

Child Protection as a Culture of Negotiation

by

Nathan Patten

Bachelor of Science, Inter-College Program
University of Minnesota, Twin Cities, 2004

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Department of Human and Social Development

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Supervisory Committee

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Abstract

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Child protection is a reactive, non-linear, social process carried out in a context of unpredictability, uncertainty and complexity. One way professionals respond to this context is by negotiating almost every aspect of the work, negotiating both *with* people and *through* practice problems. This negotiation process has a cultural basis. I contend that: 1) skillful negotiation is culturally embedded in the activities and practices of child protection teams and individual workers; 2) child protection practice in this team is the skillful negotiation of practice problems while maintaining a balance between helping and enforcement activities that protect children; and 3) workers' negotiation is not only activity-based but also a cultural way of thinking and being in the midst of this complex environment. I use the idea of a cultural repertoire as a framework for how professionals think and act and use ethnographic observation and participant interviews to explore its use in every-day practice.

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1. Introduction

The bottom line, in this society, as long as you don't hurt yourself or others, you have the right to be crazy. –Chris, child protection worker

I wrote down this quote during a staff discussion about a client who was exhibiting behaviour a worker described as "crazy." The worker had a point: The way the client was behaving did seem bizarre – when placed within a certain framework. The framework in this case is the legal mandate of child protection, and Chris captures it quite well in a simplified version. In this instance, the client was harming her child. If she had been mistreating only herself, a different institution (most likely adult mental health) would be having a similar sort of discussion about the mother. But since the maltreatment involved a child, the situation was referred to child protection and, like the police, the child protection system has a legal and social mandate to enforce the law.

The Mandate of Public Safety and the Public Context of Child Protection

In 2003 in Canada, according to the Canadian Incident Study (Trocme et al., 2005), there were an estimated 114, 607 substantiated child maltreatment investigations conducted, up from 58, 201 in 1998. The child maltreatment incident rate per 1000 children increased, from 9.24 to 18.67 between 1998 and 2003. This is a substantial increase. Some of the rate increase can be attributed to changes in public and professional awareness of the problem, legislation or case management practices, or an actual increase (Trocme et al., 2005). Whatever the case, whether the volume of maltreatment truly has increased or whether our perception of mistreatment has shifted, child maltreatment still occurs, has occurred for centuries (Boswell, 1988) and is not likely to go away anytime

soon. Currently child protection is the primary social practice for responding to child maltreatment (Ferguson, 2004). In British Columbia, child welfare policy is governed by the Child, Family and Community Service Act (CFCSA, 1996), which stipulates an ideological and legal framework that privileges least intrusive methods. Child protection interventions are only activated when a child falls below a minimum threshold of safety or community standards, and the organizing principle for intervention is the identification and mitigation of risk factors present in a child's everyday environment.

In modern society child protection receives its mandate from legislation, and for the most part the public supports its mandate, for example, by reporting on suspicions of child maltreatment. Both the legal mandate and public participation legitimate its operation in society. However, society perennially takes issue with how child protection is exercised. Child protection is classified as an essential public service but, similar to the police (Wilson, 1978), is routinely and repeatedly condemned for perceived failures and inadequacies. For instance, in B.C. cyclical efforts at reforming child protection have been made by cutting and then restoring budgets, reorganizing administration and service delivery models, hiring differently qualified staff, increasing staff training and producing volumes of research on child maltreatment.

And yet the same frustrating circumstances recur when a child dies or is severely injured while in government care or receiving its services. The public responds with (temporary) outrage, and the government of the day replies with claims to make new reforms. There have been changes over the years, both in government's claim to the quality of care for children in care and the public perception of what a "child dying in care" means, but the problem remains that, like criminality, we do not know how to cure

child maltreatment: The problem of curing child mistreatment is technological, not ideological (Wilson, 1978). That is, reframing or redefining our ideas of child mistreatment will not change the fact that children are physically hit, yelled at, or denied food and medical care. Moving to a strengths-based, solution focused method of working with families will not stop people from mistreating children.

On the technological side, we have not yet found a cure for people who commit crimes or harm children. Aside from subjecting the public to an Orwellian surveillance panopticon, for which there is little political will or public appetite, it is difficult to defend against or prevent intentionally deceptive people from planning and implementing harmful activities. We are woefully unsuccessful at detecting and predicting who they are and what they will do. And so police officers and child protection workers are given a job—predicting and preventing crime and child mistreatment—that cannot be completely fulfilled. Yet, as Wilson (1978) points out, they must try because the alternative of doing nothing would be worse.

Child Protection and the Mobilization of the Law

Black (1978) uses the term “mobilization of the law” as,
...the process by which a legal system acquires its cases. Cases of alleged illegality and disputes do not move automatically to legal agencies for disposition or settlement. Without mobilization of the law, a legal control system lies out of touch with the human problems it is designed to oversee. Mobilization is the link between the law and the people served or controlled by the law. (p. 168)

Black describes two different processes by which cases enter the legal system: A legal agency reacts to a citizen, referred to as a reactive process, or a legal official acts with no prompting from a citizen, called a proactive process.

Child protection acquires its cases primarily through reactive processes. For example, citizens—such as family members or public observers—can report protection concerns. Police will file protection concerns if they attend an emergency call where children may be at risk, such as domestic violence calls or traffic stops. Volunteers in youth-serving agencies, employees in schools, childcare workers, nurses, and doctors are all legally and ethically required to report suspicions or observations of maltreatment. Child protection is different from police work in that it does not routinely patrol public spaces looking for offenders. Workers are legally required to intervene if they observe or hear about incidents of child mistreatment, but workers do not actively look for infractions unless they are already involved with a family. The reactive basis of child protection places workers in the position of first responder. To conclude, I have sketched out two significant conditions of child protection: 1) Child mistreatment cannot be entirely prevented, and 2) since no single intervention has been found to be effective in preventing or curing child maltreatment, responding to or attempting to prevent further maltreatment are the remaining options.

Overview of the Study

The research question framing my study was: What is the social, cultural process of child protection? That is, how is child protection managed and negotiated? How is it actually carried out, in context? This was an intentionally broad and open series of questions for two reasons. First, I was involved in a prior research project, called the

Child Neglect Intervention Study, where we interviewed 7 front-line child protection workers. During the interviews, Dr. Magnuson noticed that workers at one particular office shared some interesting characteristics. For instance, they enjoyed their work, morale was high, and there were few typical indicators of burnout. They seemed to share a professional orientation to the work and had a clear sense of identity. Also, through our reading of the child protection literature we discovered Rooney's (1992) idea of the negotiated relationship between workers and clients. Listening to the interviews with workers we heard ideas suggesting that a similar negotiation process was in use, not only with clients but in other areas of practice. These characteristics contradicted the pessimistic and problem-focused descriptions of practice in the literature and it contradicted the public image of the work.

Dr. Magnuson believed it would be worth further ethnographic investigation and invited me to be a part of the study at a second research site and I agreed. My interest was based on my experience in the Child and Youth Care graduate level qualitative research methods class. One of our assignments was to conduct a small ethnographic study of a social scene. I enjoyed both the data collection and analysis process and wanted to parlay the skills I developed into a larger project. I approached the child protection ethnography the same way that for the class I approached what Becker (1996) calls the social scene by wanting to know how a social scene "works," that is, finding out what social processes produce what forms of collective action and the situations they in turn create.

The second, perhaps more important, reason is that we do not know very much about what workers do and how they do it, in context. Most of the literature I reviewed focused on specific portions of practice such as team meetings (Reimann, 2005) or

concepts such as worker knowledge (Drury-Hudson, 2005) by using data collection methods several steps removed from daily life of the work. They have produced interesting theoretical results, but focusing only on a small portion of practice has not taken into account the broader context of child protection. For instance, the child protection process can seem chaotic and unfocused. There is a buzz of activity in an office, with people coming and going in a rush, children crying, clients occasionally escalating, punctuated with moments of calm and laughter. And, perhaps more importantly, child protection work is carried out by teams and not individuals. Workers do work alone at times, but then they return to the office and talk to one another in an effort to make sense of the complexity of their work. This interactive, social context is often omitted in portrayals of child protection and incorporating more of this context will produce a more accurate understanding of the work.

To address the issue of context, I proposed studying child protection as a social, cultural process in a local office. Culture can be described as knowledge and “recipes” about how to think and act, humanly fabricated tools, either material or symbolic, and products of social action that may be drawn upon in the conduct of social life (Hall, 1990). I take up the idea of culture further in Chapter 4, but in a simplified version we can think of culture as a repertoire of activities and ideas for generating solutions to social problems (Swidler, 1986). Used here (and throughout my thesis) the term “problem” does not connote any positive or negative meaning to a particular event but refers to unique and surprising phenomena for which there may be no manual or specific instruction. The social actors presented with the problem need to figure out what to do to and, in doing so, rely on their behavioural and ideological repertoire for improvising solutions.

To study the cultural process of child protection I used an observational ethnographic method in the office of a child protection team. The basic premise of ethnography is that if we want to deepen our understanding of some social phenomena we need to observe it closely—not just once or a few times but frequently and over an extended period of time. For my study this meant spending time with a team over a number of months, getting to know workers, earning trust, building credibility, paying attention, asking questions, and writing fieldnotes.

Child protection teams receive a steady stream of cases and case-related phenomena that are unpredictable, uncertain and complex. The workscape is fluid. Workers must manage this fluidity, and one way they do so is by negotiating almost every aspect of the work. Negotiation in child protection is not a new concept, but it is usually thought about as an element of the relationship primarily between clients (often involuntary) and workers (also often involuntary). That is, workers are negotiating with clients rather than always acting unilaterally all the time (Rooney, 1992; Trotter, 2006).

In addition to clients, I found that negotiation is an element of almost every aspect of professionals' lives. Moreover, workers are not only negotiating *with* people but also negotiating *through* practice problems. Furthermore, practice takes place in teams implying a social, cultural process. The main finding from my study is three-fold:

1. Skillful negotiation is culturally embedded in the activities and practices of child protection teams and individual workers;
2. Child protection practice in this team is the skillful negotiation of practice problems while maintaining a balance between helping and enforcement activities that protect children;

3. Workers' negotiation is not only activity-based but also a cultural way of thinking and being in the midst of this complex environment.

In support of these assertions the literature review focuses on empirical studies investigating aspects of child protection practice, organized into three sections: Investigations into what workers know and what workers do, a review of the ethnographic theory and methods that inform my study, and an overview of the social and legal structure of child protection in Canada and British Columbia.

In Chapter 3 I describe in full my ethnographic and data analysis strategies. Chapter 4 displays the evidence for my analytic framework and describes how workers use negotiation strategies in four arenas of practice. In Chapter 5 I present an extended interaction between a client family and a child protection team, accompanied by analytic commentary, to show how negotiation between workers and clients takes place in real-time and the cultural basis for workers' thinking and acting. In Chapter 6 I discuss possible implications of my findings for child protection and provide some suggestions for further study.

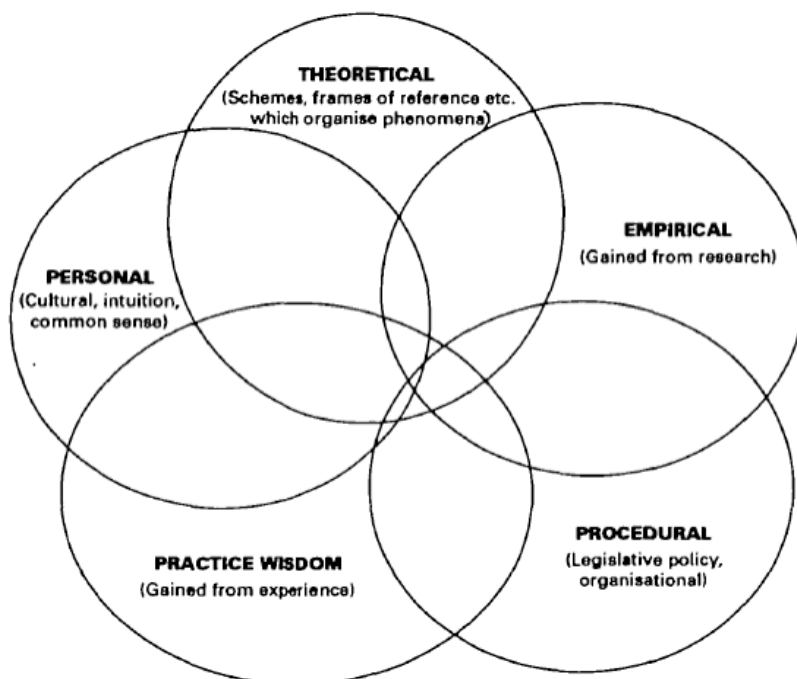
2. Literature Review

For my literature review I have selected articles with an empirical basis, that is, literature containing the results from some sort of investigative observation into—or participation with—child protection. Such empirical research is distinct from work presenting postulated theories about how child protection should be done. While exploring theoretical ideas of child protection is interesting and important, I am presently interested in how child protection is practiced, not in how it ought to be practiced (Becker, 1996). My search was international in scope and covered textbooks and journal articles. I reviewed both qualitative and quantitative studies. I did not have a specific date range. The first section focuses on the knowledge base of child protection, and the second focuses on various aspects of child protection practice.

Child Protection Knowledge

Some child protection literature has focused on the contents of child protection workers' knowledge base, for example, “knowing how” to do certain activities or “knowing about” a particular theory or concept. One way knowledge has been presented is in terms of the decision-making process of child protection workers. Drury-Hudson (1999) compared the decision-making process of novice child protection workers (less than a year experience) with expert workers (a minimum of ten years) using discussion of a neglect case vignette to investigate the types of knowledge used in decision-making. She developed a model of professional knowledge to help interpret the data, shown in Figure 1.

Figure 1: Model of Professional Knowledge



Professional knowledge comprises all the forms of knowledge in the diagram. It is “the accumulated information or understanding derived from theory, research, practice or experience considered to contribute to the profession’s understanding of its work and serving as a guide to its practice” (p. 150). The finding from her study, that experienced workers have a deeper understanding than novice workers of the professional knowledge necessary for competent child protection, is not surprising. From a research standpoint, this diagram is useful in showing where workers draw their knowledge from when thinking through their work.

Using a different concept of practitioner knowledge, Osmond (Darlington, Osmond & Peile, 2002; Osmond, 2006; Osmond & O’Connor, 2004) is concerned with describing the tacit knowledge possessed by child protection workers, claiming that explicating tacit knowledge is important for training new workers and satisfying the

demand that child protection as a profession articulates the basis of its practice. By tacit she is referring to the knowledge of practitioners that can be difficult to articulate or describe. In these studies, 10 female family service workers participated in in-depth interviews, focus groups, and observations of worker-client interactions.

Workers' knowledge was sorted into four broad categories: 1) What workers know how to do, as in the practice behaviours they use with clients or to fulfill the legal and administrative requirements of their position; 2) formal concepts workers know that help orient practice; 3) practice maxims developed through work experience; and 4) a variety of personal theories about specific clients or social work in general. Osmond argues that her research establishes that even though workers' knowledge may be difficult to explicate, it is in line with formal theory found in current social work literature.

Scourfield and Pithouse (2006) studied the complex relationship between lay and professional knowledge informing child protection practice by spending three months observing a team of child protection workers in the UK. They were interested in the way discourses about gender influence how practitioners make sense of their work. They state that workers "...do not construct their everyday work by adherence to formal policy alone but draw on a range of knowledge sources to make sense of the work" (p. 325). Their finding is that workers use lay and professional knowledge to think about their male and female clients in very different ways. As examples, they describe how the team they observed responded to cases of neglect and sexual abuse. Cases of neglect typically involve issues of unkempt homes. Ideas of "unkempt" have a legal basis which workers can reference but are more often defined by workers' lay ideas of acceptable home

keeping. Since home keeping has long been the domain of women, the skills for working with women around home care are described by workers as common sense. In contrast, sexual abuse cases are overwhelmingly perpetrated by men and given how infrequent and unusual sexual abuse is workers believe they need a body of specialized knowledge to deal with such cases. However, while workers draw from lay and professional ideas about practice, they argue that,

it is perhaps less important for social workers to be reflective about where their knowledge comes from than it is for them to be aware of the implications of what they know (whatever its source) for how they respond to service users. (p. 335)

What Drury-Hudson (1999), Osmond (2002, 2004 & 2006), and Scourfield and Pithouse (2006) are trying to show is that workers draw from multiple sources of knowledge, some of which is learned through formal training, some is generated through practice experience, and some is grounded in personal history. In the next section I explore some of the consequences related to how workers use their knowledge in practice.

Child Protection Practice

Researchers have approached the study of child protection practice by looking at workers' activities such as the relationship between language and impression management, collective case discussions, and worker-client interactions using a variety of qualitative and quantitative methods. My intent in this section is to highlight the major findings of the practice literature and its contribution to our current understanding of child protection.

Language and impression management. A few studies have looked at the importance of the language used by child protection workers and professionals in the

social construction of cases and clients and the role of impression management for child protection workers. Child protection workers often discuss cases collectively to help generate solutions to case related practice problems. Riemann (2005) investigated how workers make sense of cases during team meetings. He spent time at a family-counselling centre observing team members discuss their work. He draws on Pithouse and Atkinson's (1988) argument that case presentations are venues for demonstrating and assessing professional competency rather than analysis, suggesting that a lack of analytic depth can have a detrimental impact on case work since practitioners might be more concerned with impression management than case analysis and therefore prone to make mistakes or resort to typifying clients. Riemann suggests that there are four types of "traps" teams can fall into when collectively discussing cases.

1. One problem is becoming overly familiar with the clients they work with which can happen when dense networks of relationships form between workers, clients, and client families, sometimes spanning generations. This can lead to stereotyping clients and their issues as originating from a particular family, whereby issues might not be taken as seriously as if they originated from a family without the same history with the agency.

2. The pressure to make quick decisions can lead to simplistic solutions that are narrowly focused on one aspect of a complex case instead of giving longer consideration to multiple features.

3. Workers restrict or block methods of communication useful for generating analytic insight. For instance, workers can a) discourage analysis by the way they present a case; b) oscillate between varying levels of case narration and analysis which can obfuscate features of a case which should be about one or the other; c) commence

analysis too soon before the case is fully described; and d) slip into rituals of downgrading clients during times of high emotion with difficult cases.

4. Analysis can be hindered by a cognitive division of labour by members of different professions. This can happen during multi-profession meetings when attributed client deficiencies and competencies are embedded in conflicting conceptual frameworks (e.g. highlighting deficiencies vs. strengths; unwillingness to work with involuntary clients). In sum, Reimann argues that when professionals get caught in these dialogical “traps,” case analysis suffers because they prevent a deeper analytical understanding of cases.

By analyzing the discourses present in case discussion, Urek (2005), draws attention to how clients in a case were discursively constructed. Using a narrative approach, Urek analyzed the construction of one of her female clients as morally “unsuitable” by various professionals through the clients evolving case file. She also sees the formulation of an institutional case narrative as one of professional performance, in that professionals “in their reports and explanations attend to a range of rhetorical and interactional concerns through which they are able to demonstrate that their work is in line with responsible, justifiable and defensible professional activity” (p. 453).

Urek identified four concepts that workers employ in case construction. One, using different narrative strategies workers described what sort of person the story is about (e.g. “abusive mother”). Two, they depict clients in moral terms, using dualisms like good or bad, blameless or culpable. Three, facts are arranged in a specific way to convey the obviousness of what the case is about and, four, clients are categorized by attributing or dis-attributing facts to them.

In her example, Urek shows how these four concepts were used during multi-profession case meetings and case notes to portray a mother as not only abusive but also as morally unsuitable through the inclusion and exclusion of particular facts about the mother's life. Urek argues that workers should be extra sensitive when they portray clients' lives in official documentation because the tone of the portrayal can have a significant impact on client self-perception, and professional opinions have real and actual power over the trajectory of their lives.

Child protection as colonization. de Montigny (1995) uses an auto-ethnographic approach to critique his experience as a child protection worker, arguing that "...[child protection] is fundamentally a bridging and colonizing experience between the realities of people's daily lives and an institutional reality" (p. 39). Through child protection activities, he argues, workers discursively order the complexities of clients' lives into neat, tidy cases to serve the needs of a hegemonic institutional reality. Put another way, workers smooth out the rough edges of a client's narrative until, in a simplified form, the client's life fits into an organizational framework seeking to exert authoritative control over clients. This institutional reality of child protection is the legislation, policies, and directives that give workers their mandate to intervene in clients' lives.

He goes on to suggest that through practical child protection activities clients begin to see their lives through the terms of this same institutional reality. This, he believes, is a dehumanizing experience for clients and families. As an example de Montignay describes a case in which a mother was treated in similar fashion to the case Urek described above: To fulfill the worker's institutional requirement to control and manage clients, the main feature of the mother taken into consideration was the episode

of physical abuse. Other complex issues in her life were not taken into account such as her poverty, social isolation, and mental health needs. They were excluded from consideration in order to present a simple, coherent case narrative.¹

As an alternative to this dehumanizing process, de Montigny calls for a subversive practice that sees strength in clients rather than pathology, one that embraces the rough complexity of clients' everyday life instead of the depersonalized practice promoted by prevailing professional discourse. While de Montigny, Urek and others (Corby et al, 1996 and Diorio, 1992, for example) are undoubtedly correct that some child protection is dehumanizing, other researchers have studied how child protection work can be done in a way that is respectful and still protects children.

Worker persuasion and negotiation skills. Suoninen and Jokinen (2005) use conversation analysis of client interviews to study persuasion strategies embedded in interaction. They propose that interviewing clients is not a neutral practice of information gathering but is instead directed at trying to bring about some kind of client change-- behaviourally, conceptually, or both. One key finding is that persuasion is an interactive process between client and worker rather than unidirectional. Suoninen and Jokinen focus on four persuasion tactics: Persuasive questions, persuasive responses, asking explanations, and posing encouraging questions. To illustrate, they show how using subtle verbal cues like sighs, hmms, or passive and active listening can invite clients to construct new understandings about their situation. These four tactics overlap and can be combined to fulfill similar functions.

¹ A significant omission from de Montignay's study is the voice of the abused children. He focuses primarily on the adult clients and their treatment by child protection services.

Rooney (1992) describes child protection work as taking place as part of a “negotiated relationship.” Rather than the oppressive, dehumanizing process suggested by de Montigny and Urek, Rooney (1992) believes that good practice involves negotiation between workers and clients. While the primary function of child protection work is to keep children safe from harm, most protection work takes place with parents, requiring robust negotiation skills.

Using Rooney’s framework of a negotiated relationship, Magnuson and Patten (2007) reported on interviews with seven child protection workers to learn about the skills and influence strategies workers use with clients. The descriptions workers gave were grouped into four metaphors of practice skills used to negotiate relationships with families: 1) therapeutic skills, such as showing respect and expressing empathy; 2) detective skills, such as talking to key collateral informants; 3) negotiation and sales skills, such as managing first impressions; and finally, 4) enforcement and surveillance skills such as explaining legislation to families and exercising authority when necessary. They argue that one of the skills of child protection work has to do with learning to use these metaphors in creative ways as workers adapt to shifting contexts and situations.

