

# Scottish Child

APRIL / MAY 1995

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## AYRSHIRE CASE:

Are we locking up Pandora's box?

## The CSA:

Is there anything worth saving?

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Donegal

Donegal

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ISSN 0950-4176



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## The Women and HIV/AIDS Network Conference

Thursday June 15th, 1995 at  
Napier University Craiglockart Campus.

The conference will look at reproductive issues for women infected or affected by HIV and their partners.

The main speaker will be Dr. Lorraine Sherr, a psychologist at the Royal Free Hospital in London, author of a number of books on HIV/AIDS and editor of "AIDS - the heterosexual epidemic"

Speakers will include women who are HIV positive. Access to men-only workshops will be available.

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For further information please contact:

Women and HIV/AIDS Network  
13A Great King Street  
Edinburgh EH3 6QW  
Telephone: 0131 557 5199

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Scottish Child  
Scottish Women's Aid



"FOR THE SAKE

# OF THE CHILDREN"

**Children and Domestic Violence:  
How Men's Abuse of Women Affects Children**

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Chair: Harriet Dempster, Assistant Chief Inspector Childcare, Social Work Services Inspectorate, Scottish Office

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*If you work with children and young people then you know someone who lives with and is affected by domestic violence.*

**For further information contact Scottish Child on 0131 221 9591.**

# Conference



## A shameful miscarriage of justice

Scots people tend to view the Scottish legal system with some pride, particularly those parts of it which relate to the children's hearing system set up as a result of the Kilbrandon Report over 20 years ago. The system actually has two parts, only one of which involves the lay members of the children's panel: proof and disposal. Panel members are adjudged incompetent to assess evidence, and in cases where the child and/or his or her parents disagree with the grounds for referral the case is sent to the Sheriff Court for *proof*.

After this, depending on the outcome of the proof hearing, it may be sent back to the panel for *disposal* - that is, to decide whether the child is in need of compulsory measures of care and, if so, what these should be. This ensures, it is thought, that the weighing up of evidence is done by someone with the necessary legal expertise, while the disposal is decided upon by lay panel members, people who have the best interests of children at heart. Curiously, this is the exact opposite of the way things are done in a conventional court, where the weighing up of evidence is done by lay people, the jury, and the disposal - or sentence - is decided by a legal expert, the judge.

While it is tempting to sit back and smugly contrast our system with the juvenile court systems which exist in other countries, for example England, recent events in Ayrshire have called into question the operation of one essential part of our system, the part which takes place in the Sheriff Court. Eight children were taken into care in 1990 as a result of allegations of organised sexual abuse. In February of this year - almost *five* years later - Sheriff Miller ordered that they be returned to their parents on the basis that he could not now determine with any certainty whether the children had or had not been sexually abused.

Whatever way you look at it, there has surely been a shameful miscarriage of justice. Either the children were not abused and have been deprived of parental care for a substantial part of their childhoods or they were abused and they have been returned to the abusers. How can it be that in a country which takes such pride in its child protection system such a miscarriage of justice can be allowed to occur? And more importantly, perhaps, what steps can we take to make sure nothing like this ever happens again?

Part of the problem lies in the way court proceedings are organised. In a children's hearing, the children are allowed legal representation but the solicitors who occasionally appear with the children are not advocates, are not there to speak on behalf of their clients. The children are encouraged to talk directly to the panel members, explaining what has happened, how they feel, what they think should happen next.

This is quite unlike the court system, where experienced advocates, skilled at dissecting and casting doubt on evidence given by adults, are let loose on the children, allowed to cross-examine them with impunity. Perhaps, as Sarah Nelson suggests in an article elsewhere in this issue the problem lies

AGONY WILL GO ON FOR THE AYRSHIRE KIDS . . .

# Learning to live with a stranger



with the reliance on children's evidence in sexual abuse cases. Sexual abuse of children - in common with, for example, rape and murder of adults - tends to take place in private, in the absence of independent witnesses. Perhaps we should be looking with more diligence for other forms of evidence.

Or perhaps there is a case for modifying the legal system of which we are often so unquestioningly proud. Is it as good as we think it is - or is there scope for improvement? The Children (Scotland) Bill, which is at the moment in the committee stage of wending its way through parliament, sets out some ways in which the panel system may benefit from modification. Among its provisions, for example, are powers to exclude parents from hearings - a power which is viewed with ambivalence, if not dismay, by some panel members. However there appears to be nothing in the Bill which will protect our children from miscarriages of justice of the type which so patently happened in Ayrshire.

Perhaps the time has come to decide that the sort of tinkering with the existing system embodied in parts of the Children (Scotland) Bill is simply not enough and that what we need to do is appoint a new Lord Kilbrandon, someone with relevant legal experience who will sit back and take a progressive, balanced and impartial view of the existing system with a view to sweeping it aside and replacing it with something better. Only then will we be able to ensure that children of Scotland are protected and not abused as those eight Ayrshire children have surely been.

## Hands up for Children

Hands up for Children! is the title of an exhibition of children's art which has been on show in a couple of venues in Central Scotland.

The project was the brainchild of the children's worker at Clackmannan Women's Aid refuge - a refuge which has the highest children-to-worker ratio in the whole Women's Aid network but at present only manages to staff the children's worker post for 10 hours per week. It's all the more credit to the refuge staff that they have produced this exhibition of work by kids, including the handprints of over 120 of the children who passed through the doors of the Clackmannan refuge over a 12-month period.

It's sometimes overlooked that the greatest users of Women's Aid refuges - in numerical terms - are the children of abused women. Women's Aid has been trying to address that fact for some considerable time now and to get more funding for increased support for children. Scottish Child and Scottish Women's Aid are co-operating on a conference on this very theme, 'For the sake of the Children' on 8th June of this year (see our advertisement on page 4).

Keep an eye open for the next showing of this map of human hands - it is a telling reminder of the age range of children who use the services of the refuges. From the tiniest to the teenager - they're all there, anonymous but graphic, the too-often unacknowledged incidental victims of violence and domestic strife.

**Clackmannan Women's Aid, Greenfield Lodge, Parkway, Alloa FK10 2AF. Tel: 01259 721407**

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## Words and pictures

Two more cultural events for the diaries of Scottish Child readers: Positives and Negatives, an exhibition of Native American photography showing at the Street Level Gallery, 26 King Street, Glasgow, and an evening of readings and cabaret to celebrate the launch of Word Power, Edinburgh's newest independent bookshop.

Positives and Negatives shows Native Americans reclaiming their history through the creation of their own images. Twenty artists have each in their own way set out to demystify the image of the Native American, whether the image is of the 'noble savage' or of the 'menacing redskin' so beloved of Hollywood. In so doing they show what they believe to be true: they are part of a long continuum of peoples for whom making art is simply a part of the process of living. The exhibition is on until



6th May and admission is free.

Janice Galloway and Vive l'hysteric are the star attractions at Word Power's launch party. Go to Southside Community Centre, Nicolson Street on the evening of 22nd April. You won't be disappointed. Tickets can be bought at the door for £4 (concessions £2) or may be bought in advance from the shop for £3.50 (£2). Bookshop telephone number: 0131 662 9112.

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## Children 1st

The Royal Scottish Society for the Prevention of Cruelty to Children has joined a number of other organisations - SCAFA, NCH and Family Mediation for example - in adopting a new name for itself, to promote a change in emphasis of the work they do. In these days when increasingly the media call the shots, the corporate image of helping agencies has taken on a new importance. RSSPCC, known in many housing schemes in Scotland simply as 'the Cruelty', will now go under the new title of 'Children 1st'.

Arthur Wood, Chief Executive of RSSPCC, explains that the name change is not just about giving a new gloss to the image of this charity which has worked with families for over a

century. 'Children 1st' means exactly what it suggests: the society aims to put preventative work at the centre of what it offers families, working to change things *before* they reach crisis.

In the agency's glossy promotional brochure, the key phrases are 'Reach out' and 'Reach deep'. The agency can justifiably claim to reach out, with projects and volunteer fund-raising groups scattered across Scotland. Reach deep is, as it suggests, an appeal for on-going financial support to develop their ambitious programme and to ensure that more kids get the kind of help they need to live happily at home.

If you'd like to know more about the work of Children 1st, contact them at their head office at 41 Polwarth Terrace, Edinburgh, or by phone on 0131 337 8539.

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## Leaving care conference

A conference on young people leaving care is being held in Edinburgh this spring. Organised jointly by Lothian Region Department of Social Work, Who Cares? Scotland, the University of Edinburgh Social Work Department and Save the Children the conference - 'Young People Leaving Care' promises to focus on 'a number

of key issues that will be of concern to policy makers, managers, practitioners, carers and young people from a range of statutory and independent settings'. Topics to be covered during this two-day event include 'Practice and policy implications of new legislation', 'Listening to young people' and 'Training and development for staff and young people: the way ahead'.

We'd like to applaud these bodies for organising this conference. After all, leaving care is an important and hitherto much neglected part of the care process and it deserves as much attention as it can get. There are many temptations, pitfalls and potential problems facing young people moving out of the care system and they need and deserve help with them. For example it's well documented that teenagers ex-care feature very highly in the statistics for young homeless people.

In view of this we wonder about the advisability of charging young people £80 for attendance at this non-residential event. For this, the teenagers will get tea, coffee and lunch both days - plus 'delegate packs and papers' - but we wonder how many young people who have just left care will have eighty quid to spare for the privilege of sharing their experiences of life after care.

There will be doubtless be a few 'representative' young people there - sent along by their project or children's home. But what, we wonder, about the testimony of the teenagers who don't any longer belong, who can tell all of us what it's really like 'coming out of care'? Surely there must be a role for such people at a conference such as this and a price to match?

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## Mediation Bill

A Bill to protect the work of Family Mediation is currently going through Parliament. The Civil Evidence (Family Mediation) (Scotland) Bill aims to ensure that the negotiations which go on between a couple prior to a court divorce hearing cannot be used as evidence in that hearing. Does it all sound incredibly abstruse and arcane? Well, it isn't really, it's a question, as a spokesperson from the Scottish Law Commission put it, of making sure mediation takes place in a 'sealed room'.

Mediation is problematic at the best of times. If a couple has reached a point where they are not able to sort out their affairs in relation to the children without the help of an outsider, you can be fairly sure they need every reassurance that the give and take of their discussion with a mediator cannot be used against them in another forum. Unless, as Susan Mathieson explained

to Scottish Child, the couple do actually reach a formal agreement on some question of access or other arrangement when the rules of inadmissibility no longer need apply.

Perhaps what is most significant about this Bill is that it shows how far Family Mediation has come from its early days when it was viewed by many lawyers as a messy intrusion in the divorce process. Not all lawyers are converts to the concept of mediation even now but the numbers of those in favour are growing. This Bill, which is likely to be passed after the Children (Scotland) Bill in the late autumn will give further reassurance to couples who think mediation could help but are unsure about how it may affect other aspects of their divorce settlement.

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## Smacking amendment

Staying with new legislation for a moment - we can bring you some news about a proposed amendment to the Children (Scotland) Bill. Readers may recall a recent poll in *Scotland on Sunday* which showed a massive 86 per cent of respondents against the criminalisation of child punishment. This is the unpromising culture within which anti-smacking campaigners have to operate.

The arguments against smacking and other forms of adult abuse of power over children are as strong as ever. The resistance to them seems to be as deeply entrenched. Perhaps it is not surprising therefore that the Labour Party has chosen to put forward an amendment to the Children (Scotland) Bill which only some are hailing as progress. In other words, the amendment stops far short of outlawing smacking. It reflects the thinking of the Scottish Law Commission on the subject. Their pronouncements will be remembered by many as an opportunity lost rather than a grand step forward for children's rights.

The amendment aims to outlaw the use of sticks, belts or other objects on a child. It also states that the punishment should not 'cause or risk causing injury' and a child must not be struck in such a way 'as to cause or risk causing

pain or discomfort lasting more than a very short time'.

Besides being extraordinarily weak in defending children's right not to be hit, this leaves the same problems as before in terms of a discretionary judgement as to what constitutes a 'very short time'. Can't you see the fun the sheriffs and the lawyers are going to have? It's like the 'reasonable' in 'reasonable chastisement' all over again.

Politics is the so-called 'art of the possible'. But sometimes, just very occasionally, politics can give a lead instead of following slavishly the lowest common denominator of public opinion. It hasn't given that lead this time and the word is out that even this amendment is likely to be subject to some hard questioning when it reaches the Commons. Sign of the times?

