put certain situational controls into place. The fact that the statutory power was there, made the actual exercise of the power unnecessary. In the terms of the discussion on error avoidance from the preceding chapter, what is required is a range of decisional audit mechanisms that serve to underpin the organisation's capacity for error avoidance, error detection and error correction. Again it must be stressed that it is not the role of these audit mechanisms themselves to detect and correct error but to underpin normal organisational process in such a way as to help foster and sustain the appropriate organisational culture.

14.2 Supporting Professional Judgment

Perhaps the first mechanisms that need to be implemented within any social service delivery organisation are those that effectively support a reflective practice approach. At a basic level, reflective practice must be supported by appropriate supervisory and managerial practices and by relevant staff development forums and suchlike. This is not at issue. Most if not all social service organisations produce comprehensive manuals and standards on supervisory practice. What is at issue is the way in which these standards are most often not met in practice. Actual supervisory practice and here I include the successive levels of supervision up the hierarchy, is simply not subject to ongoing audit. To do so, would seriously detract from the organisation's ability to meet its throughput

goals, because of the diversion of focus to more developmental issues that. The question again descends to one of organisational priority and culture.

Similarly, a reflective practice approach needs to be supported by the way in which organisations expect their professionals to exercise independent professional judgment. This thesis has previously discussed the way in which increasing proceduralisation within the child protection field has been an internationally experienced problem, and is in fact antithetical to the exercise of independent professional judgment. As was discussed in chapter four, the conduct of reflective practice is guided by both the individual's professional knowledge and practice principles. Organisations should therefore, before they produce any detail of procedures, first produce clear guiding principles of practice, so that their procedures can become guidelines for practice, rather than iron clad regulations. Professionals should be empowered and encouraged to think in terms of service philosophies, practice principles, and client impacts, rather than in terms of applying linear, proscriptive procedures.

With such practice principles in place, supervisory and caseplanning processes would be better able to support and nourish professional judgment. However, as was seen from the case discussions on error process, this is not necessarily enough to ensure good decisional process, error correction or organisational learning. What is also required is a decisional audit process that has both a random and a targeted capability to review decisional processes. This means, in the first place, a capacity to episodically review decisions on a random basis, so that there is some appreciation as to the consistency and quality of decision making. Also required is an audit process that can be activated on a request or mediation basis, where an individual considers that an issue of practice principle or professional conscience is at stake. Normal grievance processes and certainly not disciplinary processes, are simply not designed to deal with issues of professional conscience. Such issues clearly require access to an independent audit and determination process.

14.3 Facilitating Feedback From the Field

Once we have in place a system where practice principles rather than procedures guide our day-to-day practice and we have audit mechanisms to deal with issues of professional conscience, then it is axiomatic that such issues will begin to surface more

regularly. To pre-empt this, and to enable an organisation to become more proactive, mechanisms are required that will raise discussion on and identification of the 'Problems of Fit' in the actual delivery of services. Consistent with a reflective practice approach, we must be mindful of incongruities, inconsistencies, and unintended impacts, and be able to freely surface these in discussion within the organisation.

This involves two components. First, giving front-line staff a voice, and second, giving consumers and stakeholders a voice. All too often, when organisations 'consult' either their staff or their service consumers, it is only to tell them what changes are being made, what new expectations will be involved, or whatever good news is being marketed. Rarely, if ever, does an organisation approach its staff or consumers, saying *What problems are you encountering? What is stopping you doing your job better? How can we do things better? What are things like from your perspective? What needs to change?*

Organisations thus need the power and the mandate to be delegated down to conduct such inwardly and outwardly focussed processes of review and consultation. And these processes of consultation must of necessity start with the subjective experience of those being consulted, not with what the organisation thinks the problem is. The second rider to this is that as far as possible there must be accountability back to such forums in a cyclical process. When problems are raised issues defined and actions agreed, then the actions initiated in response must be reported back to the constituents concerned and the process of consultation repeated on a cyclical basis.

Such consultative processes are early warning systems that give the organisation the intelligence it needs to be able to respond sensitively to changing needs and emerging issues. It is vital that such processes are not able to be subverted and used as a means of identifying, isolating and suppressing those who are seen as troublemakers or recalcitrants and who pose a threat to the organisation's orderly delivery of its services. Such consultative processes must therefore also be subject to audit, and mechanisms of resolution and redress must of necessity be available to such audit processes.

Facilitating feedback from the field also has direct implications for the development of knowledge and theory from practice experience. It is vital that organisations initiate means of encouraging best practice and conceptualising that practice, researching issues

at the coalface, and exporting that knowledge both throughout the organisation, and outside it, particularly to consumers and stakeholders. It is through such means that greater external accountability can be promoted. Mechanisms of audit to ensure the maintenance and development of such approaches to knowledge development and dissemination are integral components of a learning organisation.

14.4 Ensuring Redress of Error

It is also of critical importance that the organisation have a heightened capacity to recognise and redress error when it occurs, rather than a tendency to deny and suppress evidence of organisational mistakes, or to shift the blame elsewhere. This can often be seen in organisational responses to such events as Ministerial complaints, Ombudsman complaints, coronial inquests, or child death inquiries. Child death inquiries and coronial inquests tend not to be looked at as critical learning incidents, or as tools for examining deeper issues of service delivery or philosophy, or even of staff training or development. They are viewed defensively. Procedures are inexorably tightened, based on this worst-case scenario, and only serve to further undermine professional autonomy and judgment.