Worker-client relationships. Drake (1994) is concerned with identifying key competencies needed by child protection workers to help create good working relationships with clients. The underlying premise is that the worker-client relationship is a key component in enhancing the safety of children. Because interventions are often difficult and stressful, he suggests that relationship competencies can reduce client resistance during the intervention, thereby allowing workers to more effectively offer services to the family and protect children.

To identify helpful worker competencies, Drake conducted nine focus groups: Five groups with clients and four with workers. Worker groups came from a purposive sample while client groups were from a random sample of clients from closed cases. Both workers and clients identified worker competencies that were helpful in creating a good working relationship, listed in Table 1.

Table 1 <i>Client and Worker Identified Competencies for Creating a Good Working Relationship</i>	
Origin of Identified Quality	Description of Identified Quality
Client identified.	<p>Show clients basic human respect.</p> <p>Use effective communication with clients.</p> <p>Develop a comfortable relationship with clients.</p> <p>Refrain from prejudging clients on the basis of past or initial reports.</p> <p>Have the ability to remain calm and diffuse client anger, especially in initial meetings.</p>

Worker identified.	<p>Express an appropriate attitude.</p> <p>Effectively communicate with clients.</p> <p>Do not prejudge situations.</p> <p>Acknowledge the clients right to participate in the process.</p> <p>Have an awareness of the impact of the intervention on clients.</p>
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In a similar study, Maiter, Palmer and Manji (2004) were interested in learning not only about the positive characteristics of child protection relationships but also what contributes to a poor working relationship. They interviewed 61 clients of open and closed cases from two child welfare agencies about the positive and negative characteristics of their worker. From the interviews, clients identified several key positive worker characteristics such as caring, genuine, empathetic, exceptionally helpful, listening, non-judgmental, and accepting. Several negative characteristics were also identified such as when workers are judgmental, cold and uncaring, poor listeners, critical, and insincere.

More recently, de Boer and Cody (2007) interviewed six worker-client dyads to study worker actions and attitudes necessary for good worker-client relationships. Workers were invited to contact researchers if they had a case closed within the previous year that met the description of a “good helping relationship,” as defined by the researchers. There were two provisos in effect: 1) there had to have been difficult issues during the intervention, and 2) clients had to agree that the relationship had been good.

These cases were not “easy” but involved clients with serious issues and complex case histories.

Participants were interviewed separately two times, then together for a third time. Emerging themes and concepts were combined into two categories of worker attitudes and actions. First, successful workers have a soft, mindful and judicious use of power. Workers in this study neither flaunted nor denied their power but instead used it carefully. Second, workers use a humanistic attitude and style that stretches traditional ways of working with clients that have historically served to maintain a sense of professional distance. These attitudes and styles entail using a person-to-person, “down-to-earth” manner or exhibiting empathy towards a clients’ difficult situation.

In addition to qualitative methods, researchers have also used quantitative methods to learn more about the connection between workers’ relationship skills and client outcomes. For instance, to assess client and worker satisfaction in a multidisciplinary child protection service, Winefield and Barlow (1995) used questionnaires with 24 parents receiving services and 21 workers providing services. Client participants were from a pool of parents that scored high on the agency’s Potential for Abusiveness Scale. While the sample sizes were small, there were some interesting results. All clients rated their satisfaction with services and relationship with workers highly (80% gave the maximum rating), and child abuse potential scores dropped significantly compared to their intake score. Clients stated that what they valued most about the services was the reduction in their extreme social isolation through their relationship with agency workers. However, it is unclear whether the reduction in abuse was due to the services offered or the nature of the worker-client relationship.

To address this theoretical issue, Lee and Ayon (2004) interviewed 100 clients of a family service office in Los Angeles to see if there are associations between child protection outcomes and the client-worker relationship. They were interested to know 1) if there was a link between client-worker relationships and outcomes in child abuse cases, and 2) to see if there are any predictors of a positive client-worker relationship. They defined a positive relationship as one where workers gave clients confidence that progress could be made on their issues and workers regularly kept in touch. Their question about the link between relationship and outcomes was supported. A client-rated positive working relationship was significantly correlated with a reduction in abuse and parents' increased emotional care of children. Also, clients rated the workers higher on the relationship scale if workers kept in contact, focused on client issues, and stayed positive with clients.

In a similar study, though on a larger scale, Trotter (2002, 2006) studied the effects of specific worker skills with clients. He wanted to see if using a specific set of skills, rather than a general set of relationship skills, could be linked to better client outcomes. The outcome measures for this study were worker ratings of client progress, client satisfaction with the outcomes of agency intervention, and case closure rates. In his study, 50 child protection workers were interviewed about five client families in each worker's caseload. In all, data was collected on 247 client families. Workers were trained to use the following skills with clients:

1. Role-clarification: Workers had clear, honest and frequent discussions about the role of the worker and the role of the client in the direct practice process.

2. Pro-social modeling: Workers focused on modeling and encouraging pro-social expressions and actions, and challenged anti-social behaviour or comments made by clients.

3. Collaborative problem-solving: Workers collaborated with clients, instead of directing clients, and focused on the clients' definitions of problems and goals.

4. Relationship skills: workers used optimism, listening, empathy, sense of humour and self-disclosure to form relationships.

Workers and clients were interviewed about the workers' use of the above skills, and workers were asked about the clients' response to these skills. The results showed that when workers use these specific skills, cases are closed on time at a higher rate, workers rate their clients progress better, their clients re-offend at a lower rate, and clients report higher satisfaction with the agency intervention. Trotter concludes that the research suggests that when workers use these skills, clients do better.

Research into worker-client relationships, like these examples, indicate specific attitudes and actions that workers should use, or avoid using, in developing helpful, working relationships. There is little doubt that having a good working relationship is an important goal in a difficult field like child protection. However, as one of our interviewees from the CNIS reported, the primary concern of child protection work is to protect the child; a good working relationship is secondary to protection. Similarly, Suoninen and Jokinen (2005) suggest, "the task of a social worker in child protection is primarily to take care of what is best for the children and try to persuade parents to accept this principle" (p. 478).

However, the features of the worker-client relationship can vary with the severity of the issues. In cases where there is imminent harm to the child, forming a good relationship, while important, may be secondary to the immediate goal of protection. And related to the research above, there is some empirical evidence that workers can adopt particular relational attitudes and actions that are linked to better outcomes for clients.

Summary

There is a growing body of literature that describes the attitudes and actions that workers can use to build relationships with clients and that associates the relationship qualities with both positive and negative client outcomes. Other research has focused on describing workers' knowledge, the origins of that knowledge and various ways it is used in practice. And de Montingy (1995) and Urek (2005) remind us of possible negative consequences for clients when workers misuse their authority. These researchers have used in-depth interviews, focus groups, case studies, file reviews, vignettes, short-term ethnographic observations, and questionnaires, either singly or mixed, with varying results. These studies are helpful for raising important theoretical and practice concerns.

However, all of these studies rely on retrospective accounts from informants and are only short-term investigations into segments of practice. While there is value in short-term, retrospective research methods, the aim of my research was to study the child protection process over a longer period of time and to investigate issues closer to when events occur in their context. There is not yet an adequate account of the range of cases and practices to which the above ideas can be applied. For instance, we know that workers are involved in all sorts of helping and enforcing activities: Investigation, family support, counselling, family systems analysis, unexpected home visits, emotional and

material support, risk assessment, relationship-building, and so forth, often all in the same case. We do not have many empirical resources for understanding how good child protection practice happens—the actual practice is still a bit of a mystery.

By way of analogy, what we have currently is something akin to a photo album, consisting of detailed pictures (studies) of child protection. What we are missing is the “space” (i.e. the activities and organizing processes) between photos. For instance, anyone who has ever been part of a group photo has experienced the coordination necessary for composing and completing a group shot. Everyone is assembled, directions are given, people put into a specific order, bodies posed, and so on until, if everything goes right, the photographer can take the picture. And if the picture taking process is part of a large gathering, say a wedding, many photos will be taken with many people, requiring significant coordination between participants as they form, dissolve, and reform.

After the photos are developed and arranged into an album, an outsider looking at the photo album would see the results of this coordination but not the activities that made the photos possible. As this analogy relates to child protection, a longer term, in-depth ethnographic study would be well suited for getting closer to the immediacy of practice and fill in the “space” between studies. It would give us the ability to say something interesting and helpful about the social, cultural, interactive process of child protection.

While there have been ethnographic methods used in past research (e.g. de Montigny, 1995; Holland, 2000; Reimann, 2005; Scourfield & Pithouse, 2006) they are limited by the relatively short period of time spent observing their chosen social scene. In

the next section I will briefly describe ethnography, the ethnographic method I used for my study, and review three other ethnographic methods.

Ethnographic Theory and Methods

Creswell (1998) describes ethnography as a description and interpretation of a cultural or social group or system. The researcher examines the group's observable and learned patterns of behaviour, customs, and ways of life. As a process, ethnography involves prolonged observation of the group, typically through participant observations in which the researcher is immersed in the day-to-day lives of the people and through one-on-one interviews with members of the group. The researcher studies the meaning of behaviour, language, and interactions of the culture-sharing group. The ethnographic process, Johnson and Johnson (1990) argue, can produce robust theory if it is based upon rich, authentic descriptions of group action. By following group members into socially significant settings evoking multiple facets of group life, the researcher comes to know group members well and be known by them. This is helpful in obtaining the broadest range of information about group members and the social spaces they inhabit.

The strength of being with group members in their everyday life situations is that the researcher typically hears and observes, more or less, "...what people would have done and said had the researcher not been there. One reason for supposing this to be true is that ethnographers observe people when all the constraints of the ordinary social situation are operative" (Becker, 1996, p. 62). Observing people acting under operative social constraints can override potential response biases on behalf of group members and increase the validity of subsequent analyses.

Writing about the epistemology of qualitative work, Becker (1996) suggests that qualitative researchers should be concerned with three criteria:

...whether data are accurate, in the sense of being based on close observation of what is being talked about, and not on remote indicators; whether data are precise, in the sense of being close to the thing discussed and thus being ready to take account of matters not anticipated in the original formulation of the problem; whether an analysis is full and broad, in the sense of being based on knowledge about a wide range of matters that impinge on the questions under study, rather than just a relatively few variables. (p. 67)

A thorough, lengthy ethnography can address these criteria. However, ethnography is not without its drawbacks. Johnson and Johnson (1990) say that one potential limitation with ethnography is that the qualitative design is typically loose, resulting in “a labour-intensive, vacuum-like comprehensiveness that generates enormous amounts of data, even if the data on a any specific point may be skimpy” (p. 162). But, looked at another way, such comprehensiveness contributes to what Becker (1998) calls “massive, detailed description” (p. 79) from which the researcher can draw analytic conclusions.

Another issue is that observations usually encompass only one group of people and so the analytic results can be idiosyncratic, even if the researcher spent hundreds of hours collecting data. To compensate for possible idiosyncratic results Fine (2003) suggests acquiring data from more than one class of small group, that is, groups with similar features and functions.

Despite these limitations ethnography has an analytic advantage over other point-in-time, cross-sectional research methods such as surveys, interviews, vignettes and even-

short term ethnography where “...the direct experience of peoples’ lives as continuous through time, with wide-ranging connections to other persons, places, and past and future events, is lost” (Johnson & Johnson, 1990, p. 163).

Ethnographic approaches. Approaches to ethnography have expanded to include multiple types of methods, each with different theoretical orientations and aims (Creswell, 1998). This has led to a “...distinct lack of orthodoxy...” (p. 59), and Creswell recommends that researchers be explicit about the theoretical foundations orienting their study. Before settling on a specific ethnographic method I explored three different approaches. Watkins and Swidler (2006) propose a form of ethnography called “hearsay ethnography,” which they used to study the role of social networks in influencing group responses to the AIDS epidemic in rural Malawi. Hearsay ethnography relies upon actors in a social scene writing down the content of interactions and then passing it on to researchers for analysis. In their study, they were having difficulty gaining access to the content of people’s conversations about AIDS through interviews, so they tried a different approach.

The researchers hired several high school graduates living in or near the study sites to be participant observers as they went about their daily routines. If they overheard anything concerning AIDS, they made mental notes of what people said and did and then wrote the conversations down as soon as they had opportunity, as close to word-for-word as possible. From these journals the researchers were able to better understand how locals made sense of the spread and prevention of AIDS. In their analysis they noted the communal problem solving aspect of AIDS discussions, in that,

...people turn to others to try to solve personal problems, but sometimes they are also trying to solve what we might call cognitive problems. That is, they are using a social process to try to figure out something important about how the world works. (p. 22)

While I did not directly use the methods of hearsay methodology, the ideas contained in this method were useful for my study. First, I heard workers' detailed, second-hand accounts of their interactions with clients and, second, I observed child protection teams as they used a group process in their attempt to make sense of the practice issues they were presented with.

Another form of ethnography is proposed by de Montigny (2006). He described a form of ethnomethodology, simply called EM, that attempts to "...develop practical understandings of the everyday accomplishment of sensibly and recognizably ordered social scenes" (p. 97). EM is concerned with how taken-for-granted social work activities are embedded in language and action and thereby work to produce and reproduce professional and organizational realities. Researchers can use EM to show how workers initiate "forms of action that artfully shape the coherence of social services for both good and ill in clients' lives" (p. 100). This method is useful as a critique of social work and can be useful in drawing attention to questionable social work practices (e.g. de Montigny, 1995). However, for theoretical development about practice I needed a broader approach, one that accounts for a broader range of people, places, and events.

For my study I used Fine's (2003) ethnographic method, a form of participant observation called a "peopled ethnography." The term "... 'peopled ethnography' suggests that it is not the individuals being observed who direct our interest but rather their

position within a group or social system: The set of actors and their group “peoples” the ethnographic analysis and description” (p. 46). This method of observation focuses on three core concepts: social structure, interaction, and culture, all of which intersect in the small group. Fine stresses that focusing on what people say is slightly more important than what people do. This ethnographic method “...emphasizes theory building, detailed observation and data presentation, a focus on continuing group interaction, and the downplaying of individual actors and individual scenes to fulfill the need for generalizeability” (p. 55). Fine identifies seven essential components that comprise this style of field research. A peopled ethnography:

1. Is theoretical: Concepts need to be generalizable to other, comparable contexts.
2. Builds on other ethnographies and research studies: Work needs to be based on previous literature.
3. Examines small groups: Observations explore scenes where people actively work out their problems and concerns, examining the links between meaning construction and the outcome of events.
4. Relies on multiple research sites: Multiple locations should be observed to make sure concepts characterize a class of groups, not just one particular group.
5. Is based on extensive observation: Researchers stay in a scene until they stop discovering something new, theoretical categories become saturated, field notes decrease in length, and they can anticipate what will happen next in a setting.
6. Richly ethnographic: Expanding theory and concepts happens most effectively when providing a detailed account of talk and behaviour in a social scene.

7. Distances researcher and researched: While researchers are not necessarily in a social scene to meet people, they should observe activity and talk while maintaining an “analytic distance” (p. 54). In my methods section I show how I addressed the seven components of this ethnographic framework in my research.

The Social and Legal Context of Child Protection in British Columbia

A peopled ethnography requires the ethnographer to take into account the broader social structure of a particular social scene. For child protection in B.C., this means taking into account organizational constraints and opportunities provided by the legal and policy frameworks at the national and provincial levels.

Canadian Charter of Rights and Freedoms. For this part of the discussion I rely on Thomas’s (2003) review of landmark Canadian Supreme Court rulings that pertain to child protection. Very broadly, in each Canadian province or territory, the courts have the power to act as protectors of the best interests of children. Canadian child protection legislation calls for a “least-intrusive” model of intervention, which is founded on the basic premise that a child’s best interests are best served by being brought up by their family of origin without substantial intrusion by the state.

Implied in the legislation is the state’s responsibility to provide some assistance to families in some form, whether monetarily, through social services, or both. But if assistance fails and a child is found to be in need of protection the state has a responsibility to intervene, but only in the minimalist way necessary to ensure the child’s safety. Provisions are legislated so that a child may be returned if removed, but if reunification is not an option, then the child becomes a ward of the state and the state becomes the permanent guardian. Plans can be made for the child, including adoption by

a family or other such permanent placement. What a state agency cannot do is intervene on an at-will basis; a child has to be found to be in need of protection before intervention can commence. Therefore, intervention work can only happen if a family requests—or consents to—an agency’s offer of help. Otherwise, agencies can only intervene once harm has occurred or if it is likely to occur.

There have been a number of legal challenges regarding state intervention on behalf of children that have made their way to the Canadian Supreme Court. As Thomas (2003) points out, there are three sections of the charter that are used both by parents when filing a case protesting state intervention and by the state in defending their actions:

Section 1: *The Canadian Charter of Rights and Freedoms* guarantees the rights and freedoms set out in it subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society.

Section 2: Everyone has the following fundamental freedoms:

- (a) freedom of conscience and religion;
- (b) freedom of thought, belief, opinion and expression, including freedom of the press and other media of communication;
- (c) freedom of peaceful assembly; and
- (d) freedom of association.

Section 7: Everyone has the right to life, liberty and security of the person and the right not to be deprived thereof except in accordance with the principles of fundamental justice.

The majority of cases filed by parents with grievances against interventions by child protection services have typically claimed that state intervention has violated their

rights as set out in the above Charter sections. However, while the court has agreed that interventions can and do violate parents' Charter rights, the Court has consistently ruled that the needs of children governed by Section 7 supersede any provision against state intrusion.

These rulings have set a number of precedents with broad implications for provincial child protection practice and legislation. First, the burden of proof for intervention is placed squarely on a child protection agency to justify its actions. Second, an agency can apprehend a child under the clause of "imminent danger" to the child, but in order for their actions to be constitutional the child had to have been in imminent, serious harm or risk of harm. Relatedly, along with a removal there needs to be a prompt post-apprehension court hearing with meaningful involvement from the parents. Third, from a practice standpoint an agency must show retrospectively that they had reasonable and probable cause to intervene. If they do not, the case will be dismissed and the child will be returned.

These Supreme Court rulings have helped to clarify the Canadian orientation to child welfare and child protection, the role of agency intervention, and set broad parameters for the formation of provincial and territorial child welfare legislation based on a policy of minimal intrusion. As an example of this philosophical orientation, Khoo, Hyvonen and Hygren (2003) used vignettes and small group discussions to compare and contrast the decision-making process of Ontario and Swedish child protection workers. Participants' decisions about when and how to intervene were framed within the prevailing child protection legislation of their respective countries.

For example, Ontario workers' interventions were guided by the question "Is the child in need of protection?" The authors suggest that this question indicates a safety and risk assessment framework and a mandate that children have a right to be protected from immediate or future harm, but not necessarily to be well. In Sweden workers ask "How is the child?" reflecting a mandate that entitles clients to the support of social services and affords children the right to good care. State involvement into the life of a family is accepted. While this study interviewed Ontario workers, the legal and philosophical orientation is comparable to British Columbia (McKenzie, Palmer & Barnard, 2007)

British Columbia Child, Family and Community Service Act. In British Columbia child welfare policy is governed by the Child, Family and Community Service Act (CFCSA, 1996). This particular piece of legislation came out of a large-scale public consultation process in 1992. The legislation was introduced and passed just before the final report of a judicial inquiry into the death of Matthew Vaudreuil in 1992. Armitage and Murray (2007) provide a detailed discussion of the impact of the Gove Inquiry on child welfare policy and practice in B.C. I will highlight the salient features of their discussion that pertain to the social structure of B.C. child protection practice.

A major theme from the inquiry was that Matthew had not been provided the protection from harm that he was entitled to. As such, Gove proposed amendments to the new legislation to clarify that the safety and well-being of the child was paramount. To aid in this shift, Gove recommended that the protection concern intake process be tightened, advocated for the use of a "risk assessment" model to help carry out assessments, and suggested the requirement to measure and manage risk levels aided by the use of a risk-assessment tool.

Other major themes to come from the inquiry were recommendations to amalgamate and integrate a number of government services and organizations into one ministry, expanding and coordinating the contracted services sector, and devolving service provision to the community level. These recommendations set the stage for the creation of the Ministry of Children and Families, expansion of contracted services, and the creation of 20 community regions (now five).

As an aside, but an important one, Gove had advocated a philosophical shift towards child welfare, instead of a mandate of purely child protection. However, as Armitage and Murray (2007) point out, "...the new ministry was as focused on child protection as the old one and gave first priority to its child protection mandate" (p. 147), moving even further toward an ideology of risk-management.

In B.C., many changes in child protection legislation and delivery in the last 15 years have been initiated by the death of a child in Ministry care or receiving services. While there is considerable discussion within the Ministry as to whether an organization of any type can glean "best practices" from dissecting perceived failures (C. Welch, personal communication, 2007), this has nevertheless been the case in B.C. The recent Hughes Report (Hughes, 2006) came after the death of Sherry Charlie. The Hughes report did not call for sweeping changes to the overall delivery of MCFD services, as in the case of Gove, but drew attention to the fact that child protection is complicated and in B.C. has been the focus of significant changes in the years prior to his report, such as severe budget cuts, practice shifts, and political and administrative restructuring (Foster, 2007). Hughes called for the development of another external body to oversee the MCFD, headed by A Representative for Children and Youth; supported the continuation of

policies to bring fewer children into care by using other alternatives, like kith and kin agreements and youth agreements; and called for improved external and internal accountability of MCFD activity.

Currently, the MCFD is using a philosophy of internal performance measurement, monitoring and management (Flynn, Lemay, Hayat, & Hebert, 2003), is subject to multiple external review bodies, and routinely conducts internal practice audits and reviews. Within this organizational context, child protection practice operates within an ideological and legal framework that privileges least intrusive methods and is governed by increasing managerialism that Callahan and Swift (2007) argue is attempting to erode professional practice. To reiterate, child protection interventions are only activated when a child falls below a minimum threshold of safety or community standards, and the organizing principle for intervention is the identification and mitigation of risk factors present in a child's every day environment.

Summary

In this chapter, I have accomplished three tasks that form the basis of my study. One, I have argued that the child protection literature I reviewed presents interesting ideas and concepts, but they are disconnected from practice in that they do not adequately describe how child protection practice takes place. Two, I have argued that an in-depth ethnography, using Fine's (2003) framework of a peopled ethnography, is well suited to more thoroughly investigate and theorize child protection than the short-term, cross-sectional methods used in past research. And third, I have outlined the socio-legal framework in Canada and British Columbia that provides the fundamental conditions for

child protection activities by providing both the legal opportunities for—and limitations on—interventions.