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## Big money

The Scottish Child Law Centre is entering the big money league. After some years of struggling along on **Scottish Office** grants topped up with one-off trust awards, the news is that they're doing quite nicely thank you - although doubtless they wouldn't quite put it that way.

Children in Need have just awarded them their biggest ever grant - £147,000 over three years - to look at access to legal services for young people. Keep your eyes open for a preliminary conference on the topic later this year (and let's hope they take note of our comments about conference fees!).

The Scottish Office has also shown its appreciation of the work of the Centre by increasing the grant by £11,000 over last year. And, if such largesse doesn't already turn you green with envy, consider the one year's funding provided by Health Education Scotland to carry out a project on teenage pregnancies. All this, plus ongoing support from most of Scotland's Regional, Island and District Councils means that the staff can get on with what they should really be doing without the constant headache of scraping around for money.

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Continued on page 28 ▶

**in** brief

# The Alternative

In view of the recent moves to establish a lasting peace in Northern Ireland, Scottish Child sent **Bert McCann** to Belfast to talk to young people on both sides of the divide.

**T**he politics of Northern Ireland is nothing if not convoluted. This was graphically illustrated recently by the decision of Lisburn district councillor and leader of the Ulster Democratic Party to attend President Clinton's St Patrick's Day party at the White House - but not to shake hands with Sinn Fein's Gerry Adams.

His stated reason was that he wanted to highlight the fact that there are two communities in the North and to take advantage of an opportunity to explain his side's position to the American public. However for a loyalist leader to agree to sit down in the same room as representatives of Sinn Fein, the Social Democratic Labour Party (SDLP) and the Irish government - with the backing not only of his party but of loyalist prisoners, as he claimed in the *Guardian* - is a significant mark of the continued, if slow, progress being made by the peace initiative launched last year by Adams and the SDLP's John Hume. It would have been impossible a mere 12 months ago to envisage such an occurrence and it seems on the cards that by this time next year we might see this trio of politicians sitting down with one another in Northern Ireland in an attempt to mend the massive rifts in Ulster society.

It was against this background of manoeuvring and negotiation that *Scottish Child* went to Belfast to speak to young people and their mentors about what a generation that has never known anything but 'the troubles' and which will hopefully see peace in their time think of their upbringing, of life in the city now and of how they view the future.

Belfast in 1995 is a city in waiting. There is a sense of almost suspended animation. The British troops were not much in evidence in the town centre at least in daylight hours during our visit, and at the beginning of March it was announced that the presence of uniformed civilian 'searchers' stationed at security barriers is to be drastically scaled down. Now troops have been withdrawn from Belfast entirely.

The only evidence of heavy RUC presence was on the day the Queen - or Mrs Windsor, as Gerry Adams prefers to call her - visited the city to open the new bridge over the Laggan. Ian Paisley, who in that same week was attempting to build a united loyalist front, complained that school children who lined the streets were not allowed to wave miniature union jacks. The following day's *Irish Times* carried a cartoon which showed Paisley declaiming that 'if God had not meant us to wave flags he wouldn't

'It is an odd thought that these 'rammys at the dancing' represent a significant de-escalation in the level of violence - these youngsters aren't stabbing, shooting or petrol bombing their antagonists.'



have invented Northern Ireland'.

No-one is jumping about shouting 'peace at last', but there are some small signs that things are beginning to change. A few bars and restaurants, for example, carry notices that the Irish Republic's punt is welcome and that they are offering a one-for-one exchange rate. At the same time there are still separate taxi ranks serving nationalist and loyalist areas of the city.

The Belfast Youth and Community Group cuts across political and religious divisions in its operation of Gino's Cafe and Creative Resource Centre situated in the Belfast city centre. Run by a non-hierarchical collective, Gino's opened in 1986 having grown out of meetings and discussions among young people who frequented Just Books, an alternative bookshop and cafe. 'It really started with a group of local musicians who needed a rehearsal space,' says Petesy Burns, a musician and a member of the collective. 'Over the years Gino's has expanded to the point where we not only have a practice space, but also a cheap vegetarian cafe, darkroom, art workshop where screen printing and the like is carried out, and facilities for meetings and regular music gigs.

'The guiding principle has been to provide a meeting place for mainly, but not exclusively, 17 to 18 year olds, regardless of which community they come from.'

Burns has been involved in the project since the beginning and, being Belfast born and bred, is in a prime position to assess



# Ulster Belfast's youth looks forward

the mood of the young people in the city.

'In general, teenagers are hopeful that something beneficial will come out of the peace process. However that feeling is tempered by a recognition that the present cessation of violence is very fragile and there is a fear of a violent backlash. A political vacuum has been created and the worry is that the criminal elements, who up to now have been kept under control, will fill the gap. Indeed there are some signs of that happening already.

'There is also a general disillusionment with politicians of every persuasion, particularly the older ones. Young people see them as being preoccupied with status and power. There is also a section of the younger population that thinks that maybe if they ignore it all it will all go away eventually.'

These feelings were expanded on by a group of youngsters from Hazelwood College, one of Belfast's two non-sectarian schools, which had been the subject of a short film made for Channel 4 last year by Northern Visions, in whose office we met. Initially set up in an old city centre warehouse with 12 pupils, Hazelwood is now in a building in North Belfast and has recently been granted £10 million by the Northern Ireland Office to build a new school.

The three 17-year-old pupils I spoke to came from a variety of backgrounds. David and Oliver both attended catholic primary schools while Warren came from a protestant background. All recalled how they had come under intense negative pressure from their headmasters when they expressed their intention to go on to a non-sectarian multi-cultural secondary. Each stressed that religion is not an issue at Hazelwood, in or out of class.

Though glad to see steps towards peace being taken in Northern Ireland, the three young men were sceptical about politicians in general, seeing the current peace moves as a job preservation process for older politicians. They pointed to the inflexibility of some political figures, especially those who persist in striking a sectarian pose, unionist intransigence and the IRA's reluctance to disarm as barriers to a final settlement.

Warren, from a protestant background, said that he would have no problem with the idea of a united Ireland, as long as it was a prosperous and peaceful country which emerged. 'I don't trust either Paisley or Adams. They are old and don't represent this generation.'

The two who had gone to catholic primaries weren't so sure about the union with the south. 'I would not entertain a united Ireland,' said David. 'It couldn't be successful economically and the establishment of a 32 county republic would require a huge and painful leap of consciousness by the loyalist community.' All three were enthusiastic about their mode of education, with Oliver claiming that a non-sectarian education would be an advantage in being able to look for work without being confined to a particular community. The emigration of young people from the north, he said, was often educational emigration, people seeking to equip themselves with the broadest education possible.

This feeling of non-sectarian solutions is not confined to the educational system. Young Against Sectarianism/Youth Against Racism in Europe believes that the present negotiations offer the best chance in years to unite both communities and fight for a just

society. Their literature points to the effects war has had on young people, citing a youth suicide rate twice that of Britain as a whole. The little opposition they experience at the moment comes from racist groups rather than traditional loyalists.

YAS committee member for South Belfast, 17-year-old Neill House, was born in England, moving to the loyalist Sandy Row area of Belfast at the age of eight. He speaks of the fear mounting in the young people of that area.

'Young people in Sandy Row are scared of what they see as the escalating demands of Sinn Fein. This fear is based on a dawning consciousness of how loyalism oppressed the nationalist community. Folk now fear becoming a minority in a united Ireland and being oppressed in turn by the nationalist community.

'These fears as fuelled by isolation engendered by the lack of a forum to discuss current issues, and by the fact that no information filters through about economic and political developments in the South and there is limited access to information about the nationalist case.'



Sandy Row's youngsters, he says, are still very defensive and wouldn't dream of going into a republican area. Young people go into the city centre in groups, and though there is some mixing, encounters with contemporaries from other areas often end in gang-fights. There is limited consciousness amongst loyalist youth that the peace process might bring economic benefits. What optimism exists is not making much of a dent on traditional fears.

'There is an educational process required to get across to both communities that there are serious issues which are common to both - unemployment, poverty, bad housing. The loyalist community particularly needs to go through a process of cultural education to raise an awareness of their Irishness and the part that protestants have played in Irish history both north and south of the border.

'We also need a Northern Ireland Labour Party which would involve itself in the constitutional process, working across sectarian lines, but with clear socialist policies, including the protection of minority rights.'

Meanwhile on the catholic Falls Road, despite the fact that British army armoured personnel carriers still patrol the streets by day and helicopters overfly the area by night, the mood is on the whole conciliatory. ▶

# The Alternative Ulster

Culturlann McAdam O'Fiaich is an Irish Language community facility housed, ironically, in a building which was formerly a protestant church, according to the driver of one the Falls Road's famous black cabs. It comprises a cafe/bookshop, gallery and a voluntarily funded secondary school where lessons are conducted in Irish. Although the building has been the subject of two armed attacks in the recent past the welcome extended to strangers is warm.

Sitting in the cafe area, with traditional Irish music playing in the background and people of all ages conversing in Irish, I spoke to a group of four 15-year-olds about their concerns. All four expressed relief that the peace process is taking place. According to Brian, it is a lot less depressing now that the television news programmes are no longer full of reports of killings and bombings - but it is now a waiting game.

Odhran, who claims there will be no lasting peace until the British leave, admits to a feeling of insecurity and fears a loyalist backlash. He said that he had started going to a disco at the foot of the loyalist Shankhill Road, but that often these end up in fist fights. It is an odd thought that these 'rammys at the dancing' represent a significant de-escalation in the level of violence - these youngsters aren't stabbing, shooting or petrol bombing their antagonists.

It was on the issue of anti-social behaviour and 'punishment beatings' that the young people became most outspoken. In recent years, loyalist and republican paramilitaries have taken responsibility for policing their own areas. Before the peace process began, people engaged in anti-community activities such as joyriding, drug-taking and theft were punished by shooting in the limbs. Post peace process, these penalties have been replaced by beatings with baseball bats and staves.

Mareas, another of the 15-year-olds, claimed to know of young people who have committed suicide rather than face a beating and, surprisingly perhaps, Roisin and Mareas felt that the beatings were unjustified. 'It's not really fair,' said Roisin. 'They get a beating and then if they are picked up by the Brits they get another hiding.'

All four of these young people would like to make their future in their homeland. However they were all emphatic that they didn't want their own children to live through the violence that they themselves have witnessed. How would permanent peace be achieved? Brian was quite clear: 'Disarm both sides and take away the border.'

Cathal O'Donnghaile has taught a variety of subjects at Culturlann over the last four years. He is optimistic about the future.

'We feel that we have nothing to lose by pursuing peace. We have no desire to threaten the loyalist community. Indeed it is the British government which has split the people of Northern Ireland. The people of the Falls Road have more in common with the residents of Sandy Row than we have with the folk in Dublin. The British government have to move on the peace initiative and the loyalist community must repair its own divisions. Meanwhile at lot of hard work has to be done in fostering cultural, social and sporting links with the loyalists. Most importantly, we have to find

**'Three billion pounds for one and a half million people. We have no strategic interest, we have no economic interest in staying there.' Sir Patrick Mayhew.**

spiritual answers to the problems of Northern Ireland rather than concentrating on money-related values and answers. In any case, much of this new money which is coming into the country is not filtering through to the communities, but it being used to set up new quangos.'

Cathal is involved in the development of a teacher training course based on spiritual values and is ready to assist in fostering any interest in the Irish language which manifests itself in loyalist areas.

'The people of Northern Ireland will need a huge amount of support to get the healing process started. To live in peace we've got to develop a capacity for love.'

It has been a long, long war. As Patrick Macrory says in the foreword to his book *The Siege of Derry*, 'It began at least as early as Strongbow [the Anglo-Welsh noble Richard FitzGilbert de Clare], it led step by bitter inevitable step to the Plantation of Ulster, to the Rising of 1641 and to the Siege of Derry, and it is not yet played out.'

That the mainland British want out is obvious. It has little to do with the so called 'brave risks' that President Clinton claims John Major has taken. Rather it is likely that the government wants to claw back the cash it is spending in Ulster to help fund tax cuts before the next election. Indeed Mike Tomlinson, a lecturer in Social Policy at Queen's University, recounted when giving the 1994 Frank Cahill Memorial Lecture how Sir Patrick Mayhew in an unguarded moment told *Die Zeit* magazine: 'Three billion pounds for

one and a half million people. We have no strategic interest, we have no economic interest in staying there.'