Similarly, Ombudsman or Ministerial complaints tend to provoke defensive responses, and it is often a case of Caesar investigates Caesar and finds no fault. The truth tends to be obfuscated by deinformation and disinformation and the opportunity to learn from mistakes is lost, simply because the mistake is denied. For this reason then, such complaint systems also need to be subject to auditing processes. The truth of the matter is, that if there is an independent process available of determining the truth or otherwise of a matter, people suddenly become more prone to truthfulness.

14.5 Monitoring Internal Tensions

To some extent, this issue has already been addressed by audit processes relating to professional conscience, so this issue will be addressed principally in terms of industrial conscience. At an international level over the past two decades, workloads within the child protection field have spiraled uncontrollably. Victoria has been no different in this regard. Staffing levels have certainly expanded dramatically, but this has always been on a catch up basis. With the inordinate pressures of throughput and system change involved, problems of staff morale and turnover have remained high and chronic.

These constantly escalating work pressures resulted in industrial action in Victoria in 1994, 1995, and 1996. It is interesting to note that following the work bans of 1994, the department proposed to introduce a Workload Monitor Scheme, which involved peer election of Workload Monitors, who would assist staff in negotiations with management where workloads were thought to be excessive. The scheme was however never resourced or implemented. Workloads therefore continued to be uncontrolled and led to industrial action twelve months later. Implementation of the scheme was again promised, but again it never materialised. Not twelve months later, in March 1996, a general strike took place. This time, the workers themselves began an implementation process for the workload monitor scheme, but the department actively subverted this.

The essential point in recounting this is that with proper independent audit processes in place, such internal tensions are more readily surfaced, their legitimacy recognised, and the problems dealt with in a more proactive way. The critical problem facing a bureaucracy however is that by increasing professional autonomy and competence, there is more than likely to be a commensurate increase in industrial consciousness. The question then devolves to whether the organisation wishes to have a professionally and industrially strong workforce, or wishes to have a compliant and docile workforce.

As this thesis has tried to demonstrate, for reflective practice to work properly and contribute fully to the development of practice and theory, it must be practiced within an organisation culturally committed to organisational learning. Without that organisational commitment, and the support of specifically designed systems of decisional audit, reflective practice can at best only contribute to the correction of some errors, or to the establishment of some oases of good practice within various corners of the organisation. If an organisation remains functionalist rather than developmental, then only lip service will be paid to the notion of reflective practice. The organisation will then remain prone to significant error, and would not present as having a culture or climate that is conducive for dedicated professionals to work in.

14.6 Outcomes of the Reflective Voyage

As has hopefully been demonstrated by the reflective voyage recounted in this thesis, individuals can in fact sustain a heuristic and reflective approach to their case practice that will contribute to professional knowledge development. This can be achieved even

when working within an organisation that has intense throughput demands and a range of ideological templates militating against best practice. However it is also equally apparent that without the presence of specific organisational processes to protect and enhance professional judgment and nourish reflective practice, then organisational learning through field practice is unlikely to occur.

Despite this failure to demonstrably influence organisational learning, the writer has felt that considerable benefits have accrued in personal knowledge and practice. At the outset of the reflective journey in the child protection field, the writer's heuristic approach to practice had a strong intuitive and preconscious component that was only just beginning to be articulated. Faced with the task of incorporating the new content knowledge of this field, reflecting on daily practice issues and having to develop a framework for sexual abuse validation began to make the heuristic processes involved more explicit to the writer. However it was not until this thesis was undertaken, and the process of 'reflecting on reflection' was begun, that the heuristic paradigm and method began to crystallise in the writer's mind.

The effect of raising these processes into consciousness and articulating them within the rigor of an academic thesis, has had the felt effect of both clarifying and simplifying my communication to colleagues and students about the heuristic paradigm and its associated processes of research and theory building. Even more, the experience of completing this thesis has reinforced to the writer the primacy of professional values in determining how practice proceeds and how knowledge is gained. It has reinforced the importance of focussing strongly on professional values in field teaching and supervision, to ensure that knowledge and skill are appropriately gained and focussed through the reflective process. In essence, mapping the reflective voyage has helped to clarify the navigational instruments to be used in charting the writer's future course.

The writer has always felt a strong sense of professional identity and purpose, but a major outcome of this reflective voyage has been to reinforce an even greater sense of professional purpose and pride in the Social Work role and the heuristic processes that are so uniquely inherent in much of our practice. Despite these felt positive outcomes in professional knowledge and purpose, there are however limitations to the study that must be acknowledged.

14.7 Limitations of the Study

Although the seven case studies cited in this thesis contained a great deal of empirical data, this data was not at all quantifiable. It is therefore difficult to make any valid generalizations and quite impossible to objectively measure or extrapolate any form of statistical validity to the theoretical constructs put forward. The cases cited were not selected randomly but were chosen because they provided critical food for thought at a particular point in time. They reflected the concerns and debates being experienced by the writer and his colleagues. The cases challenged conventional ideas, posed moral dilemmas and stimulated skeptical analysis, rather than representing any sort of statistically valid sample.

Because of the non-random selection of cases, the data gained from them remains exposed to subjective interpretation. There were no formal means of bias control to guard against this, despite the writer's attempt to detail the informal means of bias control that were practiced. Because this thesis recounts a reflective journey of the writer, it must remain an intensely personal and subjective account of Social Work practice and knowledge development. This reflective journey might be quite unlike that of any other practitioner, but I suspect that it is not and the anecdotal evidence of others reinforce this suspicion. What I hope to have detailed in the thesis are the basic processes common to most practitioners. However it remains inescapable that while the processes may be the same, they will be perceived by each individual differently and affect each individual differently. Ultimately one can only hope that the ideas expressed within the thesis have been reinforced by a level of scholarly debate sufficient to find some resonance with readers in terms of common sense and personal practice.

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