3. Method

I suggested earlier that we do not know what workers do and how they do it, in context. To address the issue of context, I proposed to study child protection as a social, cultural process in a local office. Subsequently, the research question framing my study was: What is the social, cultural process of child protection? That is, how is child protection managed and negotiated? How is it actually carried out, in context?

In this chapter I describe the participants involved in my ethnography, the research setting, my data collection procedure, and the process of producing and analyzing data.

Participants

Each child protection team in British Columbia has a three-letter code, and workers in the ministry commonly refer to teams by this code, so I have adopted a similar custom. BFS is one of three child protection teams in a large office that service a medium-sized city. All three teams are located on one floor of a non-descript building near the downtown core, collectively referred to as “Maryland.” Office staff and a designated office manager administratively support the Maryland teams. The BFS team consists of eight workers: five intake and assessment workers, two family service workers, and a team leader. Front-end investigative and assessment work is the process of gathering information about clients. It starts with the initial phone call to Child Protection Services (called an intake) when someone reports a concern involving a child and continues through the first few days or weeks of the case being open (alternatively called an investigation or assessment).

Once the investigation is completed, a file is either a) closed and the Ministry is no longer involved in the family, or b) the file remains open and is transferred to a family

service (FS) worker. Ideally FS workers work with the family on a long-term basis, whereas investigative workers work with the family for a short term and then transfer the file to an FS worker. If a child is permanently removed then a guardianship worker would take over from the FS worker and handle the care needs of the child.

Lastly, the team leader is responsible for clinical supervision and consultation with workers and administration of the team's budget. The team leader plays a central role in the overall operation of the team. They have a high-level view of the team, in terms of each worker's case load, the particulars of persistently complex cases, and larger policy developments within the Ministry, and also brokering agreements and protocols with local human service agencies serving the team's clients. Of the eight team members, two are male and six are female. They range in age from early 20s to mid-50s. The person with the least child protection experience was new, and the most experienced has around 13 years.

Procedure

To gain access to the child protection team I requested and was granted permission from the MCFD Regional Director of Integrated Practice. Ethics approval was granted by the University of Victoria and the MCFD (the Ministry). BFS was my ethnographic site because Dr. Magnuson was already observing one child protection team when we were recommended by the regional management to observe BFS. Before beginning observations with BFS, Dr. Magnuson and I had a meeting with the Community Services Manager (CSM) that is responsible for BFS; Ken,² the team lead for BFS, and; Chris, an experienced, senior worker on BFS. All three liked the idea, and Ken and Chris talked with the other team members to get their agreement. Dr. Magnuson and I

² I use pseudonyms for workers and clients. I also changed the features of cases to preserve anonymity.

had a subsequent meeting with BFS to describe our research interest and also to allay any concerns regarding workers' anonymity, client confidentiality, and any possible impact on workload.

I also reached an agreement with the team that they could see all the data I collected and that they would be offered a first read of my thesis and any subsequent publications using data collected about BFS. I did not have approval to have contact with clients in the office. I could have access to client data but could not sit in on worker-client meetings.

Office Life. One of the main activities of a child protection team is processing intakes, for which the Maryland office has a specific intake process. All the protection concerns for the Maryland catchment area are funnelled to two workers in the office, called screeners. In consultation with the team leaders, screeners determine if the call meets the legal definition of a protection concern and transfers it to the team handling intakes that week. The Maryland teams are on a three-week intake rotation with one week of intakes out of every three weeks. When a team has intake responsibilities they meet every day at 8:30 a.m. to discuss and distribute intakes. If it was BFS' intake week I would sit in on their morning meetings.

During the other two weeks intake workers conduct assessments while FS workers continue their long-term work with families. Periodically, teams will have "housekeeping" team meetings to discuss administrative or bureaucratic issues, meet with various professional human service agencies, or have extended discussions around complex cases. During team meetings workers make space in the agenda for "checking-in" on the general condition of team members' lives and offer social support for

troublesome professional or personal issues. Workers celebrate their accomplishments, such as a parent-child reunification or a desired judicial ruling, and also plan events to boost staff morale.

Data Collection, Production and Analysis

My observations consisted of a detailed description of this office life, specifically worker activity and conversation. I observed one day a week, 6-8 hours at a time, over 7 months, for a total of approximately 140 hours. On a typical day I would arrive at BFS at around 8:30 a.m. and go straight to the intake meeting to watch the discussion and distribution of intakes or sit with the team for their housekeeping meeting. If no meetings were scheduled I would check in with Ken in his office to let him know I arrived and then find individual workers to see if they were working on anything appropriate for me to observe. This included listening to phone calls between clients and other professionals, informal consultations between the team leader and workers during the day, and *ad hoc* requests for help with difficult work situations. Periodically I took workers to lunch or coffee during their breaks to talk informally about particular issues they may be working on. Over time, my presence became more familiar not only with BFS but also within the Maryland office. I was invited by workers on other teams to sit in on case discussions with their team leads, which was helpful because it allowed me to compare and contrast the operation of other teams with BFS.

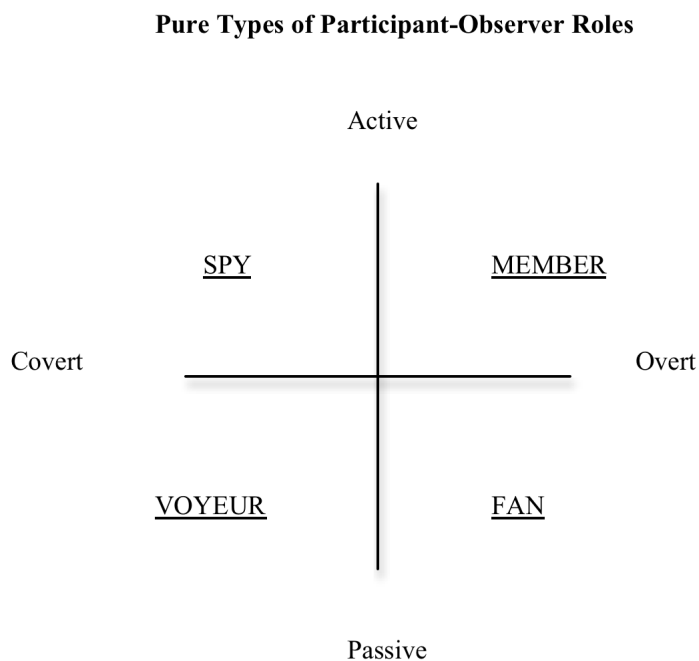
As part of my data collection procedure, Table 2 displays how I fulfilled the principles of a peopled ethnography (Fine, 2003).

Table 2 <i>Framework for a Peopled Ethnography</i>	
1. Builds on other ethnographies and research studies: Work needs to be based on previous literature.	For my literature search and review I specifically looked for books and articles on ethnographic work in child protection, ethnographic theory and methods, and empirical studies of child protection practice.
2. Examines small groups: Observations explore scenes where people actively work out their problems and concerns, examining the links between meaning construction and the outcome of events.	The term “small” lacks clear definition, but I studied a child protection team consisting of eight workers, which is not a large number. Also, a team implies that they work together on common tasks or common goals; they are not a collection of individuals working solely independently.
3. Based on extensive observation: Researchers stay in a scene until they stop discovering something new, theoretical categories become saturated, field notes decrease in length, and they can anticipate what will happen next in a setting.	I spent 140 hours over seven months with BFS. I cannot claim to have stopped learning something new when I stopped observing BFS, but I was able to saturate core theoretical categories and learned enough about the scene to anticipate the various directions of collective action
4. Richly ethnographic: Expanding theory and concepts happens most effectively when providing a detailed account of talk and behaviour in a social scene.	I have made extensive use of excerpt-commentary units to illustrate talk and action in the social scene.
5. Distance researcher and researched: While researchers are not necessarily in a social scene to meet people, they should observe activity and talk while maintaining an “analytic distance” (p. 54).	Within my participant-observation role of “fan” I was able to participate minimally in the work and make acquaintances without becoming overly biased.

<p>6. Relies on multiple observation sites: Multiple locations should be observed to make sure concepts characterize a class of groups, not just one particular group.</p>	<p>I did not use multiple observation sites in the sense that sites must be independent of one another. To compensate, I gained access to teams other than BFS at Maryland each with their own idioculture. As well, Dr. Magnuson and I were simultaneously conducting ethnographies at separate sites. We frequently compared data and ideas to ensure we were not developing ideas based on idiosyncratic group behaviour.</p>
<p>7. Develops concepts and theory: Concepts need to be generalizable to other, comparable contexts.</p>	<p>My study has been theoretical by developing the idea of good child protection practice as a culture of negotiation and presenting negotiation as a repertoire of accumulated expertise and practical reasoning. These ideas are transferable to other contexts in that other teams will have their own idiocultures, but workers' repertoire might have different contents as workers respond to prevailing local conditions. In BC the one constant condition will be the socio-legal structure.</p>

Visibility and participation. Van Maanen (1978) describes participation and visibility as two dimensions of presence for the ethnographer in a social setting, from which stem four roles. These options are displayed in Figure 2.

Figure 2



Reproduced from Van Maanen, 1978, p. 344

A “spy” is active in the scene but not forthcoming about their purpose, whereas a “voyeur” is both hidden and secretive about their intentions. “Members” are active participants and open about their motives. “Fans” are only occasionally active participants in the group, but they are forthcoming about their researcher status and research agenda. From the beginning of my observations my visible presence with the team and limited participation placed me in the fan category. This position presented me with a variety of situation-specific decisions about how active I would (or could) be allowed to be in the daily activity of the team and about when and how to reveal my role as a researcher to non-team members.

From the very beginning of my observations I was visible to all workers at the Maryland office, not just the BFS team. It was quite common for workers from other teams to ask me who I was and what I was doing hanging around the office. One explanation for these questions was curiosity: I was a new face in a tightly knit work community poking around places where visitors to the office typically cannot access. But the other explanation was security: Hundreds of confidential client files are kept in a large, open room at Maryland, and accessing them would not be difficult. More importantly, all sorts of people routinely enter Maryland to meet with workers. Sometimes they can “escalate,” that is, become threatening and occasionally violent; therefore workers watch for unfamiliar faces in an effort to maintain a safe worksite.

In terms of participation, the range of participative activities available to me was initially small. I could sit in on team meetings, case discussions, and listen to workers make phone calls, but I did not contribute substantive content to any meetings or provide any analysis of cases. However, as my knowledge of child protection work increased I would occasionally try out case-related ideas with workers. These exercises were ways for me to test the accuracy of my grasp of the child protection mandate and the thought patterns of skilled workers.

Data Production. At the end of my day I would leave the office and begin the process of turning scratch notes into descriptive fieldnotes. This transition is an important one. Sanjek (1990) writes, “The scratch-notes-to-descriptive-fieldnotes writing act must be timely, before the scratch notes get cold” (p. 97). The use of the word description here is intentional. A description is not just writing down what an observer registers with the five senses. Emerson, Fretz and Shaw (1995) argue that,

...all writing, even seemingly straightforward descriptive writing, is a construction. Through his choice of words and method or organization, a writer presents a *version* of the world. As a selective and creative activity, writing always functions more as a filter than a mirror reflecting the “reality” of events. (p. 66)

Pushing the argument even further, Clifford (1990) states that “...descriptions are not merely interpretations. They are written rhetorical constructions” (p. 96). As such, my fieldnotes contain descriptions of the basic scenes, settings, objects and actions³ but written in a way for understanding subsequent action. For instance, I wrote down the narratives of intake reports and the ensuing case discussion at the team’s morning meetings to understand how such discussions utilized concepts like negotiation and collective problem solving within the team. My aim in producing fieldnotes was not to get only a rich, massive description of the child protection team, for as Becker (1996) argues:

The object of any description is not to reproduce the object completely—why bother when we have the object already—but rather to pick out its relevant aspects, details which can be abstracted from the totality of details that make it up so that we can answer some questions we have. (p. 64)

He goes on to say that “...a better goal than ‘thickness’—one fieldworkers usually aim for—is ‘breadth’: Trying to find out something about every topic the research touches on, even tangentially” (p. 65). For me, this meant including as much information not only about the team but also about numerous child protection related topics, such as the

³ When observing a social scene Emerson, Fretz and Shaw (1995) urge ethnographers to remember dialogue like an actor, see social scenes like an artist, and see moods, rhythms, and tone of voice like a poet. No small task!

legislation, the local court, other professional organizations, the bureaucratic organization of the Ministry, to name a few.

I followed the fieldnote production processes described in Sanjeck (1990) and Emerson et al. (1995). My first step, from perception to paper, was to handwrite “scratch notes” (Sanjeck, p. 95). I recorded my scratch notes in small, discrete notebooks, which I could take out or hide away easily. My scratch notes consisted of conversations from meetings, jottings taken down during my conversations with workers, quick reflections on ideas or events, or notes to myself. Having a researcher around could be a distraction (welcome or otherwise) from workers’ important work. I had to balance absorbing a workers time for collecting data and conversing, and recognizing the need to move on.

Overall I encountered little resistance to my presence at BFS. Over time workers expressed appreciation of my research inquiries and were generally willing to let me sit in with them while they worked. To their credit workers were very open to having me around. When I moved on from one worker, I would usually find an empty office and fill out my scratch notes with more detail, such as fixing misspelled words or adding pieces of dialogue. Then I would find another worker or cluster of workers to hang out with and repeat the process. At the end of my observation session I would type up my scratch notes into lengthy, descriptive fieldnotes.

Analysis. Each week before returning to the Maryland office I analyzed my data using the procedures set forth in Emerson et al. (1995) and Strauss (1987). To aid my analysis I used HyperResearch, a qualitative analysis computer program, to code and sort the data. To think about my data and generate codes I used the questions posed in Emerson et al:

- What are people doing? What are they trying to accomplish?
- How, exactly, do they do this? What specific means and or strategies do they use?
- How do members talk about, characterize, and understand what is going on?
- What assumptions are they making?
- What do I see going on here? What did I learn from these notes?
- Why did I include them? (p. 146)

I also used Strauss's (1987) coding paradigm of conditions, interactions among actors, strategies and tactics, and consequences as well as his indicator-concept model; that is, the process of identifying possible concepts indicated by a portion of data whether a word, sentence, dialogue excerpt, etc. My answers to these questions and the phenomena identified through Strauss's coding paradigm provided the basis for generating codes. For applying codes I followed the process set out by Emerson et al. (1995). It is specifically designed for producing ethnographies.

To begin I read closely my fieldnotes as a data set (whether one day or multiple days worth) and used open coding to produce initial codes. I moved back and forth between thinking and doing through close readings of my field notes, coding, and writing memos. Emerson et al. (1995) describe this back and forth analytic process as "at once inductive and deductive, like someone who is simultaneously creating and solving a puzzle, or like a carpenter alternately changing the shape of the door and the shape of the door frame to obtain a better fit" (p. 144).

As an example of this analytic process, I spent a large portion of time observing what I refer to broadly as "team meetings." Team meetings did not become a major category because when I asked of my data the questions from Emerson et al.—What do I

see going on here? What are people trying to accomplish here? How do team members understand what is going on?—the answers indicated that meetings could serve multiple purposes. For instance a meeting between BFS and a child and youth mental health team was an opportunity for both groups to share their ideological orientation to their own work, resolve some lingering misunderstandings, and establish some shared understanding of the other group’s mission or mandate. Therefore the initial codes generated from this scene helped form my ideas about how the local human service network works. To continue, morning intake meetings provided examples for how the team negotiated the distribution of work, meetings with BFS’s legal counsel showed how they negotiate with the local court process, and general housekeeping meetings provided examples of how workers developed theories about cases and strategies for testing out those theories.

Over several months of continued observation and analysis I selected “negotiation” as a major theme, and my initial codes coalesced into four major categories. I used focused coding around the major categories to produce subcategories. I portray the major categories of practice as arenas, which we can think of as venues of child protection related activities. These categories and subcategories are shown in Table 3. I describe them in greater detail in Chapter 4.

Table 3 <i>Arenas of Practice and Their Associated Sub-Categories</i>	
Arena	Sub-Categories
The Child Protection Team	Negotiation as a team to work through practice issues Negotiation between workers and team-leads Negotiation between workers
The Local Court	Negotiation with “the bench” Anticipating court decisions Responding to court decisions
Professional Agencies	Negotiating other agencies’ protocols and procedures Responding to ideological differences
Work With Clients	Thinking about clients Developing and testing theories

In writing an ethnographic text for an academic audience, Emerson et al. (1995) recognize the need for the researcher to strike a balance between theoretical and analytical argumentation and publicizing the local meanings of group members. They argue that if the writing is too analytical it runs the risk of obscuring the richness of everyday life. Alternatively, simply presenting members’ meanings would produce texts devoid of relevance and interest to the intended scholarly audience. To address the necessary balance, they suggest constructing narrative tales. Such tales:

...weave specific analyses of discrete pieces of fieldnote data into an overall story. This story is analytically themetized, but in often relatively loose ways; it is also fieldnote-centered, that is, constructed out of a series of thematically organized units of fieldnote excerpts and analytic commentary. (p. 170)

Emerson et al. (1995) advocate using excerpt-commentary units to structure a fieldnote-centered ethnography in which excerpts of fieldnotes are accompanied by analytic text identifying important concepts for the reader. I am using a variation on this method. My excerpts are long and the accompanying commentary is detailed. As an alternative, I use footnotes extensively throughout my results sections to preserve the flow of events. This gives the reader the option to alternate between reading through an excerpt continuously, and stopping at each footnote to read the accompanying analytic commentary.

4. Results: Child Protection as a Culture of Negotiation

In this chapter I explore concepts of culture and interaction in the context of child protection, and lay out an argument for imagining child protection as a culture of negotiation.

Culture

Every group develops, over time, a unique and distinctive culture (Fine, 2003), which Fine refers to as an idioculture. An ideoculture is a system of knowledge, beliefs, behaviours, and customs shared by members of an interacting group to which members can refer and that serves as the basis of further interaction. Similarly, Hall (1990) argues that culture can be understood as comprising three components that social actors draw on for solving situational problems. They are a) knowledge and “recipes,” that is the components necessary for thinking and acting, b) humanly fabricated tools, either material or symbolic, and c) products of social action that in turn may be drawn upon in the further conduct of social life. But, Hall writes, studying culture can be tricky given that it is not always easy to identify through casual observation. He continues:

Precisely because normative culture channels perceptions of the world, the cultural bases of practical activity often are buried in routines. Under these circumstances, anomalies, problems, disjunctions, identified by social actors – those breaches of the normatively organized world – offer points of entry into cultural analysis because they represent situations in which actors have collided with some cultural recipes and knowledge, tools and practices. (p. 21)

Problems, then, can provide a useful window into a cultural world to see how various cultural components of a social setting connect and interact.

The unstated goal of the child protection process, garnered from ministry policies and practice standards, is a linear, homogenous process for clients from beginning to end. But one of the most significant problems for child protection workers is the high degree of unpredictability in their flow of work and their interventions with families. These work features are not inherently “problems,” but they become problematic when they bump up against bureaucratic, procedural child protection. Protection concerns arrive or are delivered to the local protection services office where they become “cases,” subject to all sorts of processes and standards that try to stamp a measure of order on a process that tends to be unruly. Yet the child protection context consistently frustrates any attempts at standardization. Child protection is a *human* service, and humans do not always act in reliable or predictable ways: Life happens, and in the child protection world workers must respond to this fluid state.

Interaction

The imagery we associate with the word “response” is important for better understanding the collective activities constituting child protection. Becker (2009) suggests that:

Human beings are active, not passive. They do not sit around waiting for something to stir them into action. Instead, they are always acting, doing something, trying to do something, and looking to the environment, searching it, for ways to accomplish whatever they are trying to do. Human conduct is never automatic, but always involves the possibility of a pause, during which the actor can reflect on the action in progress and think about alternative possibilities for responding to what is happening, to what others are doing. During such pauses,

the actor thinks about how others will respond to what she is thinking of doing, and adjusts what she was going to do to take account of that imagined response.

(para. 4)

Becker notes there are never only two people involved in an interaction. Instead, in constructing a line of action they more or less simultaneously take into account the potential responses of all the people involved. The use of the term lines of action and not response is deliberate: Response is an accurate term in that actors do respond to some sort of perceived stimuli, but responses are not isolated, one-off acts. Rather,

...they are part of developing lines of activity, long arcs of action in which this process of noting things happening in the environment, envisioning responses to them, adapting those responses in the light of anticipated possible responses, and all that is repeated over and over and over. The picture is, of course, infinitely complicated when we recognize the reality that all these other people who are involved in the development of one person's line of activity are themselves engaged in the same process of scanning the environment, imaging possible actions and possible responses to it, and developing a line of action. So the image we should have is of a multitude of people all doing this, and out of that coming something that gets done, a collective action. (para. 7-8)

By spending time with workers and watching how they manage their work we can begin to form a new image of child protection, one that sees cultural processes emerge through their developing lines of activity—their responses—to the unexpected, problematic demands of everyday work life.

Culture and Interaction in Context

In child protection, workers contend with unpredictable, unique and complicated events related to each case. For instance, workers respond to a wide variety of phenomena, ranging from families requesting help with raising their children to parents wanting to get rid of a particularly difficult child to assessing and intervening into serious concerns about a child's safety. When each case is added to 20-40 other cases, the probability of an orderly daily work life is low. An added strain is that a child protection team cannot decline additional work, because the intake and assessment of protection concerns is systematically organized in such way that teams have an implied, theoretically limitless capacity for new work; that is, child protection teams, and by extension individual workers, are obligated to take on new cases.

Of course in practice there is a limit; workers can only manage so many cases effectively. Consequently, workers have to become skillful at managing practice situations within the time and resources they have available. Within workers' caseloads, cases are not managed independently of one another. Workers do not talk about clients to other clients, each case has its own unique needs and characteristics, workers can only attend to one case at a time, and so on. But an unpredictable event in one case (a child going to hospital, an unexpected court ruling, for example) frequently demands the complete attention of the worker, at the temporary expense of other planned activities.

For example, a mother was unable to adequately shelter and care for her children (the four of them were living out of her truck) as a result of a long history of and current participation in drug addiction and street involvement. The worker, Chris, and the team lead made the decision that a temporary removal was necessary. After their removal mom

was difficult to locate. She would appear sporadically to arrange supervised visits with her children and work out what she would need to do to get her children returned, but for the most part she had disappeared. One day Chris was working in her office when the phone rang. She glanced at the caller ID and answered:

C- Hello?...Yes, I would love to meet with them! I'll be right out to get them. The caller was Agnes, one of the front desk staff. Mom had arrived at the office unannounced and was waiting in the lobby to talk to Chris. To me she said, "Well that's a surprise! I haven't been able to get a-hold of mom for a very long time. I really like mom, but she lives in her truck, which makes her very hard to track down. I prefer appointments, but I'll take what I can get!"