The Hume/Adams initiative started this process and was a culmination of talks which began as far back as 1987. Colin Kenna, in his 1990 biography of Gerry Adams, tells how just after the Enniskillen bombing, Adams and Hume both received a letter from a third party, who wanted to remain anonymous, suggesting that the two sides meet and talk 'to explore whether there could be agreement on an overall nationalist political strategy for justice and peace'. It could be argued that the subsequent meetings between Sinn Fein and the SDLP were the first step towards the present ceasefire.

During the Sinn Fein leader's recent visit to the USA he addressed a star-studded gathering to launch the US Friends of Sinn Fein. In his closing remarks he quoted the words of hunger striker Bobby Sands: 'Our revenge will be the laughter of our children.'

Though the emotional imagery of these words is perhaps contradictory, the point is well made. All parties to the Northern Ireland conflict, particularly the UK Government, have a responsibility to consolidate and make permanent the present peace. The concerns of the young people of Ulster are reflected in a seriousness and maturity beyond their years. Whatever it takes, let us once more hear the laughter of Ulster's children ■



# Making Amends?

## What went wrong with the CSA

More changes are being made to the Child Support Act.

Ian Maxwell explains why it still fails to live up to its name

the Poll Tax and Clause 28.

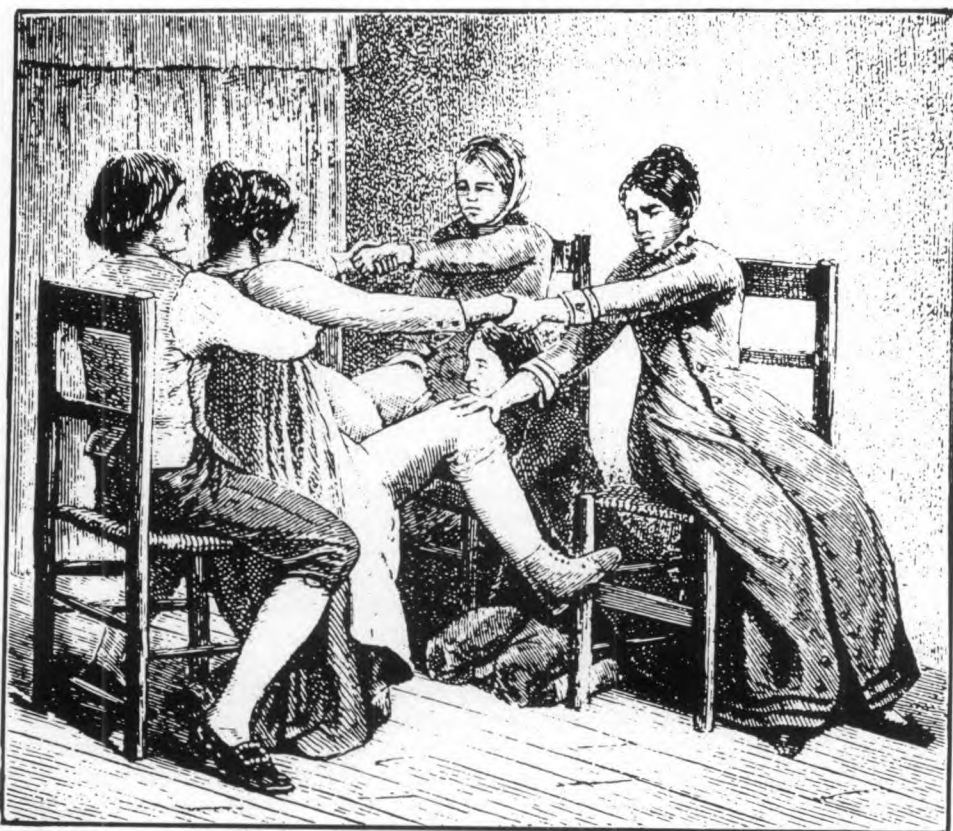
What has the Child Support Agency done to raise such a stushie?

From the start, we have to distinguish between the two CSAs, and divide the blame accordingly. The *Child Support Act* is the legislation that established and set the rules for the *Child Support Agency*, which is the government department which assesses and collects

legislation slipped through the House of Commons without much criticism, although some Lords expressed misgivings about this speedy progress.

Their fears were justified. The Act established a new system for assessing and collecting maintenance from the non-custodial parent (absent parents - mainly fathers). At present the CSA deals mainly with lone parents claiming benefits, although in future it will take on all cases.

When a claim for Income Support or Family Credit is made an enquiry form is sent out to the parent with care (usually the mother). She is asked to authorise the CSA to pursue the father for maintenance on her behalf. A mother has the right to refuse to give this authority, but her benefit will be cut unless she can show that making contact with him will cause undue harm or distress to her or her children.



**P**roblems in making absent parents pay for the support of their children go back a long way. In the 18th century midwives were instructed to question unmarried mothers about their child's paternity at the height of labour. This inquisition was intended to ensure that the father could be found and made to pay his share, thus saving the parish the cost of supporting the family.

Critics of the Child Support Agency might say that not much has changed in 200 years. Since it started out in April 1993, the Agency has generated more letters of complaint and column inches of criticism than any other recent Government action. Protest marches, suicides, two fiercely critical reports from the Social Security Select Committee and an avalanche of anger from absent parents ensured that initials CSA have entered the litany of protest alongside

maintenance. If your complaint is with the rules and regulations, you should blame the politicians who voted for the Act. If you are concerned about delays, diversions and bureaucratic inefficiency, blame the Agency. Better still, blame the politicians for both, especially Peter Lilley.

The Child Support Act was passed in July 1991, only 18 months after the idea of a new system of child support was first raised in a speech by Margaret Thatcher at a National Children's Homes conference. This short gestation period gives us a clue as to one of its faults. It usually takes far longer for a proposal to be transformed into legislation, especially one which represents a fundamental change to the existing situation in which most maintenance was settled in the courts. Because the principle of child support received backing from all parties, the

### The self-employed father



Alice knows that her husband is earning enough money to pay maintenance. He is self employed, and still lives locally. She knows that he earned over £20,000 per year when they were living together, although his accounts show little or no profit. After separation, he paid up over £100 per week for their three children, very grudgingly. But when the CSA came along and assessed him for maintenance because she was claiming benefit, he grossly understated his earnings. The first assessment was for only £35 per week, leaving a severe shortfall in Alice's budget. To make matters worse, he held off payment for nearly two months after the assessment. Alice was in contact with the CSA almost daily during this period, trying to sort out mistakes in their calculations and convince them about his real income. The CSA has very limited and cumbersome powers to investigate such allegations, unlike the Inland Revenue or VAT inspectors. The 1995 White Paper makes no attempt to tighten up the assessment of self employed parents.

'Nearly 11,000 women had their benefit reduced because of non co-operation between April and September last year, and there is no sign that the Government will back down in this part of their 'benefit saving' agenda.'



## Undue harm or distress

June has remained in contact with her ex-husband Charlie and he has quite good relations with their son. But money has always been the spark for quarrelling in their relationship. She is studying



to improve her prospects of a reasonably paid job. Because she claims benefit, the CSA sent her a form to fill in, but she knows that Charlie will go mental if he receives a demand from the CSA and will take it out on her through her son. Although she wrote in explaining this, the Child Support Officer still wants to see her to find out why she won't sign the form or give details of the father. A local advice agency advises her about the 'undue harm or distress' grounds for refusal. She finally decides to go to the interview accompanied by an advice worker, because she can't afford to lose 20 per cent of her benefit. In the end, the CSA accepts her reasons, but the whole experience has caused her a great deal of unnecessary worry.

The grounds for refusing to co-operate with the CSA are vague, and there are still reports of the CSA putting undue pressure on women to sign the Maintenance Application Form.

## Family disruption

'If it wasn't for the CSA he might still be paying - we don't speak to each other now.'

Because she was claiming Income Support, Carol had no choice when the CSA became involved in assessing her maintenance. Her ex-partner Bill had been paying £40 per week regularly in the four years since they separated, and he saw the children regularly. But he objected strongly to the CSA interfering in his life, and when they told him to pay an extra £10 per week plus arrears dating back to the time that the forms were sent out he blew up, blaming Carol for making all the fuss, and refusing to accept that she had no choice.



In this case, the CSA has intervened because of its benefit saving brief. In doing so, it has soured relations and the harmed the children's relationship with their father. Bill isn't one of the two-thirds of absent fathers who paid no maintenance before the CSA came along - why shouldn't responsible parents have the freedom to make their own arrangements?

This benefit penalty is severe. A mother whose reasons for refusal are not accepted by the CSA will lose £9.14 per week for six months followed by £4.57 for a further 12 months. (Income Support payments for lone parents are currently £62 per week plus the allowance for each child). Compare this with the maximum maintenance assessment on an absent parent on Income Support of £2.30 per week.

Many women have very good reason not to pursue maintenance from the father, because of the danger or disruption it would cause their families. Nearly 11,000 women had their benefit reduced because of non co-operation between April and September last year, and there is no sign that the Government will back down in this part of their 'benefit saving' agenda.

Once the parent with care gives permission, she is asked to fill in a maintenance application form giving details of her financial circumstances and information about the father. He is then sent a maintenance enquiry form so that his financial circumstances can

be assessed.

All this paperwork flows backwards and forwards between the CSA local office and the two parents, until the lengthy forms are complete. Even in ideal circumstances, with both parents co-operating, it can easily take six months before the CSA has all the information it needs to make a maintenance assessment on the absent parent.

A campaign of non co-operation, mainly by absent parents, has helped to gum up the works, leading to massive delays in a system which was already struggling to cope with a heavier than anticipated workload, problems with new computer equipment and the training of newly recruited staff.

In December 1994 it was announced that the CSA would defer the take-on of pre-1993 Income Support and Family Credit cases and that it would postpone taking on non-benefit cases with an existing court order until 1998 at the earliest. (They originally planned to start working on these cases in 1996.)

Because new benefit claims are coming in all the time, the CSA is still facing a very tough task in keeping up with its case load.

One of the main aims of the Child Support Act was to save money on benefit payments by making absent parents pay up for their children. For its first three years, the Child Support Agency has been directed to concentrate on parents with care who are claiming Income Support and Family Credit, with the intention of tracking down the absent parents and assessing them for maintenance. The savings come when this assessment is made, as the maintenance is deducted pound-for-pound from benefit payments.

This means that lone parent families trying to survive on Income Support gain precisely nothing from a maintenance assessment. They lose out if the maintenance money is not paid to them, as the CSA does not guarantee payments, although it will chase defaulters.

Parents receiving Family Credit can keep the first £15 of maintenance. In contrast, under the child support system in Australia, the parent with care would be allowed to keep more than half of the maintenance payment.

Lone parent groups and other agencies concerned with family poverty have complained bitterly about the benefit saving aspects of the Act, and have been calling for a maintenance disregard for all people on benefit. The only progress so far has been a tiny concession in the latest of proposed changes to the Act. In the White Paper published in January 1995, Peter Lilley explains that a maintenance disregard on Income Support would 'reduce the

## The absent mother

Not all absent parents are men, although Susan's story could equally apply to an absent father. She works irregular shifts and takes all the overtime she can in order to pay for the



CSA-assessed maintenance of £100 per week to her ex-husband. Although she manages to look after the children for 15-20 days per year during her holidays, she has to work weekends and has a very small flat so it is not possible for her to take the children for the two days per week that would qualify for a sharing of childcare costs and a reduced maintenance bill.

The proposed limit of maintenance payments to 30 per cent of income and the option to depart from the maintenance formula may help her in future. The Child Support Act works on the principle that one parent is responsible for the children, and its inflexibility about sharing expenses makes it difficult for shared parenting to work. The term 'absent parent' used in the legislation is negative and offensive to those parents who try to stay involved with their families.

clear water between in- and out-of-work benefits and thus make it more difficult to be better off in work'. Instead, he proposes a Maintenance Credit for those who succeed in finding work of 16 hours or more per week (thus moving from Income Support on to Family Credit).

For each week in which maintenance is paid while the parent with care is on Income Support, a credit of £5 (or the actual amount of maintenance if less) will be chalked up, to be paid as a lump sum when she leaves Income Support to take up work. Not exactly a generous move, especially as there is a maximum of £1000 and the credits will not be introduced until April 1997.

Most of the publicity in the first year of the CSA focused on a completely different set of problems, those faced by the 'absent parents', especially those with second families, who were faced with sudden increases in their maintenance payments, often with substantial arrears due to delays in the assessment system. Outraged fathers marched in protest, and flooded the press and MPs with letters of protest.