On mom's arrival, Chris had to stop what she was doing (reviewing her work) and focus all her attention on the situation at hand. In addition to the assessment work, other case management plans for the day (making and returning urgent phone calls, attending meetings with lawyers) had to be cancelled. Such cancellations might be inconsequential, but others might not be and have more serious and unanticipated consequences. Workers cannot know for certain the outcome of the cancellation.

Parental disappearances have serious unpredictable and significant consequences for multiple areas of practice: The legal process can be delayed, leaving children in uncertain living circumstances; children suffer emotionally when they cannot see their parents;⁴ parents cannot be consulted about care decisions affecting their children, a perspective the Ministry strives to take into consideration. A parent's disappearance cannot be predicted nor can their reappearance. When parents reappear, workers must capitalize on the opportunity, which affects other cases on a worker's caseload.

⁴ Assuming the child wants to see their parents and that the parents are allowed to see their child.

The Cultural Negotiation of Child Protection Practice

One way workers successfully manage this fluid state is through negotiation, in and across a number of practice arenas. Magnuson and Patten (2007) wrote about the negotiated relationship between clients and workers, in that workers and clients negotiate the terms and goals of interaction, inform each other of their roles, and provide feedback to one another about their respective performance. The BFS child protection team uses similar sorts of strategies with clients. As an example, Ken was recounting an interaction he had with a father whose infant was recently taken into temporary care of the Ministry:

Dad came in to the office and just talked and talked and talked and talked at me, telling me about what's been going on in the family. I just sat there and listened, getting a sense of what's going on. When the meeting was over he shook my hand, which was good, but I told him, "The next time we meet I need to do the talking. I've listened to you talk, I hear where you're coming from, but you've received no information from me about what you need to do in order to get your baby back."

Dad is providing feedback to Ken, socialising Ken into role of helper and authority, and clarifying his own role as dad and as client. As part of the interaction, Ken provides feedback to dad about his role as a client and begins socializing dad into that role. As well, in the next meeting they will begin negotiating the intent and goals of the intervention.

While child protection work is commonly understood as negotiation with clients, which is correct, negotiation also has a wider role. For instance in working with other professional agencies, workers have to establish (and often re-establish) the terms of the

interaction, such as who is responsible for what service, to which clients, when and under what conditions. With clients they may be able to use certain coercive tactics in some circumstance, but workers generally cannot direct other agencies' activities because they are peers. In those situations they have to use a different set of skills, rhetorical argumentation, creative planning, or emotional appeals, for example, to bring into effect aspects of a case plan.

The idea of child protection as a culture of negotiation seems the most appropriate concept for describing how workers manage a wide range of practice problems in a context of uncertainty, unpredictability and complexity. I am proposing that:

1. Skillful negotiation is culturally embedded in the activities and practices of child protection teams and individual workers.

2. Child protection practice in this team is the skillful negotiation of practice problems while maintaining a balance between helping and enforcement activities that protect children.

3. Workers' negotiation is not only activity-based but also a cultural way of thinking and being in the midst of an unpredictable, complex, and fluid environment.

My intent in the rest of this chapter is to show how culturally-based negotiation, that is, the recipes, knowledge, policies and practices, are visible in four arenas of child protection: The child protection team, the local court, the local professional human service agency network, and direct work with clients.

The Child Protection Team

There are three types of negotiation within child protection teams: Negotiation as a team to work through practice issues, negotiation between workers and team-leads, and negotiation between workers.

Negotiating within BFS. Child protection teams can have different configurations depending on a number of variables such as the orientation of the team leader to their role, the wishes of the team, the expertise of individual workers, or the service needs of the community. The following two excerpts show the framework for how the distribution of labour is negotiated within the team.

a) Email from Ken to BFS workers: “On our intake weeks, we will initially assign two intakes per worker once as we go through the staff list, and if we need to return to the top of the list we will then assign one intake at a time. In my absence, would the Acting Team Lead please ensure that there is an equal distribution of low to high-risk files so that one person does not get two removals? For people who are away, we will assign work to them upon their return. I will make those decisions. As we start each intake week we will not be returning to the top of the list always. Depending on where we left off on case/file assignments is where we will start the next intake assignment. As this is a new system we will work out any issues as we go.

b) Ken is speaking to the team at a bi-weekly team meeting:

I sent out an email to everyone about changing an investigative worker to a family service worker. I got a lot of responses, some for it some against it. I'd like to have an open discussion about it, how does that sound?

The team murmurs agreement. There is silence for a moment before Jane speaks.

J- I don't think that's a good idea. Doing investigations- all the intensive front-end work, working through the nasty, shitty feelings- it takes a long time. And there's no gate-keeping for intakes; we can't say "no" to new cases. Basically, we would be shrinking the people who can do the front-end work.

K- That's a good point. What did we have last week? 30 intakes? We would be splitting 30 intakes between four rather than five workers.

Jane shakes her head and others murmur their disagreement. Someone whistles.

S- I think we need five investigators. I'm an investigator doing family service work, which I shouldn't be, and it's too much doing both.

K- OK, we'll continue as is and see how the summer goes and make some decisions in the fall.

These two excerpts demonstrate how the team negotiates their shared work. The important feature to note is the role Ken plays in the team. He is the team lead, and as such has the responsibility to ensure the effective functioning of the team. One way he achieves this is through his ethical commitment to an equitable distribution of work. He does so by simultaneously giving a directive and also encouraging negotiation within the team. Ken describes himself as committed to a culture of collaborative decision-making and problem-solving within the team and the equitable distribution of work among workers. His approach as a team lead is "to stay focused on clinical supervision. I see my role as steering the ship, helping workers think through cases and make decisions. I believe I have to treat workers as professionals and let them make decisions about cases."

Negotiating with the team lead. As Ken points out, team leads are responsible for the administration of child protection teams (i.e. “steering the ship”), which entails monitoring a team’s operating budget, the distribution of resources to clients, and communicating with upper-level management. But more importantly they supervise workers and their work with clients. Workers use their discretion for how they spend their day and crafting case plans, but there are “critical points” built into the child protection process that require workers to consult with team leads such as choosing to conduct or conclude an investigation or to close an active file.

At these critical points workers cannot make unilateral decisions. They must consult with the team lead and are required to convince him or her to get “sign-off” on a plan. Consultations can be part of the formalized meetings between workers and team leads, but more often they are informal, *ad hoc* discussions in hallways or offices during which case plans are negotiated. Sometimes negotiations are carried out collaboratively such as working through a particularly complex case. At other times team leads play the devil’s advocate in discussing a proposed case plan.

In this excerpt Nina, a new child protection worker, is making an argument for closing a long-term file to Chris, the acting team lead. She interrogates Nina’s reasons for closing as a pedagogical exercise, leading her through the analytic process of assessing risks and strengths in a case. In this particular case, the dad has a history of physically assaulting the mom and physically abusing the two young children. The children have diagnosed delayed speech issues, which the workers involved believe is caused by sustained abuse. Dad has an extensive history of violent offenses and petty theft and medical issues that factor into the case analysis.

N- I met with mom at the Integrated Case Management Meeting.⁵ She had grandma and two people from the local community centre⁶ there for the meeting. Mom seems to be doing really well: She has a bus pass, she's participating in the necessary programs at the centre, and grandma is agreeing to help out in taking care of the children. There are a lot of strengths there.⁷ But dad was arrested again for shoplifting from the mall.

C- Again? Wow. Is she getting it?

N- Yeah, I think so.⁸ Mom is still supervising visits between the kids and dad, but only when he is on his medication.

C- Hmm...Really? That is a red flag for me.

Chris asks a couple of rhetorical questions for further clarification:

⁵ Integrated Case Management meetings, or ICMs, are meetings when the worker, a client, the client's family, and all the service providers connected to the client meet to discuss the progress of the client. The term "integration" indicates the current Ministerial initiative to address the frequent fragmentation of service providers.

⁶ While I use a generic term here, the community centre is an organic response to service fragmentation. Maryland and local community centers have negotiated a Shared Assessment (SA) group where they work with low-risk families. The vision of the SA is to "to respond with care to the needs of children and their families in challenging life situations. We do this by creating a process that involves assessments of strengths, identification of risks, and provision of support services to lower the risk to children and families who are open to, and cooperative with, this method of intervention." The SA is both a front-end option for families that do not require a full investigation, or a family support option (as in this case) when the amount of risk in a family is reduced after going through the child protection process that they only need less intensive support services.

⁷ Like the Ministry initiative to integrate fragmented support services, "strengths-based practice" is another ideological movement within the Ministry, taken from Turnell and Edwards (1998) "Signs of Safety" approach. A few years ago, Turnell came to Victoria for a series of training sessions. Chris states that she likes their idea of strengths-based risk-assessment, and that "they not afraid to say that kids need to be removed." But, she goes on to say, "I have a hard time with the belief that parents are not bad all the time. If you're a kid in a bad situation, for you your parents ARE bad ALL the time."

⁸ The question "Is she getting it?" may seem paternalistic, in that the question assumes there is a preferred version of reality possessed by workers that clients need to come around to. That is partly accurate, but not as paternalistic as it may seem. Rather, Chris's comment is deeply rooted in her extensive human service work experience. Prior to working in child protection she worked as an Income Assistance officer, and before that worked in a Vancouver police station screening emergency phone calls. Her experience contains numerous instances of women partnered with violent, abusive men who do not follow rules. As evidence she later states, "Many women have died with a restraining order in their hand." Therefore, asking Nina if mom "gets it" is better understood when seen from Chris's point of view: Violent, abusive men who do not follow rules can be dangerous to women. Mom's husband is such a man, indicated by his past (and current) infractions, and consequently dangerous to both her and the children.

C- Here are my questions: Why is she supervising visits with dad? Does she still want to be with him?

N- No. I've been very clear in asking her about where and when they take place, and making sure she has a safety plan. Mom has assured me that she only meets with him when he's on his meds, and she can tell when he's not.

C- Has she said she's through with him?

N- Yes, I'm very clear why the meetings should be taking place. I've told her they can't be about her wanting to see him, but about getting the kids to see the father. (pause) So mom has a lot of supports and is showing real strength in dealing with her situation.⁹

C- So what do you think needs to happen?

N- Well, I think we can just keep tabs on her and the kids, you know, check on their progress, but the case can be closed.¹⁰ Grandma is really involved, so she'll let us know if they miss programs or if mom lets dad come around again.

C- Good. I think you've made an argument for closing since you've made sure that she will keep participating in programs, and there are people who will watch her.¹¹ Do you know if she has addressed her legal custody and access issues?

⁹ The back and forth, question and answer explores whether the children will be safe from harm by clarifying that mom is through with the father, and taking the proper precautions when supervising visits by creating a safety plan.

¹⁰ On the surface the discussion around closing the case and keeping tabs seems contradictory. However, the important piece to note is the use of grandma and other services as a way of surrounding the family with observers. Workers hope other people will observe (keep tabs) the children once the Ministry is no longer involved.

¹¹ Closing a case is a weighty decision. While Chris's decision may seem nonchalant, it reflects a deep understanding of this case not evident in this limited excerpt. This case had been open for months, and the workers involved worked very hard negotiating with mom to allow grandma to be involved in the case process. Getting grandma "on board" is a strategic move on the part of workers. One major issue within child protection in general is the relative invisibility of vulnerable children. Workers try to find people, family or otherwise, they can enlist in helping families in crisis. This is a soft form of surveillance, in that the more sets of eyes on a child (e.g. daycare workers, teachers, etc.) the greater the likelihood any changes

N- No, I don't, but I don't think she has.

C- She'll need to sort that out.

N- Mom says she doesn't want a "no contact order" because then he can't see the kids, right? Unless a third party brings them to see him?

C- Yeah, that's true. But, it's not our job to sort out his legal problems.¹² If he wants access, he needs to work out the custody issues with a lawyer. This guy doesn't seem to get it; he got caught shoplifting again! He keeps getting caught! What's he going to do now?

N- Well, mom says he's either going to jail if he stays, or head for Calgary. He hasn't decided which yet.

C- Oh great: He doesn't follow rules very well. Many women have died with a restraining order in their hand.

This conversation between Chris and Nina illustrates the negotiation between workers and team leads around case plans. Their goals in the conversation are similar, but their roles are different. In general workers want to close cases in a timely manner (but not until they are convinced of a child's safety) for a couple of reasons. One is to keep their caseload as small as possible. Part of their reasoning is that smaller caseloads mean they can spend more time with fewer clients, although smaller caseloads do not necessarily translate into less work. Two, workers know they have extraordinary legal authority to investigate the private lives of citizens, and so try to minimize their interference, which is in line with the Ministry's ideological stance and legislated requirement to use least

in a child's health or well-being will be reported back to the worker. In this case, mom and grandma initially had a conflictual relationship, which the worker was able to help smooth out.

¹² Chris's comment is part of the legal boundary work necessary in child protection. Workers have to be very clear, by reminding both each other and other professions (e.g. teachers), about the legal mandate and limits of child protection. Sorting out the father's legal issues falls outside their legal mandate. To be helpful they will often refer parents to legal aid or suggest helpful lawyers to contact for legal services.

intrusive methods.¹³ From a workload perspective, team leads also want cases closed, but they have to provide the necessary clinical supervision and sign-off to make sure that children are safe and not at risk.

Negotiations between workers and team leads are not always cooperative. Workers can act as advocates for clients, and team leads as gate keepers to services and finances. As one worker put it, child protection workers are natural helpers in that they seek out this line of work because of their desire to help children and families. Team leads, of course, also come under the helping heading, but they have additional roles and responsibilities. Under these conditions, workers will attempt to negotiate services for clients from their team lead, believing their client would benefit from said services. Team leads will acknowledge the need but balance requests with their bureaucratic role. Here Ken is describing instances when workers made requests for resources, how he responded, and his rationales.

K- One year we had a worker who gave all her clients bus passes, which I can understand. Many of our clients don't have vehicles or can't drive, for whatever reason. So I asked why she did that, and she said, "We had it in the budget," which was true, we did. But the question is: Will we next year? Our budget changes from year to year. And then there's the issue of fairness. Two clients on her caseload talked with two clients on another team and they demanded to know why they didn't get passes! Many of our clients come from the same areas in the city, especially the high-rise apartments, and they talk and compare their

¹³ Like many aspect of child protection, least intrusive methods are open to interpretation. For instance, one investigative worker was described as a "radical non-interventionist" and prided himself on never having a child on his caseload go into permanent care. Other workers are less hesitant to investigate protection concerns.

experiences, like, “What did you get? Well I only got such-and-such!” So, we want to provide equal care to all kids; the same basic level of care. One worker wanted to throw one of her kids in care a birthday party. I asked, “How come?” And she said, “Because he had been through a really difficult time.” I agreed that he had, but then we have to ask, “Are we going to throw all kids in care a birthday party?” I’d love to do something for all kids but we don’t have a lot of milestone money.¹⁴ If we do, we have to ask: “Will it be there next year?”

In these two examples we see how negotiations between workers and team leads serve different functions. Negotiations can be pedagogical in that workers learn cultural ways of thinking about cases, such as looking for strengths and supports in the clients’ life world, paying attention to “red flags” that might indicate potentially harmful behaviour, and how to recognize when a proper balance between helping and enforcing has been achieved. While there is an enculturation process underway, each worker will develop their own way of working, their own unique style, within the social structure of their legal mandate.

Second, workers can take on an advocacy role in negotiating services for clients while team leads can play the part of gate-keeper. In the above instance, Ken is gate-keeping from an ethic of equality and fairness for all clients such that all clients receive fair and equal treatment. Interactions require workers and team leads to assume situational roles (teacher/student; advocate/gate keeper), socialize each other into those roles and provide feedback on their performance.

¹⁴ In another conversation, Ken added more detail to the reduction of services since the Liberal government cut almost 30% of the Ministry’s budget: “In the early 90s workers used to go around with contracts for all kinds of services: home makers, respite care, and so on. But over the years, when the new government came in, the money for that dried up. It took about 10 years for people to forget that the Ministry used to provide all those services.”

Negotiation between workers. Workers also negotiate work amongst themselves in response to the unpredictability in their workload. In the excerpt below, Nina is conducting an investigation into a police report the team received at the morning intake meeting. The father was pulled over by the police when he made a U-turn on a side street to avoid a police checkpoint. He was arrested for driving under the influence and with a suspended license, both of which violated his parole. His two children were in the car with him, who he claimed were not his. He had no identification and gave a false name to the officer. Upon investigation Nina found an extensive violent criminal background that presented a significant risk to the children's safety. This new information changed the urgency of the intake. Here, Nina is talking with Chris about the case:

N- I called the police, and dad has a total of 51 charges. Most of them are assault charges against the police, other people, his spouse, and a couple of car-jackings. It's a long list.

C- Wow.

N- His wife has a "no contact" order against him and he's on probation for three years, until May 2009. The police told me there's a "Caution: Violence" alert on his police file, too. I found out where the older child goes to school but not the younger one.

C- OK, we need to check this out pretty soon. It's a bit late in the day so why don't we assess this as a 5-day response time, and make plans to interview the kids tomorrow morning.

N- I'm in court tomorrow though.

C- What do you have?

N- We're just meeting with the judge for an integrated case management meeting; nothing major.

C- Maybe you can see if someone will cover for you at court tomorrow while you do this.

N- OK, I'll see what Valerie has going.¹⁵

In this excerpt we see another instance of the pedagogical function of worker and team lead interaction, but the main feature to highlight is the cooperative interdependence in a child protection team. Workers have their own caseloads but will take on a colleague's casework responsibilities in order to maintain the effective functioning of the team.

In sum, within a child protection team we see a number of cultural negotiation strategies: Collaborative problem-solving and decision making, equitable distribution of labour, pedagogical enculturation, advocating for clients, and cooperative interdependence.

The Local Court

Child protection workers and clients perceive workers as having extraordinary power and authority (de Boer & Cody, 1997; Diorio, 1992; Drake, 1994; Maiter et al., 2006), that is, the legitimate authority granted to workers' through delegation under the CFCSA and the coercive authority to temporarily and/or permanently remove children from their parents care. As one interviewee from Diorio's study put it, "Workers have all the power." To a certain extent this is accurate because workers can and do remove children, sometimes in extreme ways. For example, workers have directed police to use force to enter homes when workers believe a child is in need of protection.

While workers do have immense authority, they can exercise it only at certain points and under certain conditions in the child protection process. Workers can remove a

¹⁵ Later, when I talked to Nina, she was able to get Valerie to go to court for her without any difficulty.

child from the home but then have to present their findings in court before a judge for the removal to be upheld. If workers do not have sufficient evidence, or clients mount a strong counter argument, the judge can rescind the removal and return the child to their parents. Ministry lawyers play a key role in the proceedings because they interact most directly with the judge. They will present the plan of care for a child that has been negotiated with the family and the Ministry but, ultimately, it is a judge that determines the legal outcome for children and families.

“Going to court,” as workers call it, is not a straightforward activity of presenting facts to “the bench”¹⁶ who then makes a decision. There are a variety of factors that come into play when a case goes to court: how well the worker knows the client and their life story, the number of times the client has appeared before the court, if the worker, client and their respective legal counsel have had an opportunity to meet, the rhetorical strength of the Ministry case or the client’s defence, who the presiding judge is and their orientation to family court, and so on. Workers and child protection teams have developed interesting negotiation strategies for dealing with the court process through their accumulation of experience with the court, judicial rulings on case presentations, and workers and the team’s response to such rulings.

Negotiation with the bench. The legal process requires negotiating with the bench, both in the courtroom and outside of it. Here Chris is explaining her approach to going to court:

C- Going to court is like building up credit. Judges take into account whether your docs look good, if you’re articulate, if you’re dressed appropriately. If you go to

¹⁶ Workers refer to the local judiciary as “the bench,” a term I use as well throughout this section. There are significant differences between judges, but workers often think about the cluster of local judges as one uniform entity.

court and the judge says, “This case looks a bit shaky, but I’m going to go with the worker” then you’ve cashed in a bit of credit. But the bench is noticing the dilution of expertise among workers. What they’re seeing now, with so many new people coming in, is that documents are not in order, and they’re quoting wrong pieces of the legislation. But there are also communication feedback channels like the Legal Council Meeting, made up of Ministry lawyers, experienced child protection workers, team leads and the CSM.

Here we see two distinct forms of negotiating with the court. First, Chris’s statement of “building up credit” shows how impression management strategies (Urek, 2005) are used for negotiating with judges. However, Chris’s statement is less cynical than the conclusion Urek arrives at. That is, Chris is attuned to the weightiness of court procedures and decisions, in that social justice for children and the trajectory of peoples’ lives are at stake. As such she is responding appropriately to the situation rather than out of mere concern for her professional regard. Also, certain judges are feared by workers, and some more than others. It is not uncommon for judges to verbally reprimand workers for incomplete court documents or poor argumentation. But judges will also reprimand clients for decisions they have made which brought them before the court. Workers trade stories about who (client or worker) got reprimanded by which judge, and extreme instances are incorporated into the collective memory of the team. Workers do not like such public rebukes but believe judges have fair and ethical due process at the center of their actions, which occasionally necessitates correcting the actions of workers.

Second, we see diplomatic use of communication feedback channels through Legal Council Meetings. Such meetings are a way to negotiate service provisions, plans

of care, custody orders, etc. outside the formality of the courtroom. For instance, Ministry legal counsel can talk about what they notice in the courtroom (e.g. written documentation, professional presentation in the courtroom), and Ministry representatives can provide an explanation for what the legal counsel are seeing (e.g. new and inexperienced workers). The CSM plays an important role in these meetings: They have a view of administrative trends at a district level such as budget, service distribution, employment, and so forth that are not visible at the local level but that have some bearing for what appears in court.

Anticipating court decisions. Before workers go to court, they must prepare a legal argument for past interventions or for future planning, such as where and with whom a child will reside. Workers, team leads and Ministry lawyers work out a legal strategy before the court appearance by talking with the client, their family and the client's lawyers. Part of the strategizing includes attempts to anticipate how a judge will rule on a proposed plan of care for a child. The BFS team has developed a framework for anticipating court rulings based on their collective experience with local judges.

This framework is used in attempts to anticipate the response of the bench to workers' case requests (e.g. a proposed plan of care or a request for custody), because the courtroom is not a place for direct negotiation between workers and the presiding judge. Workers, clients and their respective lawyers meet before the court date to negotiate a plan, which is presented to the judge, who will make a decision. The lawyers (for the Ministry or a client) can push back a little if the ruling is not in their favour, but not much.¹⁷ The judges ruling typically stands, although the involved parties can appeal,

¹⁷ Ken notes: "We're very lucky with the lawyer we have. She can be tenacious, in a good way. I mean, she argues with the judges. She doesn't always win, but she's willing to argue for us."

make new arguments, and so on. The main point of this argument, though, is that in court there is little opportunity for direct negotiation. Any negotiation and planning must take place in the periphery.

For example, in this excerpt Jane and Ken are having their scheduled supervision meeting to discuss the progress of Jane's caseload. This particular case had been with the team for a few months. It involves an infant removed from the parent's care when they brought her into the hospital for a "rash." When the triage nurse viewed the baby she noticed the baby's weakness and its distended stomach, which are clear signs of malnutrition. The nurse called child protection services, and when the worker investigated she discovered that the parents were not feeding the child enough food nor nutritious food. The worker described the parents as subscribing to a "new-agey, spiritual, bohemian" ideology around care for the child, meaning that they were reluctant to wake the baby when it was sleeping or not feeding it enough nutritious food. The workers attributed the parents' orientation to the infant's care to its deterioration. In this conversation, Ken and Jane took a minute to describe the case:

K- Right now we're getting conflicting stories from both mom and dad. Dad says mom is crazy and was going to separate from mom, but now he's not. Mom said she's scared of dad, claiming he's abusive, but then she turns around and says to us that everything is OK at home, and that we shouldn't be worried.

J- At first, after the removal, they were getting supervised visits at the office, which went fine. Then they were allowed to see her and take care of her at the foster parent's home, but they still weren't feeding her. I asked mom and dad after a visit, "Did you feed her?" and they said "No, she was sleeping." And I'm

thinking to myself, “Well wake her up and feed her! She has to be fed! It doesn’t matter if she’s sleeping!” I just don’t understand why they won’t feed her!

K- Now the parents are fighting between themselves and not able to come to any agreement on a plan to get the baby back. But we’re not returning her until we know who to return to because neither one of them are safe at the moment. No one will take any responsibility for not feeding the baby.

Jane turns to Ken and starts discussing the case plan.

J- So, court is coming up soon. Dad is coming in to talk this week. I told him, “This is a conversation; you don’t need to bring your lawyer.” My initial plan is that I’d like to go for a TCO.¹⁸ But my question is: Can I go for a CCO¹⁹ if it’s not working out before the time limit on the TCO runs out?

K- I don’t know. Let’s think about it for a second: How long is the TCO?

J- Three months.

K- Hmmmm...I don’t think we could go in front of the judge and ask for a new order in the middle of this one. Besides, the TCO is only three months, so by the time we could make a case for a CCO the TCO will have run out. Then if need be we can go for permanent custody.

The term “working out” is a phrase indicating the degree parents are able to fulfill the goals they have negotiated with their workers. Workers make plans with parents based on the Ministry’s stance of reunification. That is, the Ministry believes that the best place for children is with their family of origin and that every effort needs to be made to return the

¹⁸ A TCO is a Temporary Custody Order, meaning that a child is temporarily in the care of the Ministry. In the meantime, parents can/should be working on making the required changes they negotiated with their worker in order to be reunified with their children.

¹⁹ A CCO is a Continuing Custody Order. In this situation, a child is in permanent care of the Ministry until they are either adopted or “age out” of care. In rare cases parents can seek to have their parental rights re-instated, but those instances are very rare.

child. Here the parents are not showing the necessary capacity to make the family home safe for the baby to be returned to their care, thereby necessitating the Ministry's continued custody of the child.

In the excerpt above the important feature to note is how Ken and Jane work out the case plan. One way to see their conversation as is simply another instance of a worker and team lead supervisory session. But there is an added dimension in which their case planning process is bounded by using their interpretive framework and collective experience with the local judiciary.

Responding to court decisions. Workers have reason to be concerned about the rulings of the bench because decisions can impact on their work, such as the team's financial resources and worker's time, issues I describe below. Judges have wide discretion when making rulings in child protection cases. One area—with significant consequences for the team—is the amount and type of evidence required to determine parenting capacity. Child protection workers can provide sworn testimony as to a parent's capacity to care for their child and the parent's ability to keep a child's living environment at or above community standards. The local court serving Maryland relies on parental assessments²⁰ in addition to workers sworn testimony. However, workers believe the judge uses them too frequently and waiting for assessments has the added complication of slowing the legal proceedings and contributes to a cost overrun for the team's budget.

Sarah describes a case in which the judge requested a psychiatric assessment in addition to an existing psychological assessment. The worker had removed—

²⁰ A typical Parental Capacity Assessment is administered by a trained psychologist and takes around 40 hours, at a cost of about \$4800. If a clients' mistreatment crosses into the criminal (e.g. physical or sexual abuse), a full Psychological/Psychiatric Assessment can cost close to \$8000.

temporarily—an infant from the family because mom had been convicted of making serious, criminal threats of violence with a weapon against her teenage daughter. Workers also concluded that the dad did not have the capacity to protect the baby from mom. At this point in the case, the judge was in the process of making a ruling as to whether the infant should continue to stay in care or return to the parents.

S- Mom was sentenced to three years probation, with court orders—like she’s not allowed to hold a knife unless she’s preparing food. At the time of the incident with her teenage daughter, she had a psychological evaluation done. But in order for the judge to make a ruling about the risk she poses to her baby, the judge has ordered that there be a *psychiatric* evaluation done, too. That way she can combine the two, which she said would more accurately assess the risk. I told Ken that and he flipped out. He goes, “Did Judge Sharon order that?!” But it’s \$20k a month to keep a child in care, and \$3k for an evaluation. It might be worth it, but we’ll see what Ken says.

Ken’s reaction reflects a unique feature of the local legal process. The Maryland office annually spends hundreds of thousands of dollars more than any other office in the Province. It had reached such a level that the executive director of the region asked about it, to which the CSM informed him about the influence of the local court. The challenge raised by the considerable amount of money used for assessments is that the team has a reduced capacity to offer services to families, potentially impairing their work.

Sarah’s response to Judge Sharon’s decision is pragmatic. While asking for another psych assessment increases the strain on Sarah’s workload and contributes to

rising assessment costs, if the assessment shows that she is not a risk and the Ministry can return the child, then in the long run Sarah and the team will benefit.

Along with the impact on resources, court decisions can have an impact on workloads, for instance on the length of individual cases. Judges can direct some worker activity by making suggestions, but they cannot direct workers in their plans of care; such directives are outside their mandate. However, judges are often part of integrated case management meetings and can see how a child's plan of care is progressing. Occasionally judges will "seize" a case, meaning they will take a personal interest in and assign themselves to the case so that they are the presiding judge each time it comes up on the docket. Jane described such an instance:

I had a case where the parent fired three consecutive lawyers, each time right before the case was going to trial. This was part of the client's plan, because the time limit on an order doesn't start until the judge makes a ruling. If the client can stall the ruling, that's more time for them to meet the requirements of the case plan. Each time mom fired her lawyer the judge called for an adjournment so mom could find a new lawyer. Now, an adjournment can last anywhere from 6 to 10 months. Finally, after the third adjournment the judge let the case go through without mom having a lawyer and ruled in our favour.

In addition to making decisions about a case that can affect individual workers, judges can make requests that affect all workers, for instance the amount of time workers spend at the court house. Here, the BFS team is meeting to address the increasing amount of time they are spending at the courthouse for routine court procedures:

E- It's becoming apparent that we're at court way more than we used to.²¹

Jane- It's a complete waste of time.

Evan -We've gotten away from going as needed. Instead we're having to be there even it is going to be an appeal, or adjournment, or if it's contested. Our lawyers used to tell us "Nah, you don't need to come," but now we're being told by the bench to be there way more than we used to.

The team murmurs agreement.

Ken- I agree: we *are* there way too much. I'll talk with our lawyers next week and I'll bring it up with them.

In a later meeting, the team and lawyers work out a strategy for reducing the amount of time spent at court by submitting their sworn testimony via an affidavit.

On display in these three excerpts are the cultural tools teams use to negotiate with the local judiciary given that judges have the authority to direct some worker activity and the courtroom is not a venue for vigorous, back-and-forth dialogue between workers and judges. In sum, workers actively respond to challenges stemming from judicial rulings by monitoring their professional self-presentation, diplomatically using communication feedback channels, strategizing with colleagues, and using their collective experience with local judges to help chart a course of action.

²¹ Court for BFS is one day a week, in the afternoon. Court used to be in the morning. However, workers would frequently arrive at court in the morning not knowing what was happening with a case because they had not heard from a client (or their lawyer) as to their position on the workers plan of care. By negotiating with the bench, the court time was moved to the afternoon, giving workers time in the morning for last minute negotiations with clients and lawyers. As well, previously, workers used to spend as much of the court day as possible meeting with clients, making home visits, working on paperwork, etc. and would come to court if summoned via pager or mobile phone. The issue here is that when spending the bulk of the day at court for simple court procedures (as opposed to more substantial participation) workers lose the time they would otherwise spend more effectively.

Professional Agencies

Beckett (2007) says that child protection takes place within a multi-agency system in that a variety of professional human services are frequently arranged to work with clients. Within this context,

...workers have a central coordinating role...undertaking not only direct work with children and parents alongside other professionals, but also in social work's characteristic 'executive' capacity in which the social worker is involved in recruiting and supervising input from others, and, where necessary, acting as the agent of state power to impose aspects of a caseplan. p. 27

This is an accurate depiction of child protection, in that workers and teams are hubs for all sorts of client-related activities. Child protection works with the police, schools, mental health workers, child and parent service providers, and so on. However, it is somewhat child protection-centric to imagine, as Beckett does, child protection work as *the* hub of client-related activity. It might be more useful to think of child protection as connected to all sorts of professional agencies in one dense, web-like, human service network.

The local human service network. The number and type of agencies workers can connect to are potentially limitless. Table 4 displays an extensive list of organizations, agencies and people that workers routinely contact in the course of their work.

Table 4 <i>Organizations in the Local Human Service Network</i>	
Transition house	Police service
Paediatricians	Community centers
Psychologists and psychiatrists	Juvenile justice
Foster parents	Resource teams
Lawyers and judges	Clients' employers
Income assistance	Daycare centers
Adoption agencies	Housing shelters
Principals	School counsellors
Teachers	Clients' neighbours
Immigration officials	Aboriginal reserves and agencies
Regional and provincial MCFD managers	Landlords
Family members	Clients' friends and acquaintances
Nurses	Hospital social workers

I have written already about the local Shared Assessment Committee and how they collectively negotiate who will provide what types of services to which families. But workers connect to networks throughout British Columbia, in other provinces in Canada and even in other countries. It is important to think about the imagery we associate with this dense human service network. It is not, for instance, a series of concentric rings or circles. To help with our imagery Becker (1998) suggests imagining the social world as an organism “when we want to acknowledge and make room in our analysis for the independent variation of whole subsystems of phenomena that are neither totally

unrelated nor related in any profoundly deterministic way” (p. 43). In this view, social phenomena (here, the dense network of human service organizations) are all interconnected rather than discrete and independent. To understand what is happening in one organization (i.e. a child protection team) we need to look at how it connects to other organizations and the characteristics of those other organizations.

Consider the potential pathway of a generic intake. The path it takes via the human service network depends on a number of variables. For instance, let us say that the local police with jurisdiction over the Maryland service area receive a call from a concerned citizen that their neighbours in an apartment are having a loud and potentially violent domestic dispute in front of two young, small children. The police respond to the call, intervene in the dispute, and forward the police report to the local child protection office. Based on the severity of the violence and the young age of the children, the team decides that it warrants a protection response and assigns the file to a worker, who then interviews the parents.

Depending on the outcome of the interview, one possibility is that the worker learns that dad has a history of domestic violence against mom and the worker has to get mom and the kids to a transition house to keep them safe. Or maybe the incident was an isolated incident and the issues in the family do not warrant a full-on investigation; dad just got angry and he only needs to go to a series of anger management sessions. Or the evidence gathered from the parental interviews is ambiguous and the worker needs to interview collaterals such as staff at the children’s day care center, family members, neighbours or references provided by the parents. Whatever the path of an intake or family service work, each choice point in the process leads to an interaction with an

agency in the network, each governed by particular practice ideologies, unique culture, protocols and procedures, and possibly a legal mandate. These features²² of an agency can remain unknown to workers until encountered in the course of routine casework, or even if known they can change unpredictably, especially staff.

Negotiating other agencies' protocols and procedures. The following excerpts illustrate how workers negotiate with agencies. Here the team is finishing their morning intake meeting. A particularly serious intake came from a local school concerned that a female student was being sexually assaulted in her home by a young male. The girl's family has an extensive history with the Ministry. The case was about to be assigned to a worker:

Ken- Valerie, can you take this on?

K- Usually we don't see sexual assault in the family home. We need to act on this one quickly. Do we agree? (the team voices agreement)

V- (grabbing the file and flicking through it) I'll check the history and see what shows up.

I followed Valerie to her office and asked if I could sit in while she made phone calls, to which she agreed. Her first call was to the police department.²³

V- Hi, this is Valerie, and I'm a social worker with the Ministry for Children and Family Development.²⁴ We received an intake this morning about a possible sexual assault. I think you may know this family from a few years ago... The last name is _____(spells out last name)... The potential perpetrator is a high-risk

²² What Becker (1998) means by "independent variation."

²³ In cases of physical or sexual abuse workers have to report it to the police. Child protection and the police have a reciprocal relationship: The police will forward intakes for workers to investigate (e.g. domestic disputes, marijuana grow-ops, etc.), and workers will forward cases of physical or sexual abuse.

²⁴ On the other end of the line is a police intake officer.

offender... Yeah, I'm meeting with the mom today... Back then it was one of mom's boyfriends...²⁵ OK... Thanks, bye...

Next, Valerie immediately makes another call to a different part of the police department, for reasons that are as yet unclear to me. I wait to ask until she is off the phone.

V- Hi. We just got a sex crime intake; how do you want to do this?... (repeats the information above)... OK, bye.

I ask Valerie why she had to make the second call.

V- There's been a change in protocol, which I didn't know about. We used to call the Sex Crimes Unit (SCU) directly, but now they want us to call the report desk and file a report, and then a detective from the SCU will call us back. I don't really know why this has changed, though.

In the middle of our conversation the phone rings. Valerie answers.

V- Hello, this is Valerie. Hi... (it's the SCU)... OK, thanks. Bye. (writes contact details of the detective).

Valerie to me: I'll call her in a second. First I need to call the school to get the address of the family.

Valerie dials the number.

V- Hello. I was wondering if I can get a current address for one of your student's?²⁶ ... How about the school principal, can she tell me? Because this is quite urgent... Yeah... OK, bye. (Valerie hangs up)

²⁵ The police officer is looking through their database for information on the offender.

²⁶ This is another organizational variation. Workers frequently call schools for a variety of reasons and each school or district has a different procedure for giving information to workers. In this excerpt, a new worker needed to find out where a child went to school so they could be interviewed:

N- How do I find out where the kids go to school?

C- You can call the District and use the code 'Walter.'

N- Do I just say, this is Walter?

Valerie to me: I was talking to a receptionist. She passed on the message and the principal will call me back.

The phone rings.

V- Hello this is Valerie. (It is the school principal calling back.) OK, thanks very much. Bye. (Writes down child's address)

Valerie hangs up and then dials the SCU.

V- Hi. Can I speak to Officer _____?... Hi. The school has the current address for the family. From the address it looks like a house (tells the officer the address)...
When you work out what you want to do, can you give me a call? Because I need to know what to do, like how to coordinate with your team... OK, thanks, bye.

Valerie hangs up and explains to me what just happened.

V- We need to coordinate with the police on this one. They may tell us to go ahead and do the interviews, or they may want to just sit in while we interview. This case has more of a criminal element to it and not so much a child protection concern. They are both underage, but they are both older (she's 12 and he's 15).²⁷
It's happening in the family home, which is unusual, but the mother shows a history of protecting the children. We'll see how the interviews go, and how she responds to this before making any determinations.

C- No, you would say, 'I'm a social worker, I need to find out where a child is going to school and I understand the code to be Walter.'

²⁷ The age of a child is very important in assessing risk. Older adolescents are typically more capable at articulating abuse or neglect than young children. Older kids can fight back or fend for themselves if necessary, or they can "vote with their feet" and run away more readily than infants and small children. The other issue is that from the worker's perspective, actual sexual abuse is generally rare. Allegations are more common, and workers take allegations very seriously, but upon investigation there are typically other issues at play. In this case, the workers found out that the girl has a history of making allegations, but that she was out of the home as a precaution. Mom, on the other hand, was at her wits end with the daughter and was requesting help from the ministry.

Negotiations between child protection and the police can be tricky. Both organizations work under different sections of legislation, but there is some overlap between their mandates. For instance, Section 27 of the CFCSA gives the police the authority to take charge of children if they have reasonable grounds to believe that a child is in danger. However, workers believe that police occasionally misuse this section of the legislation when it is expedient. In some cases officers have “taken charge” (i.e. quasi-arrested) of adolescent children wandering around city streets because the officers want them off the streets, not because they are in any immediate danger.²⁸

Workers have a different connection to schools than the police. School employees (i.e. teachers, administrators, and staff) are legally and ethically required to report mistreatment, but they do not always have a good understanding of child protection’s mandate.

Chris, on her way to talk to a group of school principals and administrators, described the situation this way:

There seems to be so much mystery about we do. One thing the Ministry has been really bad at is the PR about child protection. People don’t understand our mandate. I mean, I was at another meeting of principals, and the meeting lasted for an hour and a half. They kept asking me about concerns they had about some of their students. They ate it up; they had no idea what we did! I tell people, we only intervene if a kid is being hurt, or going to be hurt, by their parents. Or we only intervene if a kid is being hurt, or going to be hurt, by someone else and their parents don’t have the capacity to protect them.

²⁸ That police misconstrue legislation is not that surprising. See Van Maanen (1978) for a broader discussion of this phenomenon.

Responding to ideological differences. But there are other inter-organizational negotiations that revolve around practice ideology and not necessarily ambiguity about legislation. An oft repeated phrase by workers is that they “can’t say no” to new work.²⁹ However, almost all the other human service organizations connected to child protection can restrict the number of clients they will take on, whether from a lack of space in a program or unwillingness to work with involuntary clients. Local mental health organizations, for example, have a different ideological stance to working with involuntary clients, one that clashes with the requirements of child protection. Here, Nina was going over her caseload with Ken:

N- The son got kicked out of “Children Who Witness Violence.”

K- Really!? You’re kidding. How come?

N- Dad won’t admit there’s a problem. They will only work with the parent and child if the parent admits they have a problem.

K- O for the love of God! Maybe he (the son) was getting really good support there! Well, put a call in to the community transition house and see what they have. Maybe they can take him.³⁰

In sum, these excerpts show that negotiating with professional agencies requires workers to have expertise in adapting to frequent fluctuations in the human service network, such as staffing changes, conflicting practice ideologies that can confound caseplans, other

²⁹ In fact, workers have little recourse to say “no” to any work. Workers are not allowed to completely strike because they are deemed an essential service. They can strike, but they have to provide a basic level of service. They can, however, file a grievance with the union if they have a workplace complaint.

³⁰ The practice ideologies of mental health organizations are a source of consternation for workers. To cite one example, the child and youth mental health team serving the Maryland offices describe their therapeutic ideology this way: They are a voluntary service, meaning that clients (children and youth 2-17yrs) have to request services voluntarily. Clients need to be motivated, that is, they want to change through therapy, and preferably need to be in a stable life situation and committed to the therapeutic process. To which a child protection worker responded after the meeting that their clients are generally involuntary, rarely in a stable living situation, and not always that motivated.

professionals unable or unwilling to cooperate with child protection workers, and perpetually long waiting lists for services for children and parents. Workers have to become skilled at formulating and re-formulating case-plans “on-the-fly” in response to unpredictable events.

Work With Clients

The work of child protection is as the name implies in that workers do protect children from harm. But it encompasses more than just protection. Chris’s useful definition, above,³¹ implies that child protection requires elements of assessment and prediction. Beckett (2007) has a different perspective in that child protection’s claim to prediction overstates its ability: “When it comes to extremely rare events, such as the killing of a child, our ability to pinpoint when that event will occur is limited by the nature of the task itself. Most of us are quite muddled in our thinking because it involves thinking about uncertainty and probability, which most of us find very difficult (p. 205).” Turnell and Edwards (1998), on the other hand, suggest that the best predictor of future behaviour is past behaviour, which seems overly deterministic. Child protection, with its emphasis on family reunification, relies on the belief that parents will change their behaviours and make the home environment less risky for their children, thereby allowing for their return.

Thinking about clients. A different and perhaps more helpful way to think about the idea of prediction is in terms of anticipation. Workers do think about prediction, but the emphasis is less on the accuracy of the prediction than on planning for possible outcomes based on client’s future decisions. To begin the process of anticipation, workers

³¹ We only intervene if a kid is being hurt, or going to be hurt, by their parents. Or we only intervene if a kid is being hurt, or going to be hurt by someone else and their parents don’t have the capacity to protect them.

think about clients as bundles of activities, rather than types of people (Becker, 1998). Typing people, Becker argues, attributes their behaviour (i.e. what they do, how they talk, what they think) to an essential type, to the basic kind of person they are. The difficulty with this line of analysis, he continues, is that it assumes that people always act in predetermined ways according to their type. Becker argues that this is a mistake because no one ever acts completely in character all the time in every situation; our activity is more unexpected and varied than that. Since people tend to “...do whatever they have to or whatever seems good at the time, and that, since situations change, there is no reason to expect that they’ll act in consistent ways” (p. 45). He suggests an alternative analytic strategy in that what

“...you can more reasonably expect to find is that activities will be responses to particular situations, and the relations between situations and activities will have a consistency that permits generalization, so that you can say something like this: people who are in a situation kind of X, with these kind of pressures, and these possibilities of action to choose from, will do this. (p. 45)

Conceptualizing clients in terms of their activities—what they do, say, and think—broadens how workers think about clients. It moves away from thinking about clients in terms of type, for instance in terms of their child mistreatment, substance use or psycho-diagnosis, and instead as dynamic, multi-dimensional people. Workers go to extraordinary lengths to not judge clients and not to see them solely as abusive or neglectful parents, even when confronted by graphic stories of maltreatment. Workers do not excuse mistreatment, but seeing clients in terms of activities rather than types of people renders behaviours amendable to change.

As such, when presented with clients' activities, workers first place that activity within the context of the clients' ecology and biography. For example, workers take into account their ecology, including where the client lives, what goes on in their neighbourhood, people they are in relationship with, and their biography, such as their family of origin, if they were abused as a child, and if they have a history of substance use. Workers also locate client behaviour within their store of past work experience, a cognitive inventory of similar cases with similar features and the outcomes of each, which is helpful for anticipating possible future behaviour. Experienced workers have extensive experience to draw from and therefore can anticipate a broad range of possibilities by taking into account the shifting conditions and pressures of a client's life. Workers use their store of experience and a client's ecology and biography to develop hypotheses and theories that they believe have potential for explaining past behaviour and anticipating future behaviour, which form a basis for ongoing negotiation.