Following major protests, particularly from father's groups, the maintenance formulae in the Act were modified in early 1994. A second major set of changes were announced in January 1995, including new legislation which is now passing through Parliament. These changes will relax the maintenance formula in favour of the

## The poverty trap

Frank is quite happy to pay for his daughter, but his wages are low and the CSA bills are crippling him. He works in the building trade, and has to travel widely to find work, but he'll soon reach the point where he'll have to choose between repaying the loan on the car or paying maintenance. In many ways he'd be better off on the dole paying the minimum £2.30 per week, or taking work in Europe - the CSA has no powers outside the UK. The 1995 changes in the formula may help him in the long term, but they are not retrospective and he still has to pay up arrears at the old rate.



absent parent, meaning that even less money will reach the children,

A few crumbs of comfort have been offered to parents with care. Maintenance Credits (see above) are a feeble substitute for a proper maintenance disregard. Both parties will be allowed to apply for a departure from the maintenance formula in exceptional cases, which may benefit some parents with care, but is likely to be of more use in reducing maintenance assessments on absent parents.

Because Family Credit is fixed over a six month period, some parents will lose out if the amount of maintenance they receive is reduced under the new proposals. In a less than generous move, the government offers to compensate these families - by repaying half the amount of money they will lose.

Although press coverage of CSA stories in recent months has given more prominence to the problems faced by parents with care. Nearly 11,000 women had their benefit reduced because of non co-operation between April and September last year, and there is no sign that the Government will back down in this part of their 'benefit saving' agenda.

Because of the benefit saving aspects of the UK child support system, the current set of changes to the legislation will do virtually nothing to alleviate the poverty that faces many children in one parent families. The Child Support Agency has been a political nightmare for the current government, but it is unlikely to be abolished. Peter Lilley will try to avoid further changes during the current parliament in order to allow the Agency to settle down and cope with its enormous backlog.

There are no easy answers to the problem of child support. Attempts to enforce financial arrangements between two people whose relationship has broken down are unlikely to satisfy both parties. The Child Support Agency will not live up to its name until the best interests of the children are given higher priority than the saving of money for the Treasury.

The Scottish Child Support Act Campaign Group has developed an alternative policy framework which highlights the need for a comprehensive family policy. Their statement of general principles and proposed changes to the Act has received wide support in Scotland, with a wide range of signatories from voluntary organisation, local councils and trade unions. Proposed Changes:

- The decision of the 'parent with care' to apply for maintenance should be voluntary and initiated by her.
- Children should actually benefit from maintenance by introducing a maintenance disregard for parents claiming Income Support.
- There should be a guaranteed maintenance payment system for parents collecting maintenance. Suitable collection and payment systems should be set up to ensure that parents with care of their children have a reliable source of income. 'Absent' parents on benefit should not be obliged to make a minimum contribution which entails their income falling below Income Support level.
- The Maintenance Assessment Formula should take into account the costs of separated parents maintaining contact with their children and the costs of caring for a second family. The formula should be more equitable: at present the proportion of total income payable in maintenance decreases as income increases.

Finally, newspaper publicity on the CSA has tended to focus on the more spectacular problems such as sky high maintenance bills and suicides. It is much more difficult to publicise less newsworthy items, particularly when the parent with care is reluctant to expose her children to press attention and show up their father. The cases appearing in boxes with this article illustrate some of the problems thrown up by the workings of the Child Support Act, many of which have not been addressed in the current set of proposals for changes to the Act. All names have been changed. ■

For further information contact the Scottish Child Support Act Campaign Group, c/o One Plus, 55 Renfrew Street Glasgow (0141 333 1450) or One Parent Families Scotland, 13 Gayfield Square, Edinburgh (0131 556 3899/4563).



The Children's Hearing System has been described as 'a four lane motorway that ends up in a cow field'.

**Alison Bell** investigates the charge that the lack of resources is defeating the best efforts of Panel Members and asks how local government reorganisation is going to affect the system in future.

**R**ound the oval table sits a motley group of people. On one side is a sullen teenager, accompanied by his mother, a bearded social worker, perhaps a teacher. On the other sit three Panel Members - two male and one female, or two female and one male - of mixed ages. Somewhere at the table is a 'Reporter', the official responsible for referring the child to the Hearing System in the first place.

This is a typical Children's Hearing. For the next three quarters of an hour or so the people round the table will discuss the reason they have all come together - usually something about the child's behaviour or the behaviour of the parents towards the child - at the end of which a decision will be taken as to whether the child is in need of 'compulsory measures of care' and, if so, what these should be.

Panel Members are ordinary people who take a special interest in the welfare of children. They are volunteers, come from a variety of backgrounds and perform their panel duties under often demanding and stressful circumstances.

I asked Jean Raeburn, training organiser for Lothian and Borders and Western Isles regional panels to describe a typical Panel Member.

'Panel Members need to have a real commitment to give something back to their community,' she says. 'At the very least they commit themselves to getting close to other people's pain in a way that others usually don't want or have to.'

Children's Panels deal with about 40 per cent of cases which come before the Reporter. The easy ones are otherwise disposed of. Thus Panel Members tend to find themselves dealing with the most difficult cases and complex situations. Far less rigid

and formal than a court hearing, a Children's Hearing is also far more demanding. Panel Members need to know how to ask what went wrong and to understand what can be done to prevent it happening again.

The process is open and can involve a lot of soul searching. As one parent with experience of both systems put it, 'At the court no-one asked you to do anything. They don't think of asking your Mum if she was drinking when this incident happened or asking what you as a parent think'.

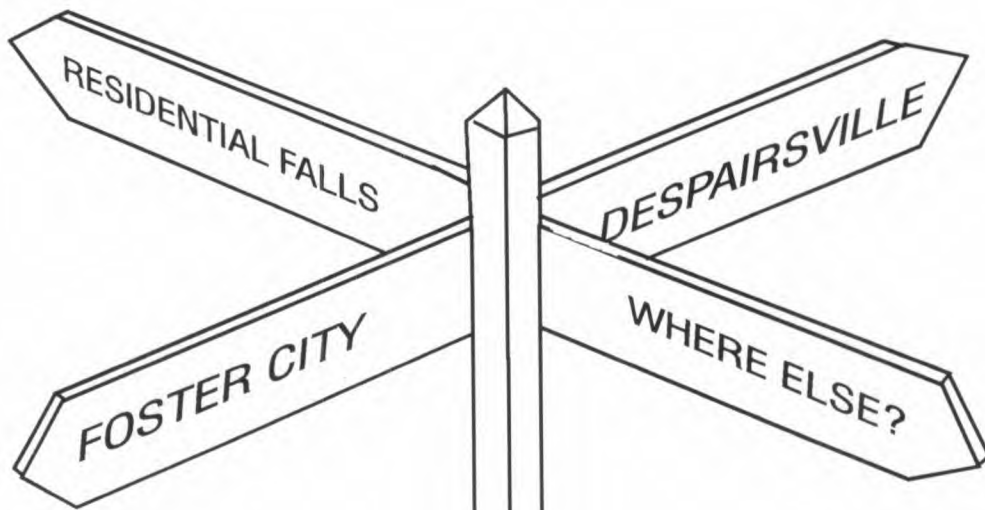
According to Jean Raeburn, if you ask a direct question of someone at a Children's Hearing you never know what you will get back. 'It could be anger and it could be tears. You have to take on board the emotions, but steer through them and not get the process bogged down in comforting people.'

The final decision of the panel has to be arrived at in front of the parents. As one Panel Member put it, 'You are asked to have moral courage, sometimes to question professional perceptions about a family, sometimes to face families with the consequences of their behaviour and to stand up on behalf of the child and ask for something to change'.

While the hearing itself may be stressful, the provision of resources is, if anything, an even more thorny and pressing problem. As one ex-member of the Lothian panel puts it, 'Residential schools and children's homes are all full all of the time. Foster care is seen as a replacement but it cannot be an equivalent in all cases.'

'Some children, especially teenagers, don't want what a foster family is offering. They may have had enough of families or they may feel they don't want to take part in

# A Highway To



something which makes a judgement on their original family, no matter how bad their experience may have been. An institution, whilst more formal and impersonal, can offer a space which is neutral and independent. Of course it is cheaper to provide foster care than to run children's homes!

Sometimes the problem may be that the required resource simply doesn't exist. 'I recall the case of a child who was put on a supervision order - six months later the panel reconvened only to discover that due to pressure on resources the child had not yet even been allocated a social worker.' Delays like this - which are not uncommon - are disheartening and, aside from their effect on the child concerned, threaten the morale of Panel Members.

As Jean Raeburn puts it, 'It doesn't matter how well Panel Members do their job, they are often going to feel that they can't deliver. Panel Members get caught up in the welfare of children. There's a lot of worry and stress, particularly if you add to that a feeling that you've done all you can and can't deliver what's really needed.'



Would more residential places solve the problem? According to Jean Raeburn the situation is more complex than a 'solution' such as this would suggest.

'A great deal more could be put into prevention before cases deteriorate so much that the child has to be removed from home. Facilities such as day care places are always at a premium. I'd like to see them more readily available at the early stages of family difficulty. At the moment it's a lottery and it's only in a small percentage of difficult cases that all the stops are able to be pulled out to get the package exactly right.'

'Lord Kilbrandon, in his report which resulted in the setting up of the Panel System in Scotland, envisaged Panel Members in a co-ordinating role, overseeing a tailor-made package of support which would include parenting classes, financial help, help with alcohol problems, home helps and informal befrienders who may have specialist experience or knowledge of child development that a social worker may not have.'

At present the vast majority of decisions the Panel is able to make

# Nowhere?



# A Highway To Nowhere?

involve ordering supervision by a social worker on at most a weekly or fortnightly basis - hardly the comprehensive cocktail of services originally envisaged.

For the Panel Member, the amount of service time required alone is often a problem. These volunteers devote an average of over 120 hours per year to training and preparation and a further 70 hours to the hearings themselves. On top of this heavy workload, members report that their greatest source of pressure is coming from the workplace. This has been notably the case with the former public utilities which are now private companies. New working practices, targets, cell structures and so on mean that taking time off can affect the bonuses of an entire cell.

Panel Members are legally entitled to time off for hearings by the Employment Consolidation Act. While company policy at the top level may reflect this, what happens at shop floor level is often a different story. We are losing panel members because workplaces are making life difficult for them.

This was highlighted about 18 months ago when Strathclyde Children's Panel organised a conference for employers to stress the benefits companies might derive from having Panel Members on their staff - problem solving abilities, experience of learning new skills,

**'For young people in care the local authority is effectively their parent ... young people who are the users of these services quickly pick up on the uncertainty around them and it doesn't do them any good at all.'**

expertise in communicating with others etc. It had to be cancelled due to lack of interest. Now we hear that 1995's new intake of panel trainees has already lost half a dozen people because they were finding it impossible to get the time off work.

These are some of the stresses at present, but are things going to get better after 1996 - or worse? Who will be the voice of children's Panel Members under the new local authority set up?

Under the present system the Regional Reporter is a senior local authority officer and as such attends council committee meetings and acts as a link between Panel Members and local government. This is vital, especially where issues of funding or the provision of resources has to be argued for. The creation of a new body known as the National Reporters Administration effectively severs the direct link between the reporters and the local authority. Reporters will no longer be officially appointed to any locality.

'We are in a situation where the Panel makes decisions and lays down requirements but it is the local authorities who ultimately control spending budgets for the services needed,' says Barbara Reid, Chair of the Strathclyde Panel. 'Local authorities may thus decide what resources are provided without reference to the panel system.'

'No national body or figure is being proposed to

represent the views of Panel Members. If part of the system is going to run on a national basis surely the entire system should be looked after nationally with a national inspectorate.'

Even the social work departments are feeling the chill winds of change. The new local authorities may retain a Chief Social Work Officer but this is not guaranteed, nor is there a guarantee that a specific Social Work Committee will be set up. Decisions affecting the Hearing System may form part of a general purposes committee.

The problems of reorganisation may also affect Panel recruitment. 'At present Glasgow pulls in quite a few of its Panel Members from the outlying suburbs,' says Barbara Reid. 'We don't know if we will be able to go on doing that if people in future must reside within a smaller regional boundary. If we are forced to move people into their geographical authorities, Glasgow will be about a third down on its present membership.'

And though childcare in Strathclyde, according to Barbara Reid, has managed to hold its own against a background of cuts, local government reorganisation presents new threats. 'There is a wide range of resource centres open to all children across the region. Will they still be open to all the new local authorities?'