This idea of hypothesis testing comes from Schon's (1983) research into how professionals think about work problems, that is, their reflection in action. He portrays workers as experimenters in their practice context, engaged in a rigorous experimentation process as they seek to solve practice problems amidst complexity and uncertainty. Schon suggests that workers develop theories about a situation using their experience of past situations, they devise hypothesis tests, evaluate the outcome of the test, reflect on the outcome to see if it produces a desired result, and test again if need be until the problem is resolved. In the child protection world, while workers do not explicitly state their use of this reflection-in-action process, how they talk and think is similar in form and function. For example, child protection workers fit current cases into their store of past

cases, devise and test hypothesis, evaluate the outcome, and test again if necessary. The reflection in action process, reliant on empirical testing language, implies an orderly process. The process is sequential, but it is nested in a larger context of uncertainty and contains numerous, cyclical micro-tests. The desired outcome in child protection cases, broadly conceived, is the balance of safety for children and help for families. The next section shows this process in action, and I illustrate this process further in Chapter 5.

Developing and testing theories. In this excerpt, the team received an intake from the police regarding a mother who coerced her 4-year-old daughter to call the police and tell them that mom had cut her wrists. When the police arrived, the mother was uninjured but extremely intoxicated. The workers alerted the dad, who was working in the Arctic Circle at the time, and he quickly traveled back to the city. Dad works out of the city eight months out of the year while the mom and daughter stay behind. Mom is Argentinean, and the mom and dad met when he was working in Argentina. She has no family in town and does not speak English well. There have been prior intakes with the family revolving around mom's use of alcohol. Here, Chris is updating Ken on the current status of the case and working out next steps.

I have an update on the Argentinean mother. I met with dad and explained why I had him meet with me. But he got really defensive and kept minimizing³² mom's drinking saying, "She's not drinking anymore." So I read through all the previous intake reports with dad, and the main theme was alcohol.³³ And he just kept minimizing her behaviour. I felt really bad, though, when it got to the reports

³² Minimizing is a word workers frequently use when describing a clients' reactance to a line of questioning. It indicates a client's attempts to downplay the importance or severity of the particular actions that workers find risky or harmful children.

³³ Reading through previous intakes is a negotiation strategy workers use with clients. It gives workers an opportunity to present some of the evidence for a case decision to clients, and for clients to respond.

about her claims to be in love and having an affair with the neighbour. As I was reading through the reports I could see the gears turning in his head. (Chris re-enacts the conversation with the dad) So I asked:

C- "Do you drink at home at meals?"

D- "Not anymore."

C- "No? How come?"

D- "When she drank wine her personality changed."

(Chris continues the narrative) So I said to him, "Looking over her past, if there is a history of personality change, my experience has been that person has a drinking problem."³⁴

K- Hmm...Sounds like she needs to engage with some alcohol programs.

There is a brief discussion about paying for a translator and how much it will cost for each session. Chris continues.

C- I interviewed the daughter, too. She's just the most precocious four-and-a-half year old.³⁵ She talked about "the policia," because she speaks Spanish, too. She said, "Mom drinks too much." (laughing) It's great; she knows all the family secrets! Now, she probably heard other people say that mom drinks too much, so I asked her, "What does she drink?" and she says "It's in cans." After the interview with the daughter I talked to dad, telling her what she said. He goes, "Well, she just heard other people say that." But then I told him she knows it's in cans. She

³⁴ Chris's analysis shows how she uses her repertoire to make sense of mom's behaviour.

³⁵ Chris has met the daughter earlier and describes her as extremely verbal. The other helpful factor is her age. Chris says she is just the right age to interview because "The perfect age to interview is 5-6yrs. They are very verbal, but don't yet have a concept of family secrets. At 7 or 8 they begin to realize that there are things about the family they shouldn't talk about."

has seen mom drink too much, and enough times to have an idea about what she drinks.

K- I think we need to have mom engage in the alcohol programs. Get After Hours to drop in for pop-over visits and fill them in on what's going on.³⁶ Mom can't drink when it's just the two of them or we'll need to remove the daughter. It just doesn't seem safe for the daughter.

C- My theory is that mom is lonely and isolated, and drinking is one way of coping with it. But dad is anxious to get back to work in the Arctic. He keeps talking about how he has to pay rent and can't be away from work for too long. So he says he will be leaving on Friday.

K- Say to dad, that if he's comfortable boarding a plane and leaving, knowing that all this is going on, there's a good chance mom will start drinking again and his daughter will have to be removed.

C- He told me he likes the idea of mom going to programs, but I wouldn't be surprised that if he leaves this soon he'll be back in a week or too because something will have happened.

Using theories generated through investigating clients' lives, workers devise tests to see if their theories are supported by client behaviour. In the above excerpt, Chris has devised a couple of theories that attempt to explain and anticipate mom's behaviour. One, mom has issues with alcohol, and two, those issues are exacerbated by her loneliness. Her

³⁶ Normal child protection hours are from 8:30am to 4:30pm, during which regular child protection workers handle local child protection concerns. After the end of business hours, After-Hours takes over, which are the on-call child protection workers. One of their tasks, among others, is to check in on children when asked. The pop-over tactic is part of a larger enforcement strategy to ensure that parents are following the terms of a supervision order, for instance.

hypothesis will be tested when dad leaves, in that mom might start drinking again and endanger the daughter, possibility necessitating her temporary removal.

It is important to note that Chris and Ken are concerned for the daughter's safety and emotional well-being, but they do not have a strong enough case to remove the daughter; their case would most likely not stand up in court.³⁷ Beyond the requirement that mom attend alcohol classes and the assistance provided by After Hours, they are legally bound from using more intrusive methods because the evidentiary threshold for further action has not been reached. Instead they strike a balance between helping the family by getting mom into alcohol treatment programs (along with a translator), and exercising their authority by testing mom's ability to abstain from alcohol and keep the daughter safe. The results of that and future tests, while uncertain, will provide the feedback they need to continue the negotiation process with the family.

In sum, workers negotiate with clients by thinking about them in terms of the activities they engage in. They attempt to make sense of client's behaviour 1) by contextualizing it in terms of a client's ecology and biography, and 2) locating it within their accumulated practice experience. From this sense-making activity and thinking, workers develop hypotheses and theories that they believe have potential for explaining past behaviour and anticipating future behaviour, which form a basis for ongoing negotiation.

Summary. Child protection culture becomes visible through workers' and the team's response to unpredictable, unique and complicated work "problems." I am suggesting that one way to interpret their responses is in terms of skillful negotiation, and

³⁷ Ken is very clear with his workers that they are not "baby and child savers," and while removals are a necessary part of child protection, at best removals should only be a temporary solution.

I have shown how this expertise works across four broad arenas of child protection: in a child protection team, with the local court, as part of a professional human service network, and directly with clients. But more importantly, I am suggesting that workers have a unique way of thinking and being on the job, beyond recent attempts by researchers to catalogue the knowledge base of child protection and the types of knowledge possessed by workers. Child protection is unique in that it is not necessarily purely social work or child and youth care, even though in British Columbia child protection is offered as an educational stream within these larger scholastic domains. As we wrote in Magnuson and Patten (2007) child protection work contains elements of law enforcement, investigation, sales, and therapy, but a worker's knowledge base is vast, encompassing a wide range of information about all the agencies and organizations in their local human service network. But workers are not just applying knowledge to practice problems. Their means are deeply connected to their ends.

Adapting an argument from Van Maanen (1990) a child protection worker's knowledge cannot be pulled out of context as stocks-of-knowledge stored in memory. Their knowledge is always situationally specific and tied to the matters at hand. In this way, practice problems are more dynamic dilemmas to be resolved than static puzzles to be solved. Their efforts are tuned to the conflicts and contradictions associated with the simultaneous demands on their time, fluctuating risks, shifting available resources, variable properties of the clients and colleagues with which they work, and the always uncertain probabilities of emerging work-related phenomena. An extension of this idea of situated expertise, Clark (2007) suggests that workers develop "practical reasoning" through direct engagement in practice, both during their initial professional formation and

afterwards and is a product of biography, character and personal disposition gleaned from knowledge, understanding and experience. Their practical reasoning “...is directed towards real-life goals and decision making in the arena of their professional responsibility” (p. 67) and contains elements of creativity, imagination and improvisation.

I suggested earlier that one way to think of culture is as a cultural repertoire containing the accumulated knowledge and recipes, strategies and procedures available to social actors for solving practice problems and dilemmas. Based on the above portrayal of child protection, a cultural repertoire is a useful and helpful way of thinking about the accumulated cultural expertise and practical reasoning workers use as they negotiate their way through and respond to the unpredictability, uncertainty and complexity of their work.

A Child Protection Repertoire

Table 5, below, is an extension of my initial analysis, shown in Table 3. It is the product of continued analysis of my data, developed through writing this results section. Table 5 contains a collection of workers’ practical strategies and activities comprising a negotiation-centered child protection repertoire. These strategies and activities are related to workers’ arena of professional responsibility.

Table 5

Cultural Components of a Child Protection Repertoire

Arena	Components
The Child Protection Team	<p>The mode of practice set by the team lead; e.g collaborative decision-making and problem-solving; strengths-based practice.</p> <p>Team lead balances “steering the ship” and worker autonomy.</p> <p>Equitable distribution of work.</p> <p>Knowing and managing the legal boundaries of child protection intervention.</p> <p>Workers and team leads have multiple roles, such as advocate or gate-keeper.</p> <p>Case consultations as pedagogy- workers learn from team leads how to look for strengths, recognize “red flags,” learn how to balance helping and enforcing activities.</p> <p>Cooperative interdependence among team members.</p>
The Local Court	<p>Manage professional self-presentation by “building up credit” with judges.</p> <p>Diplomatic use of communication feedback channels.</p> <p>Work out legal strategies with workers, team leads, clients and lawyers.</p> <p>Develop a collective framework for anticipating court rulings based on collective experience with the local court .</p>

Professional Agencies	<p>Understand and respond to other organizations' practice ideology, and legislation if applicable.</p> <p>Understand and respond to other organizations' perception of child protection and child protection workers.</p> <p>Educate other organizations on the role of child protection and its legal mandate.</p> <p>Adapt to frequent fluctuations in the human service network; e.g. staffing and ideological changes.</p>
Work With Clients	<p>Think of clients as bundles of activities, not as types.</p> <p>Contextualize client behaviour in terms of their ecology and biography.</p> <p>Use their practice repertoire to make sense of client activity.</p> <p>Develop and test hypotheses and theories believed to have explanatory power for past behaviour and for anticipating future behaviour.</p>

However, negotiation in child protection is not simply a matter of acquiring or mimicking a set of activities, or even reproducing similar sorts of strategies. A significant part of child protection is learning existential and ontological ways of approaching the work. One of the more prominent features of negotiation in child protection is the open stance workers have towards a perpetually shifting workscape.

Cultural ways of thinking and being. I have described the context of child protection in terms of unpredictability, uncertainty and complexity. But these characteristics are not necessarily negatives. Workers will plan into their day preparation for the unexpected, and they thrive on the unpredictability. A surprising part of workers' sustained interest in child protection is tied to the rapid change: No day is ever the same,

and they can never be entirely certain what the next day will bring. In a word, they are open. Open to possibility, open to new interpretations of cases, and open to surprises.

To illustrate, I show how experienced workers believe that there are multiple explanations for the life circumstance and behaviours of clients. Some explanations are readily apparent; others come to light only as workers become familiar with the complexity of client's lives. The ability to be open to multiple explanations, theories and interpretations of client activity and respond critically but appropriately to client need (as it is situationally defined) is an excellent example of the cultural, situated expertise and practical reasoning described by Van Maanen (1990) and Clark (2007), respectively.

Here, Chris was describing to me the concept of "community standards," a term with a long, historical legal precedence. Workers can use this concept when building a legal argument in cases of neglect. In such cases, the condition of the family home is often used as an indicator of a parent's incapacity to provide adequate care for their children on par with community standards.

On one hand, focusing on the state of the family home has been described as social work's continued "preoccupation with dirt" (Scourfield & Pithouse, 2006) and as part of an oppressive, hegemonic regime enforcing middle class values on poor people. But on the other hand, experienced workers can discriminate between a cluttered, lived-in house, and one that poses a clear threat to the health and safety of children. Chris has a helpful explanation for how workers think about community standards.

Clients ask about community standards all the time. One client, with a very dangerous house, was meeting with me and our lawyer and said "Community standards? You keep talking about community standards, but I don't know what

you're talking about! What the fuck are community standards!?" So the lawyer said to her, "Think of it this way: If you take five people off the street, bring them into your house and say "Kids live here" what would they say?" If they say, "Yeah, it looks lived in" or "Yeah, it's a bit messy 'cause kids live here" then fine. But if they go, "Oh my god!" then there's an issue. When we look at a home we're looking for safety, not necessarily whether it's messy. We're looking for rotting garbage in the home, broken glass, animal feces, accessible cleaning products, open medication, drug paraphernalia, that kind of stuff. A pile of laundry might look messy, but it's not a hazard...yet. If it's been there and starts to get all mildewy and adversely affects the air quality, or rodents are living in it and chewing on the children, then it becomes a health and safety risk.

This is one example of how workers think about messes in relation to community standards. The focus is not on mess, but on health and safety. But more importantly, workers do not focus solely on the mess; a mess as one of many factors to consider that most likely indicates larger issues that come to light during a thorough assessment. Workers strive to not foreclose too early on their conclusions from assessments, but to stay open to new information that could change their understanding of the situation. Chris continues her explanation.

But laundry piles could mean other things as well. Mom might not have enough money to pay her electric bill, and then can't run the clothes washer. She probably doesn't have a car, because most of our clients can't drive, for many reasons, so she can't easily get to the laundromat. And she can't take the bus cause she doesn't have the money for the trip. Or she may have the money for the bus, but

it's hard to take bags of laundry on the bus if you have kids, especially little ones, and spend hours at the Laundromat. (pause, for effect) Or she may have a drug problem and that's where all her time and money goes! It's about choices...

This illustration shows how Chris is using her cultural repertoire. She is considering the possible life circumstances connected to a messy house, the possible combinations of a client's behaviour and thinking that might lead to the current condition of the house, and fashioning them into an evolving theory about the situation. She is also approaching this case and by extension other cases with a sense of openness; openness to the unexpected, and willingness to engage with complexity.

To summarize, child protection as a culture of negotiation is not only the strategies and actions the team undertakes; it is a combination of doing, thinking, and being amidst uncertainty, unpredictability and complexity. Maintaining a stance of openness necessitates a culture that fosters and nurtures patience and perseverance for negotiating with difficult clients, creativity and imagination in formulating case plans, adaptability and flexibility in managing judicial setbacks, persuasion and persistence with uncooperative professional agencies, and the cognitive ability to work within a context characterized by a perpetually shifting workscape. In the next chapter I offer an example of this culture of negotiation through a longer interaction between a child protection team and a client family.

5. Results: Negotiation in Everyday Practice

The excerpts I used in the previous chapter to illustrate the arenas of negotiation are cross-sections from the everyday life of workers. One potential downside of fracturing everyday life into excerpts is that it runs the risk of lessening the compelling quality of the work such that we do not get to see how the events of a day fit together and flow from one into the next. In this chapter I offer a long excerpt from my fieldnotes to remedy the cross-sectional character of my results chapter. The story developed over three days and comprises roughly six hours of observation and interaction. Some of this time is direct, real-time contact between workers and clients that I heard about but did not observe, and some of the time is workers' accounts of past events brought to bear on the present.

The rhetorical power of this long excerpt is that firstly, it shows child protection practice in terms of Fine's (2003) concepts of interaction, (workers collectively constructing a course of action through events) culture, (workers using their negotiation repertoire) and social structure, (the socio-legal constraints and opportunities provided through legislation). Second, this excerpt accounts for the added dimensions of time and information. If hindsight is 20/20, then reviews of fatalities of children in care or known to the ministry are prime examples of this principle. Reading such reviews have the benefit of seeing a case unfold in narrative time, that is, seeing the entirety of events that led to the fatality but with the foreknowledge that the child died. From this omniscient perspective it is easy to skip back in forth in the story and see who knew what and when and draw conclusions about the quality of practice. But in the practice world, workers are "trapped" in real-time. The interventions they propose and the strategies they develop

using their cultural repertoire are based on the information they possess about the situation *at that time*. As Clark (2007) writes, “[p]ractical reason functions in real time where problems must be dealt with upon the instant and without the leisure to explore their ramifications in full detail” (p. 68). As such, the outcomes of an intervention or strategy are uncertain giving workers’ interventions a tentative and emergent quality. This chapter illustrates how workers simultaneously negotiate multiple arenas of practice using their cultural repertoire to provisionally respond to the unpredictability and fluidity of their work.

Day 1.

I encountered this case after BFS’s morning intake meeting on a Wednesday. Ken invited me to a meeting he had scheduled with Allen, the acting team lead from another Maryland team, to discuss a case that flared up Monday, two days previous. On that Monday, a father came into the Maryland office looking for his caseworker, Jess, who was not in at the time. She was away from the office working on another case. Dad’s access to his two boys had been temporarily restricted because of an incident the previous Friday when he was physically threatening his partner, the mother of his two boys. The mom became afraid of him, fearing that he would turn violent towards her and the boys, and called the police. They arrested him and placed him in jail for the weekend.

Upon dad’s release on the Monday following the incident, he came to Maryland to talk with Jess about regaining access to his children. Jess was not present, and neither was Allen, who would have talked with dad in Jess’s absence. For reasons that were not entirely clear at the time, dad became agitated and verbally abusive to the front desk staff. Ken, the only team lead in Maryland at the time, stepped in to defuse the situation and

coordinate the response. Ken had to debrief Allen on the situation because Allen's team has responsibility for the case. Here, Ken and Allen are talking about the case.

A- So, what happened yesterday?

K- Dad had been walking around the building on Monday. And yesterday, Tuesday, he came in looking for Jess (his primary worker), but she was away. He was really agitated, and kept pacing around the lobby and wouldn't leave.³⁸ He kept saying, "Fuck this" and "Fuck that." He didn't seem right, like he was coming down off of something. He kept saying that he wanted to see his boys.³⁹ He said, "I'm going to get a lawyer!" like it was a threat, and I said "That's great, that's what we want you to do!" That caught him up short; he wasn't expecting that.⁴⁰ He said he'd quit his job yesterday so he could get legal aid, but he still didn't qualify. So now he doesn't have a job. (sigh). I said "Look, I can book an appointment with Team Lead Allen, and you can see him tomorrow to talk over what you want to do."⁴¹ In between his rants he stopped and said, really calmly, "How much do you make an hour? I wish I could stand around and do nothing

³⁸ The location of this altercation is important. Ken has to address the immediate safety of the administrative staff and other people in the lobby. The admin staff is the first contact with clients at the office, and they often bear the brunt of any frustration or hostility. Dad was behind the magnetically locked security door, but next to the security door is the main desk where staff sit. At just over a meter high, the desk leaves plenty of space so that someone with sufficient motivation could easily hop over. Also, Ken has to manage the safety of non-Ministry employees. It is not uncommon for workers to deal with loud, aggressive clients, although the setting is usually less public, such as a lawyer's office or the client's home. But in the lobby a clients' behaviour turns threatening when bystanders (e.g. other clients, children, or professionals) might become potential targets for hostility. In these situations, a workers task is not just to contain the situation but to defuse it as well.

³⁹ Ken's opening begins the problem framing process: Dad is acting erratically, in the front lobby, and he represents the potential for violence. Ken references dad's desire but inability to see his children as a potential theory about his behaviour.

⁴⁰ Threatening the average citizen with legal action would ordinarily produce some anxiety, but workers encourage clients to seek legal advice. Clients ought to have legal representation when determining custody of their children. It is also a protection for workers as well.

⁴¹ Ken is attempting to negotiate with dad using a redirection strategy to convince him to come back at another time, after dad has had a chance to cool off and be less agitated. Also, Allen is the Acting Team Lead for the team and has jurisdiction over the case.

like you and get paid for it.” Then he told me he had applied to the Victoria police department to be an officer! It was really weird. But he just kept yelling and yelling, and it was approaching 1pm and people were coming in for supervised visits and there were kids around and he was just out of control. Finally I told him, “I’m calling the police” which I did. It took 45 minutes for them to get here; can you believe it?⁴² Fortunately I had Colin back me up, which was good because I didn’t know if he was going to get violent. When the police came, they just firmly told him he needed to go and made sure he left the property, which he did. He was in pain and kept saying “I haven’t taken a piss in 7 days! Do you know what that’s like?!?” And I was like, “No, I have no idea what that’s like.” But how can that even be? I mean, 7 days? After he left I said to Elle (a senior worker on Allen’s team) that mom and the boys needed to get to transition house right away. He was really scary.⁴³

⁴² Since Ken’s attempts at negotiating with Dad are unsuccessful he enlists the help of another professional organization, in this case the police. Maryland has a recent history of violent men becoming angry and dangerous in the office. His phone call to the police is an experiment, rather than a tried and true strategy, because the result is uncertain. To clarify: when defusing situations, workers are generally reluctant to call the police. The police response, in terms of the time it takes to arrive and the manner of their response, is variable. Sometimes, as in this situation, the police take a long time to respond, increasing the risk to staff. When they do arrive, how the officers participate can depend on a host of factors not readily apparent: how close they are to shift change, their personal bias about child protection’s mandate, sympathy towards clients, etc. Subsequently, the outcome of engaging the police is uncertain. Since their cooperation with the worker for the given situation is not guaranteed, their participation becomes another unpredictable variable workers have to factor into an already complicated situation.

⁴³ Once Dad leaves the building, Ken and other workers must turn their attention to more pressing concerns. The action principle for this situation can be stated as a syllogism (Becker, 1998): Aggressive and threatening behaviour by parents and/or care-takers may be a sign that the children are at risk of being harmed. Dad is behaving erratically and making threats of violence. Therefore the Ministry, through the worker, must act to protect the mother and children. They do so by persuading mom to take the children to transition. Their decision needs further explanation: As delegated agents of the Ministry, workers are legally bound to protect children. By requesting that mom and the boys go to transition, the workers have constructed two hypotheses to assess mom’s capacity to protect her children. Hypothesis One: Mom will recognize the risk posed to her children and a) go to transition with the boys, or b) formulate a different plan with the workers to keep the boys safe, for instance going to stay with a trusted friend or family member. Exercising either of these options will demonstrate she has the capacity to protect her children from potential harm. Hypothesis Two: She will refuse to go, for whatever reason, demonstrating the incapacity to protect. And so, when asked to go, mom complies. Given the evidence (mom’s compliance)

After Ken finished the outline of the case he offers an initial plan of action.

Here are my thoughts: I don't think Jess should meet with him alone. I can meet with him again, or you can, and have someone with.⁴⁴

Rather than committing to a course of action right away, Allen begins asking probing questions about Dad.

A- Do you know what's wrong with him?⁴⁵

K- I have no idea, if its got something to do with using, or what. But the pain just makes him so unpredictable.

A- (picking up a pen and notepad) Is he get-a-hold-able?⁴⁶

K- Yeah, he has a cell phone but it's out of minutes. And he doesn't have a job anymore so we can't get a hold of him there.