She cites as an example Kerelaw, a former List D school and now a children's home with a secure unit and places for 90 children. 'The new authority it will come under is North Ayrshire. How will the places be allocated then? Will they sell beds to other regions? At the moment the beds are allocated on the basis of need throughout the region. We don't know who will ultimately decide and the uncertainty is not acceptable.'

'As a Children's Panel we are not campaigning against local government reorganisation as such. However if the Strathclyde police and fire services are seen as being strategic, why not Social Work and provision for the Children's Hearing System. It seems sensible to us that services for children should be protected from changes in the political machinery. Unfortunately in politics sense doesn't always prevail.'

Foster care is also threatened by the reorganisation of boundaries and the resulting fragmentation of resources. A good example of this can be seen in Lothian where a disproportionately high number of foster carers are based in West Lothian, with children being sent out to stay with them from Edinburgh where there is a shortage of families.

Whether this foster care will still be available under reorganisation is a question which is still to be resolved - and may continue to be so for the next 18 months as the shadow authorities settle down into their new roles. While they do so the risk is that it is the young people who will suffer.

'For young people in care the local authority is effectively their parent,' says Cathy Jamieson of Who Cares? Scotland. 'Young people who are the users of these services quickly pick up on the uncertainty around them and it doesn't do them any good at all.'

'Staff can go home, Panel Members can go home, but for young people in care these decisions affect them 24 hours a day every day of their lives.' ■



# PLAYING SAFE



Are we keeping our children off the streets to their lasting detriment, asks **John Hunter**.

Should we be encouraging them to switch off their computer games and go out to play with their friends on the pavement or the park?

When I was a child we used to play football every day on the street - not on the pavement, mind you, but on the road itself, right outside the house in full view of my parents, who when they chose to watch were presumably happy enough to tolerate this sort of behaviour even though there was a public park within five minutes' walk of our house. One set of goals was up the road, the other down the road and if the ball went on the pavement it was out of play for a throw-in (or a 'shy', as we called it then). We had to jump out of

the way of the cars and the motorbikes, of course, but I suppose there weren't as many of them then and they didn't go as fast.

Now I have children of my own and if my son tried to do what was normal for me then - playing football in the middle of the road - I would do my best to make sure he didn't (this despite the fact that we live in a cul-de-sac with very little traffic) and my impression is that this is a fairly normal reaction of parents in the 1990s. In fact the differences between now and then go even deeper than that. Parents now seem to bother much more about the whole idea of letting their children go 'out' to play. More and more, children - mine included - are encouraged to invite their friends into the house to play or to go to play at their friends' homes.

Such is the perceived decrease in the number of opportunities children have to play that we have invented a day, Playday (this year on 9th August), to raise awareness of the whole idea, and a profession, Play Leader, to encourage children to play with each other.

Or have we?

Sue Gutteridge, Play Services Manger at Stirling District Council, disagrees. 'I don't see it as taking over children's play experiences. I see the two kinds of play experience co-existing with on another. We can sometimes open up new experiences for children and allow them to meet other children that they would not meet otherwise.'

According to Gutteridge, spontaneous play may not have deteriorated at all. 'I'd like to see some kind of objective evidence for that,' she says. 'I think there's a tendency always for people to see themselves progressing away from some kind of Golden Age.' Change there has certainly been, but not all of it necessarily for the worse. 'I think parents see themselves as being more and more responsible for the detail of their children's lives.'

For me, this is epitomised in the act of going to school. Once, children by and large walked to school. A child arriving at the school gates in a car or a taxi was a very rare sight indeed. Now, transporting children to and from school by car is more or less the norm. Once, mothers took their children to school on Day One, after which they would go with siblings and friends. Now, there are crowds of mums and dads outside the school gates, morning and afternoon, all the year through - and research has shown that while 20 years ago 80 per cent of seven-year-olds walked to school, the figure now is only eight per cent.

The implications of these changes are quite fundamental. Children now - outside of school - are socialising in smaller groups. They are, it is said by some, losing the ability to invent ad-hoc games to play. And, equally significant, their health may be suffering because they are not getting enough exercise. This is particularly true in Scotland. A study - 'Health Behaviours of Scottish Schoolchildren' - conducted in 1990 by the Research Unit on Health and Behavioural Change (RUHBC) at the University of Edinburgh - found that 'young people in Scotland have particularly poor nutrition habits with a diet high in fat and sugar, and low in fibre in the form of fresh fruit and vegetables and wholemeal bread'. Only nine percent of 11-year-old Scottish boys, for example, ate fibre rich foods once a day or more - compared with 39 per cent in Belgium.

As far as physical activity was concerned, the RUHBC study found that this was 'relatively low' in comparison with comparable figures from other countries. For example, only 34 per cent of 11-year-old girls took physical exercise four or more times a week out of school.

**'The answer may lie in "whole area traffic calming", making whole areas less friendly to cars and more friendly to pedestrians.'**

Given these problems, why are we so reluctant to let our kids out on their own? And more importantly, does it make any difference? Perhaps it is, as Sue Gutteridge maintains, just simple nostalgia that makes adults nowadays think their own childhood was somehow better than the childhoods of their own children - would we be better advised to remember some of the terrible risks we were allowed to take as children. Or perhaps current trends present real dangers to our children's health, sociability, mobility and independence.

There is one primary reason why many children are not allowed out so often nowadays.

Fear.

We are afraid to let our children out partly because of busy roads and the chance that they might be knocked down by a car. Also, there may be health risks in letting your children out in urban environments. Childhood asthma is on the increase and a great deal of this has been attributed to the fumes from car exhausts. However this presupposes that the air indoors is any better than the air out-of-doors - surely a doubtful proposition - and, anyway, given that asthma is aggravated by house dust, being out of doors may have its advantages of its own.

According to Anna Libelska of the National Voluntary Council for Children's Play, cars are a large part of the problem. It is not a solution, she argues, to make a single street narrower, or have speed bumps here and there. This does not allow children to get around their own area. The answer may lie in 'whole area traffic calming', making whole areas less friendly to cars and more friendly to pedestrians.



Perhaps the greatest reason for keeping children off the streets is the most basic fear, for parents, of all, the perceived rise in crimes against children - abduction, assault and molestation. But has there really been a rise in this type of crime - or can we put it all down to a false storm whipped up by an increasingly hysterical tabloid press?

There has been a great deal of trumpeting recently about the fall in recorded crime in Scotland over two successive years. In 1993, the latest year for which figures are available, recorded crimes stood at 543,013, compared with 589,562 for 1992 and 592,774 for 1991. So in the two years between 1991

, recorded crime has fallen by approximately 10 per cent - no mean figure. However this must be seen against the background of a huge rise in crime during the eighties. In 1980 the comparable figure stood at a mere 364,587. Recorded crime figures are, in any case, notoriously inaccurate

As far as crimes against children are concerned, exact figures are difficult to come by as the crime statistics do not tend to be broken down by either age or gender, though it is known that a very high proportion of children have been victims of crime at some time in their lives. While there were 248 abductions in Scotland in 1994, we do not know what proportion of these were child abductions. That said, the abduction figure has risen from 144 in 1990 and an incredibly low 26 in 1980. Thus it appears that the increase in abductions has far outstripped the general crime increase and this is presumably reflected in an underlying increase in the number of child abductions. Fear of abduction may thus be more than simply a hysteria whipped up by the tabloids, but a very real fear which in some ways justifies the increased care we now take of our children.

The answer would seem to be to keep children at home or to make sure they play at supervised play facilities. But supervised play costs money and there is little evidence that councils are prepared to put the necessary amounts of money into play. A recent study in England and Wales, for example, showed that £64 million was spent on playgrounds and play services - less than four per cent of what was spent on facilities for adults. Yet children make up 20 per cent of the population.

Even if this were sorted out we'd be left with a few problems. For example, we know that the majority of child sexual abuse acts take place in the home or in the homes of friends or relatives. Are we driving our children out of the frying pan and into the fire, moving them from a possibly lesser danger out playing with their friends into a greater danger of abuse at home?

And what do the children do while at home? The activities identified by the RUHBC study mentioned earlier as the predominant 'sedentary leisure' activities of Scottish schoolchildren were watching television, watching videos and playing computer games. The figures had a depressing ring to them. Some 36 per cent of 15-year-old boys and 34 per cent of 15-year-old girls watched 'four or more hours of television per day'. These were the highest figures of the countries studied, comparing with a niggardly 15 per cent and 6 per cent respectively for Finnish 15-year-olds. Videos were watched much less frequently, with the threshold figure being set at four hours or more per week.

As far as computer games are concerned, Scotland's boys and girls are among the heaviest users in all three categories (11-year-olds, 13-year-olds and 15-year-olds), the boys never being out of the top four, and the girls only once, when they were fifth. That said, girls are massively less frequent users of computer games: for example, while 16 per cent of 15-year-old Scottish boys play computer games for four or more hours per week, only two per cent of girls do.

According to Sue Gutteridge, children playing computer games is 'just another of these things that adults get extremely worried about. There's so much subjective opinion flying about. A lot of research shows that children don't actually spend as much time doing these things as their parents think they do.' She compares it with the way parents 20 or 30 years ago worried about their children watching too much television, though she admitted that 'taken to extremes it probably isn't a wonderful idea.

Unfortunately, the RUHBC figures are already five years old - five years in which home computer games have become much more accessible to many more people. Recent research in Plymouth, however, has raised the spectre of computer game addiction. Dr Mark Griffiths, of the Psychology



**'...even if playing computer games itself does no harm...doing anything for this amount of time is bound to take children away from other things - like education and social development.'**

Department at the University of Plymouth, conducted a study into computer game addiction among 387 12-16 year olds at a school in Exeter. Some of the results are disturbing to say the least.

Using a nine-point checklist developed for gambling addiction, Griffiths found that one in five of the children studied scored four or more and thus qualified as addicts. Even after the researchers qualified the criteria by taking into account the amount of time spent playing the games - 30 hours per week or more - they found that seven per cent of the children studied qualified as addicts. And even if playing computer games itself does no harm, says Griffiths, doing anything for this amount of time is bound to take children away from other things - like education and social development.

But does it do no harm?

One of the more sinister findings of Griffiths' study was the fact that a significant number - 13 per cent - of the sample said they liked computer games because of their violent content. One in five said that playing computer games made them more aggressive, a figure which showed a very strong correlation with those who played most heavily. Breaking down the figures by gender revealed that males played significantly more than females and were significantly more likely to become addicted. With the development of 'virtual reality' games, Griffiths thinks the potential for addiction may increase substantially.

If the solution, or part of it, is to persuade our children to play more out of doors, it seems that one way to do this is to improve the environment in which children - and adults, for that matter - exist. This may mean cutting down on the numbers of cars in communities, increasing the speed at which they travel and building local play facilities wherever possible.

According to Anna Libelska, instead of building a housing estate and putting a children's playground somewhere near the centre of it, we should consider following the example of the Swedes and Danes, who are now tending to design whole housing developments with regard to children's needs. 'The whole place then becomes a playful area,' she says.

At the moment much of what has happened to improve facilities for children's play has been done as part of equal opportunities initiatives designed to allow mothers to get back to work. 'We would like to see play centres with children able to get to them,' says Libelska. 'It's useful when kids can get picked up from school and go to after school play facilities. Even where parents don't work, why shouldn't children have access to after-school play facilities?'



## A Charter for Play in Scotland

In 1993 a Working Group comprising representative of all organisations in Scotland with an interest in children's play convened was convened by Children in Scotland to produce Charter for Play. The main aims of the Charter are listed below.

- Public awareness of the importance of play needs to be raised.
- Whatever their circumstances and abilities all children need and should have the opportunity to grow and learn through play.
- All people who work with children should enjoy playing and understand the role and importance of play.
- Children need adults to enable, offer stimulation and at times to progress their play.
- Play opportunities should offer choice, challenge, fun and adventure in a safe environment.
- Play environments should support confidence and self esteem and allow for social and emotional growth.
- Children's play needs to be child-led and adult supported.
- Play is a part of education, not apart from education.
- All students of education, social work, community work and health should be given an understanding of this in training.
- Neighbourhoods should be planned with play in mind.
- When children are away from home, whether for voluntary or compulsory reasons, their right to play must be provided for.
- Play must be overtly acknowledged in legislation.
- The responsibility for the play needs of all belongs to the community and those in positions of power whether governmental, statutory, voluntary or personal. This is a responsibility which must be fulfilled.

Perhaps the main way in which things could be made to improve from the child's - as opposed to the mother's or father's - perspective without a great cash outlay would be to involve children in decisions about play facilities. This would be in line with Article 12 of the United Nations Convention on the Rights of the Child, that children have the right to be consulted and have their views heard. Here and there throughout Scotland this is actually happening. We should agitate for it to happen more often ■

## Computer games: How to spot an addict

Mark Griffiths of Plymouth University used six components to tell whether children were addicted to computer games.

- Sallience: Is the child becoming preoccupied with this activity?
- Euphoria: does it alter his or her mood?
- Tolerance: does the child need increasing exposure to computer games?
- Withdrawal: does he or she becoming moody and irritable when the computer is switched off?
- Conflict: does playing these games cause conflict either within the child or with others?
- Relapse: has the child given up computer games and then relapsed into old habits?

# Soft Soap: Children on The Box



Attacks on the effect the mass media have on young minds are not new - but are they ever justified? **Margaret Hubbard** reports.

*'We do not often see an account of a girl committing a serious fault through her reading. But let us go into the houses of the poor, and try to discover what is the effect on the maiden mind of the trash the maiden buys. If we were to trace the matter to its source, we should probably find that the higher-flown conceits and pretensions of the young girls of the period, their dislike of manual work and love of freedom, spring largely from notions imbibed in the course of a perusal of their penny fictions.'*  
Edward Salmon, 1888.

*'Before these children's greedy eyes with heartless indiscriminations horrors unimaginable are presented night after night. Terrific massacres, horrible catastrophes, motor-car smashes, public hangings, lynchings. All who care for the moral well-being and education of the child will set their faces like flint against this new form of excitement.'* The Times, 12th April 1913.

Familiar words?

Perhaps it is surprising that these attacks on the mass media date from upwards of 70 years ago. Scapegoating the media for the greater ills in society is not new.

Nor is it either honest in its intentions or exact in its analysis. For all the thousands of children who watch

television and film, it is an infinitesimal percentage who become dangerous. It is convenient for the ruling order of society to blame the media for the horror of the James Bulger case. By so doing it can ignore other factors in the lives of Robert Thompson and Jon Venables which may throw light on to why they, and not others, led a toddler to his death.

The role of television and film in the lives of children is more complex than is the simplistic scapegoating of the tabloids, or the representation by anti-media campaigners of political aims as moral aims. The media has a huge effect on us all. Much of what we learn of the world comes to us through newspapers and television rather than by direct experience.

In the construction of a film or TV programme, a selection process has taken place, and we in turn as media consumers take in the reality of what is presented to us. Many of us are very aware of this selection process, and so can apply a pinch-of-salt approach. There is a problem in this however: precisely how large a pinch should that pinch be before we ourselves distort the truth of an event at which we were not ourselves present. Knowing that the media construct a reality for us does not itself lead us closer to the whole picture.

When we consider this in terms of how children make sense of the world, the problem becomes greater. Young children are not at all aware of the processes of television and film, and so never think to question much of what they see with their own eyes and hear with their own ears. After all that is how they make sense of the world around them, and television is simply an extension into a world beyond their street.

Soap opera as a genre is very popular with children and teenagers. Children as young as seven or eight regularly watch the tea-time soaps. None of these programmes are violent or sexually explicit, and yet they attract a vast number of young viewers.

Part of the attraction is that these programmes deal with 'real problems', and 'they're about our age group'. 'The people look attractive', and 'they're not depressing'. The 'Neighbours', 'Home and Away' and 'Grange Hill' viewers find the same attractions as do their older counterparts with

'Coronation Street', 'Brookside', 'Eastenders' and 'The Archers'.

So what are the pleasures of soap? Each soap opera is located in one place, and viewers become familiar with it, and its inhabitants, just as they do with people in their own street. The characters become neighbours whom we come to like and to dislike. We follow their lives, their hopes and their fears.

What happens to characters in soaps can happen to us. Recently one of the writers of 'Eastenders', Tony McHale pointed out that storylines 'should be about page 10 news, not page 1'. We are often told that soaps are escapism but where is the escapism in the very woof and warp of our own lives?

American soaps of the past - 'Dallas' and 'Dynasty' - had a hefty dosage of fantasy escapism but what about miscarriage (Coronation Street), death (Grange Hill), AIDS (Eastenders) and teenage sex (Neighbours). One answer lies in the solution to the problems. In soap pain evaporates quickly. After only a very few episodes a trauma is put aside, and only occasionally referred to again.

A case in point is Liz MacDonald's miscarriage in Coronation Street. This tragic occurrence was handled with great sensitivity at the climax of the story, but was then dropped as a storyline two episodes later. Liz was not then part of the programme for a few weeks, and when she next appeared she was fine and the baby not referred to. When other babies in the street are born (most recently on 4th January this year) Liz's miscarriage is mentioned, but the long term impact of miscarriage was not sustained, because, of course, the programme is entertainment.

And here is where the problem comes in for someone suffering the emotional carnage of miscarriage who, while she can look at Liz MacDonald and know her recovery is not real, nevertheless has to watch her own long term pain being invalidated. It is represented by its absence as an inconvenient irrelevance. She cannot measure the gap between constructed pain of the TV story, and her own very real and very long term pain. How much more so in the soaps so high in the teenage ratings? 'Grange Hill' has recently tackled the problem of AIDS and death. Lucy's mother died of AIDS contracted from a blood transfusion, conveniently displaced to America. Unhappy and irritable, Lucy was at school throughout the sudden death, the funeral, the rumours about AIDS going round the school, and the harrowing

choice that she and her father had to make about taking an AIDS test.

The situation was real, the characters' pain was anaesthetized, and the attempted comforting by the others characters inept and inappropriate. The storyline was very quickly rounded off to be replaced by one on a Grange Hill video being made which centred on a situation more cerebral than emotional.

So where does this leave children who are themselves coping with the virus, or those dealing with family members who are HIV positive? One teenage girl recently bereaved through AIDS was both comforted that the issue



was dealt with at all, and angry at how simple it all seemed. Lucy's pain goes on...and on...and on.

It is particularly to be hoped that this is understood by those who are as yet entirely unaffected by AIDS. Those who are affected already know only too well that the pain goes on! Again the gap in knowledge is the nub of the problem.

'Grange Hill' is to be commended for tackling AIDS (most adult soaps are avoiding it) but in the raising of the subject the programme has an obligation to make its viewers aware not only of the facts, but also of the issues involved. The programme scotched the nonsense about catching AIDS in a swimming pool, and it condemned the prejudice meted out to AIDS victims, but it was trapped by its own raison d'être of entertainment on the issue of long term emotional suffering.

In the previous series of 'Grange Hill' the programme also displayed courage and initiative in handling racism. On a school trip to Germany, one of the black

**'The message was clear. Parents might fuss about teenage sex, but ride it out and they'll come round eventually - dangerous ideas for adolescents who need to be guided through the turbulence of budding sexual expression with honesty, sincerity and integrity, not a clutch of unlikely pieces of narrative fiction.'**

children was threatened by the new Nazis. Her very real terror was a salient reminder to us all, and for many young white viewers it was perhaps their first encounter with overt racism.

The response of the victims of racist attacks to the programme may well have been similar to that of the child who recently had to deal with an AIDS death, pleased that the issue had been raised, but a little wary of how it was handled. There was the danger that viewers might be left thinking 'racism and Nazism is terrible - but it only happens in Germany'.

'Neighbours' handles many issues close to the hearts of teenagers. Recently it tackled young people and sex in the storyline of Dannie and Michael. This young couple, still at school, were found asleep together in Dannie's mother and not yet stepfather's bed. All hell broke loose.

However the problem seemed to centre on the fact that the adults were upset that this had happened in their bed. There was a nodding reference to sexually transmitted diseases and pregnancy, which Dannie dismissed as evidence of the remoteness of her mother from what was going on in Dannie's life. It was very easy for Dannie to dismiss her mother's righteous anger when it focused on the irrelevance of the choice of bed and suggestions of contraceptive irresponsibility and safe sex. The issue for the teenage viewers was the validation of their right to their own sexual expression, and this surely is the nub of the matter. 'Neighbours' however slid round that to reinforce the generation gap.

A few episodes on Dannie's mother was knocked down and who came to her rescue? Michael! The rumpus of the sex-in-the-parental-bed and the hamfisted parental attempts to split up the young people were resolved in a breathtakingly arrogant narrative coup.

The message was clear. Parents

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# Soft Soap: Children on The Box



might fuss about teenage sex, but ride it out and they'll come round eventually - dangerous ideas for adolescents who need to be guided through the turbulence of budding sexual expression with honesty, sincerity and integrity, not a clutch of unlikely pieces of narrative fiction.

Selina in 'Home and Away' is a figure of concern. The shift in the position of women in society has allowed for Selina to ask the boys out, rather than wait to be asked out. Fine as far as this goes. But underneath this apparent equality the old game is being played out by the very fact that Selina defines herself by her relationships.

This is a very dangerous rôle model for both boys and girls and one which seems to be increasingly enacted in the teenage partnering dance in clubs and classrooms across the country. Girls define themselves in terms of

**'Some parents won't have TV in their homes. Their behaviour has echoes of the Victorians who refused to have sex education in the curriculum on the premise that if the pupils were not taught it, they wouldn't do it!'**

their boyfriends and, seeking that approval and status, they initiate the relationship.

The boys have been turned into Adonis figures who now wait for the girls advances, and thereby still hold all the power. Independence and freedom of choice have become simply another chat-up line, which becomes invisible after only one, or at most, two dates. Commitment is the expected norm, before the two people barely know each other.

Some at least of this can be attributed to the speed of the story

lines in the Australian soaps. We become aware of the sexual component and the commitment in the relationships very quickly. The primacy of finding a boyfriend and then fighting off all comers is what our teenage girls learn as the rules of the game.

For the boys approval remains in success at sport, looking good, and now being chosen. This has its origins way before children become soap viewers. Children's birthday cards and comics package ideas of success and approval. Boys as winners, girls as carers. Soap simply reinforces it.

How? Firstly because this is what the audience sees. Secondly, of course, because it is attractive. The Australian soaps look nice. The land down under is warm, the people live in nice houses, and they are attractive. Ramsay Street and Summer Bay is a never-never-land of the beautiful people. Life would be very pleasant there, if it could be as it is presented.

Where is the graffiti, the alcohol and drug problems, the unemployment with its resultant long term brutalising effects? Equally invisible as long term suffering. The solutions here belong to the microwave era.

Adults wonder why our teenagers and younger children have difficulty working at problems practical or emotional. Perhaps the answer lies not in the fact that 'children of today have no sticking power' - as if tenacity was genetic - but in the idea that it is simply not cool to stick it out, or worse still, perhaps it is evidence of failure. After all, the very entertainment business needs slick and quick solutions in order to move on to the next story line.

Soap operas are not all bad - far from it. There is something very attractive about the never-ending story. The characters do provide us with a slightly out-of-focus mirror of ourselves. Some of it is very amusing, and without doubt most of it is skilfully written. This is particularly true of British soaps. But the issues about the gap between fiction and reality and role modelling cannot be ignored.

Calls for censoring video nasties in the wake of the James Bulger crime is irrelevant to the vast majority of our young people. Patronising dismissal of 'Neighbours' only widens the generation gap. Understanding how reality is

constructed is vital to making sense of the western world today.

Over the last 15 years Media Studies has made its way into the school curriculum. A study of the media is the sine qua non of teaching children how to make sense of the world that they are living in. If teachers and parents deny children access to how meaning is manufactured, we stand accused of betraying the ideals of education and of parenting.

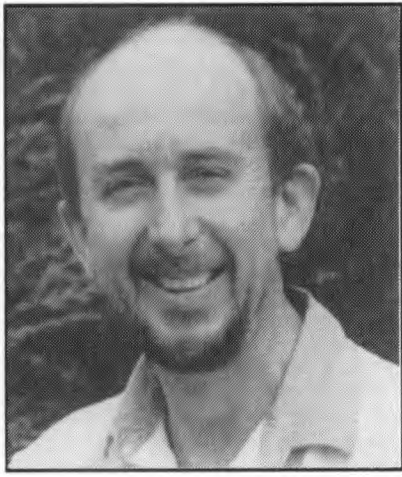
Media Studies has at its core the philosophical aim of making explicit the construction of the media, thereby providing children with the tools they need to become critical consumers of what is broadcast to them. The media are the most pervasive way that people have of making sense of their world.