A- Sounds like he's slipping...Do you know what his drug of choice is?

K- Cocaine. And mom keeps egging him on a bit too, which doesn't help. She was like "It's hard to keep him out; I want to let him in!"⁴⁷ Plus, Dad spent the

the first hypothesis is confirmed, while the second is disconfirmed. Therefore, mom can retain custody of the children, for the time being. There are issues with requiring mom and the children to go to a transition house. For example, leaving an abusive partner does not mean that women are safe. Sometimes it may place them in greater danger. Also, workers do not necessarily like asking the non-offending partner to leave believing it can be disruptive and sends the wrong message to children. The problem is that transition houses are part of society's limited (my idea) response to intimate partner violence, not necessarily the preferred choice for women or workers.

⁴⁴ This is a tactful approach by Ken. Ken has over a decade of experience in child protection. Allen is an experienced worker as well but is only acting team lead. Ken's approach is based in his firm belief in collaborative practice, in that decisions are made with participation from all team members, regardless of bureaucratic, hierarchical position.

⁴⁵ This question is part of an ongoing experiment as workers ask questions about the case to determine its features. Over the course of the exploration process, in this case a couple of weeks, multiple theories emerge about dad and mom that might have some explanatory power over their situation. These theories will in turn be tested and either be affirmed or disconfirmed.

⁴⁶ The question of whether or not it's possible to contact clients is quite common. Workers cannot count on clients having ready access to a phone, email, or a stable living arrangement.

⁴⁷ The issue here is that part of the safety plan was for dad to temporarily abstain from contacting the family. But mom is not holding firm to the safety plan, so dad is getting conflicting messages: She is, in a sense, egging him on to violate the safety plan.

weekend in cells for making violent threats against mom, so I'm not sure what effect that had on him. It must have been rough.⁴⁸

At this juncture, there are a number of hypotheses about Dad, but more information is needed, which arrives when Jess and Elle walk in. Jess is the primary Family Service worker for both dad and mom, but Elle was the one who worked with mom in Jess's absence.⁴⁹ Jess begins relaying her information about the case, and Ken and Allen continue with their probing questions, which help dimensionalize the situation. The workers have a general sense of what dad is like. Now they need to know if there are concerns about mom and whether the kids show any signs of mistreatment or adverse affects from their parents' conflictual relationship.

J- Mom was feeling really sad about the boys not seeing him before they left.

She's like, "They didn't get to say goodnight to him!"⁵⁰

⁴⁸ Throughout this the preceding portion of conversation, Ken and Allen have been working with mom and dad's biography and ecology, alternately asking questions of the data and interpreting the evidence to construct theories that might explain both their behaviour, but primarily dad's. Allen asks: Do we know what's wrong with him? Do we know what type of drug(s) he may be using? From the data the questions elicit, they develop some initial ideas that might explain dad's behaviour. For instance, he might be using. Part of a workers repertoire is knowledge about different types of drugs and their physiological effects on the human body, which workers can connect to client behaviour. Cocaine, for instance, is a stimulant and might contribute to a client's erratic behaviour. Also, dad is in emotional and physical pain, which they believe is making him unpredictable. Mom's behaviour, too, may be playing a part through "egging him on." Also, they believe spending the weekend in the city jail would have been a difficult experience. And finally, he wants to see his children, but is not allowed unless supervised. In sum, any combination of these factors may be contributing to his unpredictable, potentially violent behaviour.

⁴⁹ Workers frequently cover for one another, e.g. going to court for a case that is not theirs, answering a phone call from a client when a co-worker is away, or covering on a sick day. Workers have to use their judgment when agreeing to fill in, weighing the request against their own workload responsibilities. But in emergency situations, like this case, the immediate safety concerns take precedence, and so Elle fills in for Jess. Not all requests to provide cover are unpredictable, though. Holiday requests, for example, are scheduled in advance. However, my emphasis is on the instances when requests are surprising and how they are managed.

⁵⁰ This is another piece of evidence that they use to add to their theory about dad and mom's relationship. That she feels bad that the boys didn't get to say goodnight may indicate that dad and mom are not always in conflict, a possible strength (Turnell and Edwards, 1998). It's also a likely indication that she's concerned about the well being of the boys.

K- Here's my suggestion. Talk to him on the phone; see where he's at; he might not be able to come in depending on what state of mind he's in... I feel really bad for him. It's so hard to not see your kids.

J- I'm so annoyed I wasn't there! I've been working with him for over a year now. (Jess throws her hands up in the air) If I'd been there I could've been like "Hello?! Dad, what are you doing?!" and try and calm him down.⁵¹

K- Yeah, he's never been abusive to Jess.

J- No, he's always been fine with me.⁵² (switching topics) What about his mental health?⁵³ He's so scattered. When I talked with him on the phone today he kept saying, "I just want to see my kids!" But how could I let him in that state?⁵⁴ I think he's just really frustrated. He's just so frustrated by the system.⁵⁵ (silence in the office for a moment)

K- What about mom?

J- She won't do anything without instructions. She feels badly about what's going on.

A- Is there any domestic violence?

J- Ummm...They have an icky relationship. They fight all the time, verbally, and there have been incidents of domestic violence in the past, but nothing sustained.

⁵¹ Jess's claim to be able to calm him down is a good use of relationship (Trotter, 2004), in that her relationship with dad would have been useful for creating immediate safety.

⁵² This is another piece of evidence added to the emerging theories about dad. The recent potential for violence he is exhibiting is uncharacteristic.

⁵³ Mental health is another feature of a client taken into account by workers. They are not therapists or psychiatrists but do have extensive knowledge of psychiatry and psychopharmacology. That is, workers are familiar with psycho-diagnostic language and the drugs commonly used to treat mental health issues, which they can connect to a client's behaviour.

⁵⁴ Here is another use of child protection's legal mandate. Jess is not letting dad see his children for the sole reason that he presents the potential for causing immediate harm.

⁵⁵ Workers know how difficult the system (i.e. the local network of human service providers) is for clients to navigate. It is a continual source of frustration for both workers and clients.

But they don't trash each other to me, which is surprising. There's no "That bitch" or "Fuck him."

A- What about the kids?

E- (smiling) Oh, the kids are great! They're happy, and very cute. (The boys are five and four) They love their mom, and dad too. They definitely have a bond with both parents. They know something is up with mom and dad, but it doesn't seem to be affecting them.⁵⁶

Jess continues with a part of the story that illustrates mom's cooperation with the process in spite of her own personal challenges and the difficulties that both mom and Jess experienced along the way.

J- Mom was doing pretty well considering the stress. We had to call the shelter on the way there. I asked if they had any empty beds, but they said they wouldn't let me know until they talked to the client. So mom spilled her guts to the intake worker, in the van, with her boys present, about all the drugs she's taking, all the bad stuff that's happened; her entire shameful history. And then they said "Nope!" Oh, I was so angry! I got on the phone and I said, "I'm trying to make an immediate safety plan, and you are not helping me." They're the women's shelter for Christ's sake! And Mom's in the back, cheering me on as I yell at the worker!
(general laughter)

⁵⁶ The questions about mom and possible domestic violence are part of the continued test throughout this case discussion. Mom does not do "anything without instruction," an indicator of her full compliance. And, tellingly, even through mom and dad fight (verbally and sometimes physically) they do not bad mouth each other. This could mean they have basic respect for one another, another possible strength. But most importantly, the workers need to assess the well-being of the boys. Elle reports that they are happy and appear to be bonded to mom and dad, indications of their general well-being. Workers believe that their assessment has validity because a lack of a bond and sadness would indicate that something is not right not in the home. A lack of a bond or sadness might not necessarily signify mistreatment per se, but would warrant further investigation.

A- What happened? Why wouldn't they let her in?

J- Apparently because she had used coke a few days ago. They have to be clean for a certain amount of time before they can be let in, which is crap.⁵⁷ There are so many women who use while in transition. Anyway, so there she was, drinking her methadone in the van-

K- (interrupting) I thought she was into heroin?

J- No, she used to have a morphine addition, for almost 14 years. I have no idea how that started; I haven't had a chance to read her entire file. (chuckling) It's really long! But she's trying to cut down on her methadone because she's getting pressure from dad. But geez: lowering your meth and trying to get off coke? That is not a good combination.

K- What's her dosage at?

J- 190. She was at 195.

K- Oh my god.

J- I know! But they had her up to 250 when she was in rehab. They bumped her up so high. I have no idea what they were thinking.

A- So. Where do the kids go when she uses?

J- She puts the kids in day care, she'll go and do a line at a time and then be good for a week.

⁵⁷ Jess and Mom's ordeal gaining access to a transition house again highlights the difficulty of negotiating with other professional human service agencies. Like contacting the police, the participation and cooperation of other professional agencies is unpredictable. Each organization is beholden to their own institutional policies, practices and legal mandate, which may or may not be complementary to the needs of a child protection worker. When an intervention plan is stymied, as in this case, workers have to negotiate with the front line staff of the agency. Here, Jess tries to plead the urgency of her need by stating that she is making an immediate safety plan. When her plan fails, a new plan has to be made on the spot.

A- Oh, OK, well that's no big deal.⁵⁸

Jess starts a new line of explanation that adds another dimension to the situation.

J- But the problem is that Dad can't get legal aid.⁵⁹ He's just melting. And she's got the deck stacked in her favour because she's hooked into the system. She got a lawyer because she's receiving assistance. I keep asking her, "What are you going to do? Do you want to share custody?" She says she doesn't mind sharing, but then they won't get housing. BC Housing will only cover housing costs for one parent, and that person has to have at least 60% custody. She's on the system, getting financial aid, while he's got the lease on the house and paying for them to live.⁶⁰ She's fine with joint custody, but they can hardly be in the same room without sniping at each other.

⁵⁸ This section on Mom's drug use is important. The conclusions the workers draw from their investigation will affect their assessment of mom's parenting capacity and therefore the location of the boys. Mom has significant issues with drug use: She is not only managing a morphine addiction through methadone treatment, but she also has episodic cocaine use. The choice of wording here is deliberate and comes from an MCFD Practice Guideline on parental substance use (MCFD, 2003). While not legislated practice standards, Practice Guidelines are a framework for interpreting casework phenomena, in this case parental substance use. Mom still retains custody of her children because she is "recovering" (i.e. "return to health" p. 4) from her morphine addiction through her use of methadone. Her cocaine use is "episodic" because it is "made up of separate, loosely connected occasions" (p. 9). The key to understanding the conversation is that "In spite of the potential impact of parental substance use, it is important to remember that substance use in itself does not constitute a child protection concern" (p. 6). By placing the boys in day care when she uses, mom is demonstrating her capacity to provide appropriate care, unhindered by drug use. Workers would rather that she (and all clients) would choose not to use drugs, but their mandate is to protect children, not necessarily make and act upon moral judgments about what parents do with their discretionary time.

⁵⁹ This is a difficulty because, as I noted above, judges want clients to have a lawyer when decisions about custody of their children are being made. Without legal representation there is the possibility that the case will move slower.

⁶⁰ At issue in this passage is the legal mandate of child protection in regards to how far the State's duty of care extends. Workers' primary duty of care is to the safety and well-being of the child and if necessary the *custodial* parent. This distinction between custodial and non-custodial is important, because it determines who can and cannot receive MCFD support services. When parents legally separate (i.e. divorce) and go before a judge for a custody ruling, the court usually rules in favour of one parent (or assigns joint custody in some cases), thereby bestowing on them custodial status. If the parents are not legally separated and the court has not ruled on custody, then the duty of care is extended to the parent who is *apparently* the custodial parent. The appearance of custody is usually determined by where the children normally reside, who provides a larger portion of financial and material assistance, the perception of the child, etc. In this case, dad and mom are not married, and the boys have typically spent more time in mom's care. While dad

Ken left during the last section of conversation, effectively leaving the situation with Allen. I ask an open question to the workers to see how they are framing this situation.

N- So, how are you all thinking about this case? What would you say this is about? Obviously there are issues with drugs and domestic violence...

A- It's mainly about drug use, but also about dad's behaviour.

J- Last Thursday mom asked dad to leave the house after a major argument because of his increasingly erratic and potentially violent behaviour. On Friday mom had changed the locks on the door and called me. I went over to visit mom and we put in place a safety plan that dad was only allowed supervised visits until he no longer posed a threat. On Saturday he had come back to the house, persuaded mom to let him in, but then he started escalating at home. Mom called the police to the house. He was arrested and taken to cells for the weekend. But then he came here once he got out of cells and that's when Ken had to deal with him.

Allen explains more.

(Allen looking slightly guilty) So, in a way we're threatening mom, saying that if she doesn't go to transition house and protect the kids, we're going to have to remove them. But at least we're not being dishonest; we've been really upfront with her. The other piece is around potential risk, that dad might hurt the kids. He may love his kids, which is pretty clear that he does. He takes the boys for long walks on Sunday's during his visitation time, and they'll go get ice cream. And

does provide some financial assistance, mom is deemed the custodial parent. Therefore, mom gains access to services, dad does not, and the workers believe it is another contributing factor to his 'melting.'

the boys really have a bond with him. But when he's using, it's hard to say that he wouldn't hurt mom or the boys, and we have to respond to potential harm.

Allen turns to Jess and begins formulating a plan of action,

A- OK, you're going to be gone till next week, right?

J- Yeah, I'll be back after the long holiday.

A- I'll tell Dad you're back next week and you can meet with him then.

J- (looking apprehensive) Ummm...He'll flip if we tell him that. We need to make a decision about him seeing the kids.

A- Can we get Leigh (family-based youth worker) to do some supervised visits, say, even at the park?

J- That could work. One thing he hears wrong and he'll spiral.

A- OK, well I'll give him a call and then let you know.

After this statement, the meeting breaks up and Elle engages Allen in discussion about another case. After Allen and Elle finished talking about the new case, I continued to talk with Elle. I did not hear anything further until the following week when I returned to BFS.

Allen provides a synthesis of the team's exploratory findings. The practice problem is set in terms of the protection concerns; that is, mom and dad's drug use and dad's potentially violent behaviour, which they must respond to. To address these protection concerns, they are forcing mom to make difficult decisions about herself, her children, and her relationship with dad, but they are being honest and upfront with her about their intentions and methods. They have assessed the concerns and strengths of the parents through their investigation, and on the whole the children are safe and doing well

in their mother's care. In addition the team has used the information about dad to construct theories that offer some explanation for his recent erratic, but uncharacteristic, behaviour.

The next step is to test the interpretations they have constructed in the office, with the family. The time has come for another experiment to test their hypothesis, in the form of contacting dad and setting up a supervised visit. Speaking to dad and observing him interact with mom and the boys will produce more data for analysis. The interpretations constructed will be affirmed or denied, and the underlying theories can be surfaced, criticized, restructured, and then tested again.

Day 2

That morning I arrived at my customary 8:45 a.m. time and walked down the hallway towards Ken's office. On my way, I noticed Jess sitting in her office and I thought it would be interesting to find out how the dad and mom case was progressing. She had been away since Friday and was only back in the office today, Wednesday. Over the weekend she received a number of phone calls on her cell phone from both dad and mom. A thought occurred to me as we were talking.

N- Can I ask you an odd question?

J- Sure.

N- Do you like mom?

J- (laughs) Yeah, I do!⁶¹

⁶¹ I constructed the idea that workers can develop affection for their clients over the months I was working with the team. I noticed that it is not uncommon for workers to express their genuine care and affection for clients (without prompting) during case discussions. However, as will become apparent through this case, regardless of how much a worker cares for a client, they still ensure that their mandate takes precedence in the relationship. Skilled workers clearly delineate the separation between "friend" and "delegated child protection worker" and work to maintain the balance between their helping and enforcement functions. If

N- So, I've noticed that workers seem to like a lot of their clients. They develop a deep affection for them, even though clients do really bizarre things or annoy them at times.

J- Mom is really funny, in an odd way. She will call and she'll do the whole friend-thing: "How are you? How's your daughter? How are you feeling?" And then she'll tell you what she needs. Some times I'll cut her short and be like, "I'm fine, what do you need?" and then she'll go, "Oh, what's wrong?" I think she just wants a friend. She has real boundary issues, though. Like, she'll just let people into her life. When I went with dad to get some clothes for him to leave, we went down into the basement to get a duffle bag. It had been left by a woman mom had let live there for a while. When the woman moved out, she left a bunch of luggage behind. Well, dad went to put something in the front pocket of the bag and when he put his hand in it was full of used needles! He flipped out because he could have poked himself with a needle. I looked at mom and her eyes were huge; she had no idea they were there, in the bag. Once dad realized that she didn't know he calmed down. I said "As your social worker, I would strongly advise you to dispose of those immediately." Mom just doesn't have any boundaries; she's just looking for friends.⁶²

Having re-read my field notes from last week before this morning, I remembered that the boys were reported to be happy. I ask if that's an indicator that they're doing well.

workers "forget" their mandate, children can be put at risk, but if workers are too heavy-handed, clients are repelled (Trotter, 2006). Striking the balance between the two is part of the artistry of child protection.

⁶² Jess's theory that mom is looking for friends parallels one of the findings of Winefield and Barlow (1995) that one outcome of agency contact that clients value most of an intervention is the reduction in their extreme social isolation through their relationship with a worker. Her theory is born out of data accumulated over a year of work with mom, from which the needles-in-the-bag incident is part.

J- (pauses for a moment) Well, they're happy, they love their mom and dad, and they're bonded.⁶³ But they do have some speech issues. It's mostly with articulation, not with forming the thoughts. They go to daycare, and the daycare has never reported any problems. Mom feeds them really well, too. Way out of her budget, I'm sure. I mean, their favourite food is bananas.

N- That's surprising; fresh fruit is expensive. It's not like buying Twinkies or HoHos.

J- Oh yeah. See, what we could do is set her up on a food program, but mom just can't follow through. She's a bit funny, though. She's cooperating. She wants us in her life. She'll say, "I need you to help keep me right!" She's extremely compliant. She agrees with everything we say about her drug use. She knows she shouldn't be using coke. She's a worker's dream! But she just can't help being an addict. She's had a morphine addiction for 14 years, and now she's on methadone and using cocaine sporadically.⁶⁴

N- Do you think you have enough evidence to remove?

⁶³ Workers draw heavily on attachment theory.

⁶⁴ My question about the boy's well-being offered an opportunity for Jess to reflect on how she came to the decision that the boys are safe and well with mom given the conditions of the family. What it shows is the balancing process of strengths and concerns that workers use to reduce uncertainty and assess a child's safety and well-being. On the one hand, Jess knows the concerns she has with mom: her boundary issues, lack of follow through, drug use, conflict with dad. But on the other hand, mom has some positive qualities: She feeds her children well, she's friendly and extremely cooperative, the boys are happy and love their parents, and the boys' daycare has never reported a concern. The last point is one of the more important interpretations. Workers rely on people, whether the general public, friends and relatives of the family, or other agencies, to "keep tabs" on children. Because daycare workers generally see the same children on a regular basis, they will be among the first to notice if anything is amiss. The fact that they have not speaks volumes for the general well-being of the boys.

J- (looking thoughtful) Well...we could now with the dad's recent behaviour and if her cocaine use puts the kids at risk. But before, I'm not so sure.⁶⁵

Out of the corner of my eye I see Allen walk by the office door. Jess sees him and shouts,

J- Do you have anything to update me with?"

A- (Allen turns and comes to the door) Well...it's OK now. He came in almost every day last week, and he came in yesterday. I took a bunch of case notes that I'll send you in an email.

J- OK, I'll look for them.

Jess tries to log in to MIS. The computer beeps; it won't let her in. She closes the MIS window, tries to reopen it. Waits a couple seconds, clicks on the icon again. Nothing happens. Clicks on the Start menu, which pops up. Clicks out of menu, then on the Outlook icon. Email pops up. Jess: "Well, I'll check MIS again in a couple minutes."

Jess returns to going through her email, trying to catch up after five days away from the office. I sit quietly and fill in my fieldnotes. Suddenly Agnes pokes her head in the door.

A- Mom is on the line. She's at the hospital with one of the boys. Do you want to take it?

J- Oh, Jesus. (sigh) Yeah, I'll take it.

We wait a few seconds in silence for the phone to ring, which it does. Jess picks up the phone.

J- Hello? Hi. I'm good, thanks...I don't even know what's going on...I need to get caught up...I told dad last week we wouldn't do this every day...I'm here in the office all day. I don't have anything booked because I knew I would be

⁶⁵ But the balance has either shifted or it may shift. Jess is only just back into the office and does not yet have enough data to make that call. Jess will have to investigate the situation before coming to a conclusion.

playing catch-up today... You can meet me here when you're done, or I can meet with you at the hospital... What's been going on while I've been gone? (the next few minutes were quiet as Jess listened to mom's story)... Where's your prescription at?... Do you need to go in daily?... Well, he feels that everyone is helping you, but he can't get any help... As long as it's not setting you off to use... OK, well let me know what happens with your son. Bye.⁶⁶

Jess hangs up and describes the conversation.

J- Dad's demanding mom submit to drug tests twice a week. If she's using heavily she's at risk of losing her kids either from him or me! She missed a drug test last week, so I need to find out what that's about. Dad's been following mom around, too. He just wants to make sure that mom's not using so the kids are safe, which is totally understandable. He went with her to the pharmacy for her daily meth dose. The pharmacist will let her run up a small tab for things like Tylenol, to help her with some of the pain she has.

I'm interested to know why mom is taking Tylenol. I ask if she has other medical issues.

J- Well, her teeth are rotten, from all the drug use and just not taking care of them, so they hurt all the time. At one point we had her set up to get all her teeth removed and get fitted for dentures, but she just didn't follow through, for whatever reason.⁶⁷

⁶⁶ With one of the boys in hospital, the situation gains complexity. It is another variable that needs to be factored into Jess's response.

⁶⁷ As I mentioned above, Jess has to seriously consider whether to remove the children from mom's care. While she may care for mom, her ultimate priority is the children. At issue now is her skipped drug test, which fits into a larger pattern of her difficulty to follow through with a plan. Follow-through is another type of Hypothesis Test workers use, in that the ability of a client to follow through with a plan confirms or disconfirms a hypothesis. As one worker described the process, with clients they assess the current situation, formulate a plan, watch for follow through, and then re-assess.

Linda, another admin person, interrupts us. She comes into the office with an intake report from the police, which she hands to Jess.

L- I think this is yours. It's BHT 206.

Jess takes the sheet and looks at it.

J- I'll look into it once I can get back into MIS.

L- OK, thanks.⁶⁸

Linda leaves, and Jess tries to get into MIS again. No luck; the computer is frozen. She restarts her computer with a sigh of frustration. Agnes comes to the door.

A- Cranky pants is here again.

J- Dad?

A- Yeah, the guy from last week, and yesterday.

J- (adamantly) I'm not meeting with him! I'm not up to date on the case.