This is true for adults also. Many parents believe the scapegoating hysteria must be at least partially true, and hook into it in their concern for their own children. Some parents won't have TV in their homes. Their behaviour has echoes of the Victorians who refused to have sex education in the curriculum on the premise that if the pupils were not taught it, they wouldn't do it!

Media Studies empowers people - adults and children to look at the processes of selection in the media, and to evaluate what has been put in, what has been left out and what powerful ideological messages result.

The readers of this article, and this magazine, could begin here! ■





# Child Col Health: C

Conventional medicine may not hold the answers to all aspects of children's health, says **John Page** of the Centre for Natural Health in Perth. Even behavioural problems may respond to manipulative therapies.

I was pricked to passion by the two pro-immunisation women who wrote in the last issue of **Scottish Child**. What they said caused me to reflect on part of the introduction to the first-level craniosacral therapy course that I now occasionally deliver to graduate health practitioners.

It tells a little of the history of osteopathy and of its founder, an American physician called Andrew Taylor Still. This brave and noble pioneer thoroughly got up the noses of his contemporaries by propounding some outrageous principles about how we maintain health.

They were:

- The body is a unit.
- It is not realistic to treat our various bits and pieces as though they have little or no effect on each other.
- Structure and function are closely inter-related.
- The body contains its own self-healing mechanism.

Much of medical practice in Still's day (late 19th century) compromised the body's capacity to self heal.

Has much changed?

Drugs are dangerous. Members of Still's family had died after contracting meningitis. Had the mercury-based treatment supported or compromised their own capacity for self-healing?

AT Still became even more unpopular with his medical colleagues when his regimes of naturopathic care, and advice with remobilisation of the neuromusculoskeletal system resulted in health improvements among patients with whom the drug/surgery-based approach had failed.

Broadly, Still's message is as relevant today as it was over 100 years ago. We seem to

keep re-learning the lessons. I have no argument with the principle of using drugs to help make life more tolerable. After all humanity has done this for millenia with plants, and so have some animals.

Neither do I object to the idea of using laboratory skills to make such substances easier to take, less harmful or available to more people. But drugs have never been, and cannot be on their own, the answer to illness, whether from the individual or the epidemic perspective. Yet they are promoted as if they are.

For instance, if someone has a persistent pattern of infections that their immune system is unable to deal with, questions are raised about what is hampering the immune system. Persistent, recurring spinal pain with no gross structural factor should cause us to go wider and deeper in our search for causes.

Persistent skin rashes are the system's way of clearing metabolic or other toxins. In my business, we prefer to see what's going on rather than slapping steroids on, thus suppressing the natural clearance process. There are harmless palliative alternatives for many routine skin problems. Above all, the great problem is that the drug-based approach tends to be self-perpetuating. The more we use them as a treatment of first recourse, the sicker we get, and we appear to need yet more medication. Ask any psychogeriatrician.

But drug treatment is seductive. Look at the attractions. It encourages us to pretend that illness enters our systems from the outside, as if by chance, diverting us from the true causes, such as low self-esteem leading to addictive behaviour, poor housing, poverty and lack of education and their appalling dietary consequences (I'll never forget the first time I saw a very young baby being bottle-fed cola), and emotional abuse in early life. Drug and other high-tech treatments give physicians priestly power over us, compared with the alternative of assisting the person on their path to self-discovery, using their ilnees as a tool. Self discovery is empowering. So how do I as an osteopath bring these ideals down to workable, everyday reality? Firstly the approaches I use carry minimum risk. Over the past six years I have gradually allowed the manipulative techniques of modern osteopathy to give way to the even gentler, but more profound and widely applicable techniques of the aforementioned craniosacral therapy and somato-emotional release.

Craniosacral therapy has been developed by an American osteopathic physician, Dr John E Upledger, drawing on discoveries about cranial bone movement and fluid behaviour that were originally organised into cranial

osteopathy by one of AT Still's star pupils, Dr William Garner Sutherland. Upledger has, in the last 20 years, combined Sutherland's work with his own to give us a whole-body approach to facilitating the release of many of the deeper physiological causes of chronic pain and illness which, when combined with somato-emotional release, helps the person discover and have the opportunity to release causes at the psychological level too.

My colleagues and I spend time with our clients/patients, finding out all we can about possible causes, explaining how we like to work, and discussing possible treatment outcomes before they are committed to receiving treatment or paying us anything, and before we are committed to work further with them. All through, we use every opportunity to keep them informed at every level. This not only generates a lot of photocopying but also involves us continually playing back what we are finding as the relationship progresses, to encourage self-discovery and the exercise of choice.

As an example of how this may work out in practice, we commonly find that people with asthma are helped by these gentle, non-invasive therapies. Although there is little question that pollutants play a big part in provoking asthma, the fact remains that some people in a given environment are sensitive and others clearly are not.

What primarily interests me is what has gone wrong with one person to make them sensitive? The other task with asthma is to mobilise the soft tissues of the breathing apparatus. This alone will nearly always reduce the requirement for medication and sometimes removes it altogether. Naturally we encourage a three-cornered relationship involving the GP so that reductions in medication can be negotiated in a respectful manner. This provides opportunities for the

**'If someone has a persistent pattern of infections that their immune system is unable to deal with, questions are raised about what is hampering the immune system. Persistent, recurring spinal pain with no gross structural factor should cause us to go wider and deeper in our search for causes.'**



# Complementary Care

patient/client and/or parent to exercise the kind of self-evaluative and deliberative role that is more empowering than the rather supine role encouraged by the 'Pills-for-ills' culture.

One example was when a rather small, angry and sullen 15-year-old lad was dragged in to see me by his mother some eight months ago. He was miserably unhappy, had collected a string of serious complaints from school about disruptive behaviour and was on his final warning. His mother had run out of options. In this case there was a possibility that the mother's own recent history may have had something to do with her son's difficulties.

All in all, the boy's prospects revolved more around containment than development. There was enough in his early history to explain his difficulties, starting with a very tough birth process involving a forceps delivery. Subsequent physical evaluation revealed severe restriction where the head joins the neck and a characteristic pattern of asymmetry of tension within the membranes inside the cranium. This latter aspect is palpable, with sensitivity and a little training, by gently feeling 'through' the bones of the head. Questioning gave rise to the strong likelihood of organic brain dysfunction. This is not an area that I am qualified to assess in any detail, but which does often respond to craniosacral therapy.

The boy's mother mentioned that organic brain dysfunction had been diagnosed six years previously, not by a therapist outside the state system but at the local hospital. Why had nothing been done at this early time?

Happily the case is working towards a successful outcome. After his first few treatment sessions the young man became more co-operative. From his first treatment visit in August 1994 until Christmas he had no letters of complaint from the school. Interestingly, various factors conspired to keep him away and he had a two month gap in treatment during which his behaviour at school deteriorated and he attracted a further complaint letter.

This raises the question of whether the corrections are permanent. Often in the earlier stages of a treatment programme there remains in the person's system enough 'tissue memory' to, as it were, cause the re-establishment of the original pattern. Eventually, in almost every case, the extent of change finally destabilises the original pattern of disruption to the person's system, allowing for permanent change. The length of time after which such permanent change takes place varies



**'I am no longer shocked at how poor our health is. The more I hear of people's life histories, and the more I contemplate the dreadful things we have to put up with, the more amazed I am at our capacity to thrive.'**

enormously between individuals, and can be as quick as one visit. Sometimes long-standing habits such as jaw tightening will have the effect of retaining an old pattern of membrane tension and it may take weeks or even a few months of treatment for such a habit to become no longer needed.

Whereas my young client at first disliked coming to see me and had to be cajoled into his visits by his mother, he now comes on his own and, though still somewhat overactive and impatient, is cheerful and generally a pleasure to work with. He is gaining weight and height, and finds classes at school less confusing.

What sorts of things can introduce the deep, subtle obstructions to our self-healing mechanisms that prevent us getting well and staying well. (Most of us start life with an intact self-healing system. The way that system works includes the production of fevers, inflammation, acne, diarrhoea, aches, pains and the rest, and we suppress these at our peril). The most common are the long-term effects of traumatic injury, especially when the more obvious effects of such

injuries have been successfully resolved. Such injuries may occur at any time after conception. Their subtle after-effects may persist right through adult life. This is particularly so with birthing difficulties that are associated with learning and behavioural disorders.

Emotional trauma is another big factor. But then, when you think about it, many emotional insults have physical ingredients, and emotional aspects of physical trauma can have a tremendous effect. Compare two scenarios. I am walking along a street and piece of masonry falls on my head. I am physically injured and I've had an emotional shock. But what if exactly the same physical injury is inflicted on me by another person and I am aware of them doing it?

What seems to happen here is that the additional emotions of anger and fear can be retained in my system, especially if for cultural or other circumstantial reasons I am not able fully to discharge those emotions at the time. Much of my work is helping people discover, then resolve and release this kind of drag on the system.

Other causes include surgery and medical investigations, anaesthesia, sports injuries, head injuries, physical and emotional abuse, bottle feeding, dental trauma, occupational stress and certain major life changes.

Connections between cause and effect are often bizarre. It may take many years before other factors conspire with deeper causes to produce a breakdown in health. In fact I am no longer shocked at how poor our health is. The more I hear of people's life histories, and the more I contemplate the dreadful things we have to put up with, the more amazed I am at our capacity to thrive. It just goes to show how competent most of our self-corrective mechanisms are. ■

# Locking Pandora's

The recent decision to return the children in the Ayrshire sex abuse case to their parents has raised controversy about reliance on children's evidence in these cases. Sarah Nelson looks at some of the lessons to be learned from the case.

Scotland's most senior judge, Lord Hope, called the Ayrshire sex abuse case 'a tragedy of immense proportions'. And because Sheriff Miller left an air of uncertainty about whether this actually had been a case of sexual abuse, saying 'I cannot with any certainty come to a view as to the truth of this whole complex, complicated and disturbing case', Lord Hope's words cannot be seen as an exaggeration.

Either the family life of these children and parents has been so wrongfully and profoundly disrupted that far from taking two weeks to reintegrate them, it will take years and may never be properly achieved - or our legal system here in Scotland, including three of its most senior judges, has been the active agent in returning children to a situation where they may face the most extreme and sadistic form of sexual, physical and emotional abuse currently known.

In either case, a nine-year-old boy, who spent days on end being cross-examined in the witness box has been publicly branded devious, manipulative and lacking in credibility, labels which will remain with him for the rest of his life. If this is how we're going to conduct sexual abuse cases, it seems to me that we might as well shut up shop and go home now.

What worries me even more is that I'm not at all sure that the reforms which are in the pipeline will play any part in preventing similar problems arising in future. Sheriffs are going to be given more responsibility, not less, to judge between two competing, contradictory sets of claims; there are likely to be more appeals by suspected adults to be dealt with, and pressure to deal with them speedily.

If time limits are put on deliberations, as some reformers seek, this will only increase the pressure to come to swift and accurate court decisions, including decisions on whether or not the alleged abusers stay excluded from the home or return to it. Exclusion powers also raise problems in cases - albeit a small minority - of alleged multiple organised abuse, where both parents may be suspected as perpetrators.

How are sheriffs and judges to become experts, to make accurate judgements about truth, lies and fantasy, without the intensive training and skills in sexual abuse which they, the media and the public so vociferously demand of social workers?

I agree with Donal Giltinan, of British Agencies for Adoption and Fostering in Scotland, who reckons that it is not good enough for experienced sheriffs or judges to say that evidence has been 'too contaminated' for them to make a judgement on it - despite this being accompanied by positive and far reaching decisions on the future of children. It is their job to make judgements on evidence. What else do we pay them for?

This was not an enquiry, like Lord Clyde's, into the conduct of officialdom. It was precisely a scrutiny or re-scrutiny of *evidence*. This was not even a criminal case - where 'beyond reasonable doubt' was the standard of proof. It was a judgement on 'the balance of probabilities'.

If a sheriff cannot make an unequivocal judgement on whether this was a case of sexual abuse after deliberating for more than a year, hearing more than 100 witnesses and taking submissions amounting to about 1400 pages - in a case which overall has been claimed to have cost £5 million! - what chance is there in criminal proceedings with higher standards of proof of convicting genuine perpetrators, acquitting the innocent, and protecting children? What encouragement does it give to anyone to take proceedings, criminal or civil?

There are in any case many problems for an adversarial system trying to reach the most accurate judgement about the truth in cases like this, where expert witnesses are lined up to win a battle, and where the role of suspected adults' advocates is specifically to knock down evidence put together by those who believe children have been abused, to discredit such evidence and those leading it by whatever means they can.