A- (thinking for a second) OK, I'll talk to Allen.

Agnes turns and goes down the hall to Allen's office. In the meantime, the computer is still rebooting, so Jess hand-writes case notes on her conversation with Mom, and I continue to write field notes. Allen, on his way to meet with Dad, walks to the door.

A- Hey.

J- (turning to face him) I'm not meeting with him! I don't even know what's going on.

A- (pauses for a second) OK, I'll meet with him.

J- Are you OK with that?

⁶⁸ This exchange between Jess and Linda again underscores how unpredictable the work can be. Jess now has another intake to try and solve; only now her attempts will be hindered by bureaucratic and technical issues. Like a plot device from a movie, Jess's attempts to access the MIS database provides a parallel narrative to the main problem solving activities at hand.

A- Yeah, I'll go talk with him.⁶⁹

Jess looks back at the computer screen; the computer has rebooted. She clicks on Outlook and her email pops up. She reads an email from the System Administrator.

J- My voicemail is full?! I didn't even think Ministry email could get full.

N- Yeah, there's only so much memory per account. You either have a ton of messages, a few really long messages, or both.

J- Hmmmm...It's probably full of dad's rants from the weekend.

Jess starts to read the case notes that Allen sent via email. I sit patiently, jotting down fieldnotes, waiting for Allen to return. I don't have to wait long. Allen comes back with an update.

A- (looking a bit stricken) So, he's crying now.

J- Oh my god.

A- He's really losing it. He thinks he's going to file a lawsuit against the Ministry and win big. He said, "Allen, when I get my settlement, I'm giving it all to you so you can do a better job."

J- Did he say who his lawyer is?

A- No, but he said she was a woman.

⁶⁹ This section demonstrates the negotiation that goes on between workers in response to the unpredictability of the work. Also, there is a bureaucratic/organizational dimension to the situation. Jess was away from the office for five days, counting the weekend, using some of her summer vacation days. In BC, child protection is a unionized occupation and workers are guaranteed a certain number of days off. In most occupations taking time off is less of an issue. In child protection, a worker's clients do not take time off. But the bureaucratic organization of child protection is not always aligned to the needs or wants of clients. This is not meant to be a negative criticism. I am by no means advocating that workers be accessible to clients 24-7. Rather, I am suggesting that a misalignment between the organization and its service users produces situations where workers frequently need to cover for one another, requiring maximum flexibility by available workers. In this instance, Jess is not up to date on the case, and even though dad is her client, Allen still agrees to negotiate with dad.

J- How can that be? I mean, he was denied access to legal aid. He can't even afford a lawyer!

A- (pause) He wants a supervised visit.

J- Well, their son is in the hospital.

A- Jesus...

J- Yeah, I know. Mom said he even followed her to church, got down on his knees and begged her not to leave him.

A- He's claiming he's a politician now, did you know that? I was talking with the boys, and they're like, "Dad's not a painter anymore." It took a few minutes to understand what they were saying he did now, because of their speech issues, but he's saying he's getting into politics.

There is a momentary pause while both think for a moment.

A- OK. We'll set up a visit. That way we can say we've tried to work with him, but if his behaviour continues, we'll have to end it.

J- Do we do the visits here? If he comes in, one of us would have to be here. What plan do we make for the girls at the front desk? I don't think we want him here, though, considering his erratic behaviour.

A- I agree. Just now he was in the waiting area and waving his arms around, and pacing, and shouting. (Allen stands up and imitates Dad's mannerisms and hand gestures) "OK, I'll go get assessed if that's what you want. You're the big government man, you can tell me what to do."⁷⁰ He's got a new name for me. He goes, "Allen, you're a goofball." That's what he called me, a goofball! (he laughs)

⁷⁰ As I described above, psych assessments are a tool used by both workers and clients to help bolster an argument they are making before the judge, or the judge will order one. Here, Allen has suggested to dad

J- What are we going to do? (pause)

A- We could meet in a park.⁷¹

J- Hmmm... That would work. We could set it up for tomorrow, but their son may still be in the hospital.

A- So in the future, if he come here he asks for me? Or Valerie or Danielle? (They are all the Acting Team Leads)

J- (laughs) All the other team leads are gone? Everyone here is acting?⁷²

A- Yup!

J- Well, let's give that a try. If the visit doesn't go well, and he's still acting erratically, there's nothing more I can do, you know what I mean?⁷³ I'm both their worker, but he needs to get some help.⁷⁴

A- We could call his doctor and tell her we're concerned about his mental health, and see if she can get him assessed (pause). Mom's wavering, too.

J- Well, she's worried about him.

that getting a psych evaluation would be in his best interest to help support his desire for seeing the boys. His suggestion accomplishes a couple of goals. By persuading dad to leave it keeps the lobby area secure and the admin staff safe. And Allen's suggestion fits within a solution-focused paradigm through his willingness to work with dad to help him increase access to his children by offering solutions, rather than focus solely on his erratic behaviour.

⁷¹ It's quite common for supervised visits to take place in neutral, public spaces if there are concerns about the safety of participants. The type of neutral space available depends on the location of the child protection office, the clients, the children, their interests, and in this case, the weather. At the time of data collection it was summer, making the park a viable option.

⁷² The fact that all the Team Leads are away, and that the current Team Leads are Acting, is another product of the bureaucratic organization of child protection. The Team Leads are away on holiday, and senior workers from their respective teams have taken over Team Lead responsibilities. People in Acting positions do not have the same amount of authority. Having all the Team Leads away at the same time could create complicated situations if decisions need to be made and no one in the office has the authority to do so.

⁷³ Jess's statement "if the visit doesn't go well" is the main test for this situation. If the visit does not go well, then their theory that dad is a risk to the boy's safety is supported. If it does go well, which at this point seems unlikely, then their theory will be unsupported.

⁷⁴ Again, Jess is referring to the limitations of MCFD involvement regarding their duty of care. Dad will have to "get some help," that is, access social services provided by other organizations. Jess does want to help, but she legally is constrained from using child protection resources.

A- He told her, "We can get married in Tofino."

J- I know, which is where she's always wanted to go and get married (sigh). Were you able to get him to leave OK?

A- Yeah.

J- And he went?

A- Yeah, he seemed to be all right.

J- When I find out what's going on with their son we can make a plan to set up a visit.

A- OK, sounds good.

Jess and Allen have been having another conversation with the mom and dad's case material, specifically dad's behaviour over the last two weeks and the surrounding circumstances. The admission of one of the boys to hospital is a complicating factor in their planned intervention, again reinforcing the unpredictability of their work. Also, through Jess and Allen's exploration and interpretations they arrive at a few conclusions. First, they are still concerned about dad's increasingly erratic behaviour and mom's response to it, in that she is "wavering" in her commitment to keep dad away from the boys.

Second, another way they frame these concerns is as indicators of positive strengths: Dad may be behaving erratically this past week (e.g. following mom around, begging her to stay with him) because he is concerned about the safety of the boys and still cares for mom. Mom is wavering, but that could indicate she still cares for dad. However, mom's care for dad has to be evaluated as well. Workers believe it is not uncommon for women in violent relationships to feel a strong emotional attachment for

their violent partners (Beckett, 2007, calls this an example of Stockholm Syndrome), which can be lethal for mom and/or the children. Jess and Allen will have to determine if dad still poses a risk and if mom can maintain her commitment to protect, hence the creation of a test in the form of a supervised visit. The feedback the workers receive from their test regarding mom and dad's behaviour during the visit will provide some clarity about the protection concerns. The feedback will confirm or disconfirm their hypotheses, and lead to the creation of subsequent interventions.

Day 3

On my visit the following week, I arrived early in the morning, around 8:30 a.m., and not many people were in; it is summer and workers are taking their holidays. My first stop is Jess's office, but she is not in. My next stop is Allen's office, where I find him at his desk. I say "good morning" and then ask if he has time to talk about the case.

A- Dad has got really interesting. Last week we planned a supervised visit for Monday, which I did not expect to go well at all, considering how erratic his behaviour had been all last week. Mom and the boys came in, and then dad came in and he was completely normal! He was calm, talking at regular speed. He wasn't walking around, pacing and waving his arms like he was the last couple of weeks. It was so surprising.

N- Where did you meet?

A- They were in the visitation rooms here. I didn't sit in with them, though. I wanted to observe them all together but not with a worker hanging around in the room. Instead I sat in a chair out in the hall by the door so I could still hear and see through the window. The change in him was amazing. He was acting totally

appropriate with the boys, you know, redirecting them when they'd get a bit wild, instead of yelling at them. He and mom were fine, they didn't shout at each other, make any snide remarks, or anything.

N- Wow, what do you think happened?

A- I have no idea. I asked him if he was taking any medication. He said he'd been to see his doctor but wouldn't say what he was taking. When I got a chance to talk to mom, she said she'd never seen him act the way he had been, that crazy, like he'd had the last couple weeks. I don't know if he just had a psychotic episode, or something like that, or if he was using at the time, or what. So I don't know. It's just really strange. Anyway, at the end of the visit mom and dad asked if they could leave the building together. There was no reason to say "no," because he wasn't presenting any risk to mom and the boys. But dad's visits are still going to have to be supervised for a while to make sure he stays this way. We're going to have Leigh, the family worker, supervise visits for a while.

N- Because at this time, the Ministry can't legally tell them to stay apart, right?

A- Yeah. To do that we would need a court order, and as of now there are concerns with both parents, but not enough to warrant stronger action. So now we'll just monitor mom for her drug use, and dad to make sure he stays normal.

Allen's description of the supervised visit provides the results of the experiment, in that the supervised visit provided clarity around the protection concerns. The evidence disconfirms the hypothesis that dad presents the potential for harm to the boys, and to a lesser extent, that mom and dad have decreased the level of conflict in their relationship. Clearly, Allen did not expect dad to present as well as he did, but is pleased he did.

Surprised, but pleased. Allen tries to theorize dad's actions because this type of case may arise again. He wonders: Maybe he received the necessary medication from his doctor? Maybe he was using previously, and now he stopped? At this point there is not enough data to generate an explanation because dad is not forthcoming about his activities.

The evidence seems to support the theory that dad is safe enough to leave the office with mom and the boys. Again, the rationale is framed in legalities because they do not have enough evidence for a court order to dictate otherwise. However, Allen still has concerns and so puts in place the necessary interventions by having Leigh continue to work with the family and supervise visits with dad, thereby keeping the children visible and in a position to alert workers if dad becomes dangerous again. Additionally, mom will still need to participate in drug tests to monitor her drug use. Allen and Jess will have to remain patient yet vigilant, continue to evaluate and interpret the incoming data, create new theories and test again.

Summary

Throughout this section we see unpredictability, uncertainty and fluidity unfold in real-time. The prevailing culture of negotiation works as a conduit for the responses of teams and individual workers. We see how teams in Maryland use their cultural repertoire: To solve problems cooperatively, for workers and team leads to negotiate case strategies, and for workers to negotiate interventions with clients while maintaining a dual focus on helping activities and enforcing a safety plan to keep children safe. This section also shows how child protection workers maintain an open stance to the fluidity of events by being patient with clients, creative with case plans, and flexible with

uncooperative professional agencies, all while working in the midst of uncertainty about the effects of their interventions.

6. Discussion

In the discussion section below I explore some possibilities for educating future child protection workers and explore the implications of child protection as cultural pedagogy. I also include suggestions for future research.

Implications

Previous studies have looked at one or two aspects of child protection, such as workers' use of language or relationship skills. My interest has been in making sense of the everyday child protection work-world based on a substantial amount of data on a wide range of variables. Framing good child protection as culture of negotiation is a powerful and useful way of describing practice. It is powerful because it invites us to imagine child protection a) in terms of interdependent teams and cultural communities of practice, not as groups of individual workers, and b) workers as skilled negotiators across a wide range of professional arenas and not as people making solely unilateral decisions. It is useful because it has implications for how child protection workers are trained.

Education and training. During my time with Maryland I had the opportunity to observe and talk with a number of practicum students. A common lament was that what they learned in the university setting, in terms of legislation, policy, practice standards, and ideological approaches to practice, did not adequately prepare them for direct practice. They were missing the cultural repertoire of negotiated child protection. In a way this is not surprising since learning a culture requires time and practice. However, it is possible to introduce students to a culture before they are immersed in it. In addition to learning policy, legislation and practice standards it would also be helpful to start students thinking about—and practicing—how to skilfully negotiate the various

dimensions of child protection, how to work as a team member, the multiple social roles available to workers, and also necessary ways of being that contribute to good practice. This could be done by studying vignettes of cases where negotiation was used successfully in multiple arenas of practice or watching video recordings of team meetings or clinical supervisions to see and hear examples of culture in action. Students could role play team meetings, clinical supervisions, or negotiating service resources, for example. Employing currently working, experienced practitioners as educators to discuss current cases, such as how they are thinking and what they are doing with clients would certainly help the pedagogical process. More ambitiously, students could also spend time observing teams, similar to my ethnographic method study, to acquire a deeper understanding of the social, cultural process of child protection.

Child protection as cultural pedagogy. I have portrayed a culture of negotiation as a repertoire workers use to resolve practice problems. But there are other ways to extend our thinking about culture and child protection in terms of workers' attempts to educate clients around issues of maltreatment. The argument I am trying to make is that culture, rather than pathology, might be implicated in understanding the mistreating behaviours of some parents. Thinking through the implications of culture, practice problems in the professional world arise for a number of reasons, one of which is a conflict of cultures (Schon, 1983). By logical extension then, parents who mistreat their children represent "problems" for child protection because their cultural systems conflict. Some of this contention may be attributable to the high correlation between parents who mistreat their children and their own childhood experience of mistreatment.

Levy (1996) suggests that one of the most significant deficiencies children in care suffer is a deficiency of culture, in addition to any maltreatment. He suggests that growing up in an abusive or neglectful home has equipped children with a cultural repertoire that differs significantly from normative, mainstream culture,⁷⁵ and they reproduce this behaviour with their own children. There does seem to be some evidence implicating culture in this reproduction process.

A recent article in *The Atlantic Monthly* (Rosin, 2008) highlighted the work of Richard Janikowski, a criminologist with the University of Memphis, and his wife Phyllis Betts, a housing expert, also at the University of Memphis. Janikowski was studying crime trends around Memphis' urban core and suburbs, and Betts was evaluating the impact of the demolition of the city's public-housing projects as part of an experiment to free the poor from the destructive effects of concentrated poverty, one of the Memphis government's most ambitious initiatives.

In the mid-1990s the US embarked on a project to demolish large, urban public housing complexes and disperse the occupants into affordable housing by giving them Section 8 housing vouchers. A few years after former project occupants moved out of the projects, crime rates in suburban Memphis towns skyrocketed. When Janikowski and Betts combined their data and mapped areas where arrests had increased along with the locations of Section 8 recipients, there was a near-perfect match between rising crime rates and the location of Section 8 addresses.

⁷⁵ I am aware that words like normative and mainstream conjure up images of abnormality and deviance, which is true so long as someone's cultural repertoire contains mistreatment as a method of child rearing. Mistreating does not qualify someone as a "bad" person, but it does set them up in conflict with normative society. I explore this issue below.

Rosin's article does not provide any conclusive arguments that explain such a strong correlation between poverty and crime, because research on this facet of the topic is still in its infancy. One possible explanation Rosin provides is that truly escaping poverty and crime seems to require a will as strong as a spy's. A person has to disappear to a strange land, forget where they came from and ignore the suspicions of everyone around they come into contact with. Otherwise they can easily find themselves right back where they started. This explanation seems to be hinting at issues of culture, that merely physically relocating people does not sufficiently prepare them to live in a foreign land where their cultural repertoire hinders their attempts at living a meaningful life.

A similar argument could be made for the families serviced by child protection: Some maltreating parents are equipped with an incompatible culture, and child protection attempts to resolve this clash of cultures. As Shweder (1996) has argued, "moral communities" are composed of individuals who are party to a set of arrangements, conventions, and agreements. Further, "[m]embers of a genuine moral community take an interest in sanctioning each other's behaviour" (p. 34). As citizens of Canada and British Columbia we are party to the legal conventions I described in my literature review, and the social agreements of society as expressed in the idea of community standards. Within pluralistic, multicultural society there can be multiple sanctionable moral communities with desirable ends regarding the rearing of children, but at a basic minimum a parent cannot mistreat their children and must provide minimum care. When citizens report a child protection concern they are sanctioning the behaviour of their peers as measured against the agreements of our larger moral community.

As Allen, one of the team leads noted, there may be barriers that prevent parents from providing adequate care (e.g. mental health, addiction, and poverty issues), but workers help parents overcome those barriers, either directly through interaction or by prescribing support services. In this way child protection work, both helping and enforcing, is pedagogical. Workers are instructing, teaching and enculturating clients through “praxis” (Shweder 1996, p.32). That is, borrowing Shweder’s idea, clients acquire a new cultural repertoire by resonating to, activating, or absorbing concepts and principles through participation in—and exposure to—behaviour that is not harmful to their children.

An example of this teaching and enculturation process is the occurrence of “death threats,” when parents make serious, credible threats of violence against a worker. The response the BFS team has developed offers a window into this enculturation process. Death threats run along a continuum of ordinary empty threats all the way to situations where workers have been confronted with loaded firearms and held hostage. Some child protection teams have tried to resolve the problem by transferring the file to another worker within the team believing the issue is a poor worker-client relationship, which may or may not be true. In BFS, Ken has nurtured a culture which normalizes this behaviour, believing a) that such strong reactions from parents are an ordinary response to the emotional pain and humiliation associated with a child’s removal, and b) there are other biographical and ecological factors contributing to their actions.

To be sure, Ken takes death threats seriously, in that the parent may have the capacity to carry out the threat. But Ken and the team have devised a strategic procedure that protects the worker yet still engages the parents in the protection process. First,

workers temporarily suspend supervised visits of their child, telling them that they need to negotiate future visits through their lawyer. Second, workers count on the fact that the clients' lawyer will tell them that they cannot make threats of violence and that when they do workers document the incident as submissible court evidence for making an argument for keeping their child in care. Third, workers anticipate that clients will heed the advice of their lawyer and return to the negotiation process without resorting to threatening violence. Ken defines the situation as one in which, historically, clients have not been held responsible for their actions. Transferring the case to another worker would only reinforce the current difficulty.

Instead, restricting access and forcing clients to negotiate without using the threat of violence is a pedagogical exercise for teaching clients how to settle disagreements non-violently, a skill they may lack. Some may see this strategy through the lens of de Montigny (1995), in that child protection is a colonizing and dehumanizing experience for clients because it forces clients to see their life through the disciplinary gaze of the government apparatus. As a counter to that argument, in cases where clients are making plausible death threats, workers often have sufficient evidence to make a legal argument for keeping a child in care. Previous modes of practice using a "power over" ideology would have done just that: Cut off parental access and placed the child in permanent care. But what differentiates the negotiation strategy used by BFS from other potentially dehumanizing modes of practice is the team's perennial focus on good outcomes for the client through increased continuity along the child protection process, and the eventual reunification of child and parent if it becomes safe enough.

Future Research

This enculturation process would benefit from further study. Workers frequently comment that they believe 90% (this is an arbitrary number) of parents want to take care of and love their children, but they need some sort of temporary or even long term help. I have suggested that enculturation might be part of that help. However, culture might not work as an explanation for the other 10%, those who have committed acts for which the only explanation seems to be that they are “crazy.” Becker (1998) suggests that,

...discovering something that seems so bizarre and unintelligible that our only explanation is some form of “They must be crazy” should alert us that we don’t know enough about the behaviour under study. It’s better to assume that it makes some kind of sense and to look for the sense it makes. (p. 28)

The other 10% of clients, the crazy behaviour even experienced workers cannot explain, would benefit from more study.

Interactions between workers and clients needs more study, specifically around negotiation and the use of persuasion and authority as workers attempt to educate and instruct clients. Suoninen and Jokinen (2005) provide a helpful direction by focusing on the worker-client interaction and suggesting that child protection is primarily concerned with taking care of what is best for children and trying to persuade parents to accept this principle. For example we might investigate what workers say and do, and what sort of strategies they employ for persuading clients: a) that a pre/proscribed course of action is in the best interests of their child; b) to stop certain harmful behaviours; c) to begin new less harmful behaviours. The cultural strategy described by Ken for working with threatening clients is a good place to start. Child protection teams around the province are

thinking deeply about recurring practice problems situated in their local context related to authority and persuasion. We might begin by studying the practice problems that teams are interested in and learn from the strategies they have created.

Lastly, it would be helpful to investigate further the decision-making process of workers. I have argued that child protection practice is the art of balancing helping activities for families and when necessary using their mandated authority to keep children safe (Trotter, 2006). I presented instances from my data where this balancing was evident, but this process is still understudied. Clark (2007) is helpful in providing a conceptual framework for this balancing process. He acknowledges that workers often have to make difficult decisions quickly, with limited and imperfect information, and rely on their cultural repertoire to guide their thinking and action.

Nevertheless we should try to identify the ideal mode of decision making. Many writers have suggested something like a standard of reflective equilibrium, or settled judgment: we reach a point in our internal and external debates when all the main troubling issues seem to have been explored, and understood as well as can be attained; when the balance of good and bad seems as just as is feasible; when no further considerations greatly influence our view. (p. 69)

For future educational purposes it would be helpful to investigate this balancing further.

Conclusion

I began by arguing that the child protection literature I reviewed presents interesting ideas and concepts about practice, but that those ideas are disconnected from practice and do not adequately describe how child protection practice takes place. Subsequently I argued that an in-depth ethnography, using Fine's (2003) framework of a

peopled ethnography, would be well suited to more thoroughly investigate and theorize child protection than the short-term, cross-sectional methods used in past research. I studied child protection as a social, cultural process. After conducting my ethnographic research I argued for a concept of child protection practice as a distinct culture of negotiation, such that:

1. Skillful negotiation is culturally embedded in the activities and practices of child protection teams and individual workers.
2. Child protection practice in this team is the skillful negotiation of practice problems while maintaining a balance between helping and enforcement activities that protect children.
3. Workers' negotiation is not only activity-based but also a cultural way of thinking and being in the midst of an unpredictable, uncertain, complex, and fluid environment.

Moreover, I suggested that a helpful way to think of these cultural ways of being, thinking, and doing is as a repertoire of situated expertise and practical reasoning, deeply connected to the means and ends of helping families and keeping children safe. Imagining child protection as a culture of negotiation invites us to think about the work as an emergent process of shaping and organizing individual and collective responses while engaged in an ongoing process of theorizing and hypothesizing about what will happen next.

I started out my thesis by stating that child maltreatment cannot be entirely prevented or predicted, that we have so far not been able to produce an effective cure, and that workers have to respond once the damage has been done. Unfortunately these social

and legal conditions are unlikely to change in the near future. Until they do, what we can do is improve how we respond. Paying attention to and learning from the skillful, organic cultures of child protection teams is an excellent place to begin.

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