'Sheriff Miller's report was littered with value judgements which repeatedly stated that "the child then moved into fantasy", or a similar phrase, which often seemed random or haphazard.'

For the advocates to do this is quite proper. It's their job. It's what they're paid for. But it may not produce the truth about the existence (or otherwise) of sexual abuse. For instance, it is possible that interviewers may behave ineptly or even improperly, but some things said by children may still come genuinely from their own experience. The two are not incompatible.

Is there perhaps a role, particularly in cases which remain disputed and subject to repeated appeal, for an inquisitorial element where judges can themselves call witnesses with no axe to grind, who can shed light on particular, confusing areas of evidence or contribute to informed and painstaking deliberation? This is done in a number of other countries.

Sheriff Miller was apparently unable to call any such witnesses. Nor did he appear to have the power to demand the presence of the mother whose evidence, he felt, was crucial to filling gaps in the story. Nor, for that matter, could he call a witness to give opinions on disputed medical or dental evidence, or to speak about alleged forms or patterns of abuse. (The Strathclyde Reporter's office has in fact questioned this. They ask if there is authority to say Sheriff Miller had no power to call the mother

# Up Box

in question. The also say that 'on at least two occasions known, a Sheriff has allowed further evidence to be led'. These points may lead to further legal arguments.)

Again, if the various professions involved are going to continue making children's evidence so central to future sexual abuse cases, do improvements urgently need to be made in the way this evidence is assessed for the courts and the assessments are presented to the courts? This is a particularly important question for Reporters and Social Work Departments, especially in cases of alleged multiple organised abuse, and in cases where some of the children's evidence about things done, or the range of adults involved, may particularly strain the credulity of adults.

One particular problem was the absence of any presentation by an expert witness on the Reporter's side which, according to Sheriff Miller's 433-page judgement, argued to the court: 'This whole constellation of esoteric, bizarre claims and behaviours which we present to you may or may not be true, but it is familiar and recognisable as part of a wider pattern or similar claims and behaviours in numerous other places and across several countries'. No apparent mention was made either of the fact that nearly every worker experienced in the field of sexual abuse has come across similar types of claims in their own work over the past five years, claims which the children involved appeared to believe to be true.

Presentation of context and pattern would have been one important contribution among many to the court's assessment of this evidence. It would have offered possible sense and meaning to the children's alleged disclosures, and in particular - especially if an input was included from a survivor's organisation - one possible way of attempting the highly difficult task of distinguishing childish fantasy from experiences the children believe to be real.

Instead Sheriff Miller's report was littered with value judgements which repeatedly stated that 'the child then moved into fantasy', or a similar phrase, which often seemed random or haphazard. Yet it was the social workers and some medical personnel who were accused of making value judgements or jumping to conclusions based on their own assumptions.

It may be that such a presentation was indeed made within the 1400 pages of submissions and was omitted from the final report. We don't know, though if that were the case it would raise interesting questions about the reasons for the omission. The Reporter's Office in Strathclyde has stated in a written response to this point: 'The Reporter called expert witnesses with working experience and international standing. Sheriff Miller chose to disregard their evidence. The 433-page judgement does not cover the months and months of evidence presented to the Sheriff in these cases. Everything possible was done to establish the cases'. This comment raises a number of new and still unanswered questions about Sheriff Miller's handling of the evidence.

Leaving aside the Reporter's decision in this particular case, it has been a frequent decision in previous cases across the UK not to include such a presentation in case it discredited the authorities' case or opened it to ridicule or criticism. This is in situations where multiple organised abuse was suspected, in particular where the allegations showed features of what has become known as satanist ritual abuse (SRA), in other words

'Do we learn constructive lessons on behalf of vulnerable children from highly publicised cases? Do we persevere with questionable practice? Or do we take the tempting way out by saying to children and those who have worked closely with them: "Sorry, but this just isn't worth the candle"?'

to go with 'ordinary' sexual and physical abuse, and any medical evidence, and hope to win the case on those.

This is a very doubtful policy, suppressing what you believe to be true. If 'ordinary' evidence or even medical evidence is discredited, the cupboard is bare. There are no other explanations left to offer the court for this extraordinary series of allegations, statements and behaviours.

It would be extraordinary, when you stand back and think about it, if professionals should voluntarily forgo the opportunity to present the very information which they believe gives 80 per cent of the sense, meaning, context and credibility to the alleged disclosures of children. Any such policy would also enable advocates and expert witnesses for suspected adults to argue without challenge - and to convince sheriffs and judges - that certain forms of abuse, particularly SRA or abuse by groups using its trappings, do not exist and are simply products of fevered professional imaginations or fashions which come and go like the tides. If something does not exist, there is no point in discussing it in court.

If anyone is going to put children through the trauma of giving evidence in court, and repeatedly so, they must always be upfront, honest and assertive about what they believe may have happened to children. They have to name it, weather any initial storm and ridicule, and force the other side into making a response. Then judges can, quite rightly, decide for themselves between the two presentations

Reporters and social workers have to find the courage and judgement to argue to any court what they believe actually happened to children they suspect have been sexually, physically and emotionally abused.

Otherwise they would do better to tell them: 'Sorry, we cannot help you and we cannot protect you. Go away because we're going to screw down the lid again on the Pandora's Box you opened.'

Do we learn constructive lessons on behalf of vulnerable children from highly publicised cases? Do we persevere with questionable practice? Or do we take the tempting way out by saying to children and those who have worked closely with them: 'Sorry, but this just isn't worth the candle'?

*Sarah Nelson is author of the book Incest: Fact and Myth and former Scottish Correspondent of Community Care magazine. She is a regular freelance writer and conference speaker on sexual abuse.*

## Chronology

**The Ayrshire cases of alleged sexual abuse involved eight children from three related families, family 'H' (a girl, now aged 15), family 'L' (girls aged 6, 13 and 15, and a boy aged 8) and family 'F' (boys aged 5, 8 and 10). This chronology is adapted from the 'Response by the Director of Social Work' Strathclyde Regional Council.**

**20th May 1990.** The first referral is received in respect of family 'F'. Mrs 'F' is seen by social workers, having already complained to her doctor and her lawyer and having taken out an interim interdict against her husband.

**7th June 1990.** Children and mother of family 'F' are admitted to a children's home voluntarily following their mother's allegations that they have been abused by her husband.

**18th June 1990.** Due to increased concerns that the boys are at risk from their mother as well as their father they are made the subject of Place of Safety (PoS) Orders granted by a Justice of the Peace. Their mother remains with them in the children's home for a period of time. The children and mother of family 'F' make allegations that other

# Locking up Pandora's Box

children, but specifically those in families 'H' and 'L' have also been abused.

**19th June 1990.** Children of family 'L' are taken into care under PoS Orders.

**22nd June 1990.** Family 'L' are medically examined at Yorkhill Hospital by the senior police surgeon and it is found that the two older girls have signs of sexual abuse. One of them is considered to have been subjected to repeated sexual abuse. There are no signs of abuse on the two younger children.

**23rd June 1990.** The family 'H' girl is taken into care under a PoS Warrant issued by a Children's Hearing which she attended. The grounds for the hearing were that she was exposed to moral danger and lack of parental care and that offences had been committed against her. A subsequent medical examination shows no evidence of physical or sexual abuse.

**10th August 1990.** Grounds for referral in respect of all children are established following an 11 day hearing before Sheriff Gow. The Sheriff states in his summary that there has been 'a systematic sexual abuse and corruption of the children over a period of 18 months'. Only one parent, acting on his own, appeals the decision.

*From this date the social work investigative interviewing which is undertaken is not in respect of the eight children, as grounds have already been established, but in respect of other children whom the original eight had named or because police wished to interview the children in respect of possible offences against them, and the possibility of criminal proceedings against adults. In August 1990, statements are made by the two older 'L' girls that children from another family, 'B', had been abused. These two children are admitted into care on a PoS Order, and their cases are referred to the Reporter and subsequently a Sheriff for proof.*

**7th September 1990.** All eight children are made subject to supervision requirements by a children's hearing.

**15th November 1990.** At the proof hearing in respect of the 'B' children Sheriff Crozier criticises social workers for the quality and credibility of their evidence, but also says 'I have no doubt whatsoever that both "L" girls have been repeatedly sexually assaulted in a most serious manner over a period of time by their relatives'.

**1990-93.** Some 25 children's hearing reviews are held, with most decisions being contested by the parents either by requesting further review hearings or by appealing to the Sheriff. In 24 cases, Sheriffs uphold the decisions of the hearings. One appeal, by Mrs 'F', is upheld in respect of access.

**17th December 1990.** Mrs 'F's' appeal is remitted back to the Children's Panel. No access is given at this time to Mr 'F'. Subsequently access is denied and then restored.

**12th July 1991.** Mr 'F' obtains access to his children.

**End 1991-beginning 1992.** Mr and Mrs 'F' are understood to have reunited although their whereabouts is unknown to the Social Work Department.

**4th June 1992.** Lord Ross, Lord Justice Clerk, dismisses the appeal against Sheriff Gow's decision by the father of the 'F' family.

**25th June 1992.** Mrs 'F' is denied access by a children's hearing.

**26th June 1992.** Mrs 'F' appeals to Sheriff McEwan against refusal of access. The appeal lasts several months and is finally held to be frivolous. No further appeals are allowed for the following 12 months.

**15th July 1993.** The Court of Session, exercising its 'Nobile Officium' (an equitable power to provide a remedy where statute has failed to provide one) orders a re-hearing of the case by Sheriff Miller.

**6th December 1993.** Re-hearing begins in private in Ayr.

**15th December 1994.** Re-hearing concludes.

**27th February 1995.** The Court of Session, having received Sheriff Miller's report, sets aside the previous findings by Sheriff Gow and orders that the children be returned home in accordance with directions to be issued.

**27th February 1995.** The 15-year-old girl in family 'H' returns to her parents' care immediately by order of court.

**15th March 1995.** The four children of family 'L' return to their parents' care by instruction of the curator appointed by the Court of Session.

**20th March 1995.** The 'F' children are still in care with access to their parents.

## Social work conclusions

*This is a verbatim account of the Conclusions in the 'Response by the Director of Social Work' published by Strathclyde Regional Council Social Work Department on 22nd March.*

1. That on the basis of the findings of the two external consultants, the Council should accept that the social work staff who gave evidence in this case acted honestly and in good faith within the boundaries and authority of their role, did not act collusively and did not amend notes with an intention to deceive or mislead.

2. There was detailed and responsible management throughout the conduct of the case. The criticism by Sheriff Miller that the case work lacked direction and no senior staff of the Department appeared before him arose because senior staff were not led in evidence.

The initial management of the case was founded on a combination of evidence that suggested that sexual abuse had occurred. In addition to the information received from Mrs F and the children, there was medical evidence from a consultant paediatrician and a senior police surgeon and dental evidence. The proof hearing before Sheriff Gow although questioning some of the investigative interviewing practice did not cast doubt upon the medical or dental evidence. The supervising and senior managers based their subsequent decisions on the findings by Sheriff Gow that the evidence established the systematic sexual abuse and corruption of a number of young children in Ayrshire.

3. Many of Sheriff Miller's criticisms relate to the progress of investigative interviewing. The Department accepts that some of the practice in 1990 judged by present standards was flawed. Action has been taken to introduce supplementary procedures and practice guidance in 1993 and to develop training in investigative interviewing and recording for March 1994. A review is being undertaken of current cases where questions have been raised about the quality of evidence.

In view of the continuing development of practice in this field and the intention of the Scottish Office to produce guidance in investigative interviewing, I have already had a preliminary discussion with both Social Work Services Group and Social Work Services Inspectorate and would propose to discuss the report and this response with them.

4. The fundamental issues that arise about the role of social work in investigative interviewing require to be discussed at national level. If as seems increasingly the case, it is impossible to prove child sexual abuse without either an admission of guilt by the perpetrator or firm corroborative evidence, it will be necessary to discuss alternative approaches to the protection of children. This issue will be pursued with the Scottish Office.

Mary C Hartnoll  
Director of Social Work

Continued from page 28

**Parachute sponsorship**

Ever launched yourself into the blue and pulled the cord on a parachute? Well, if you haven't and it's something you fancy trying how about doing it for BLISS? No, that's not a typographical error. BLISS stands for Baby Life Support Systems, a charity which raises money for incubator units and monitoring equipment to save the lives of premature and sick newborn babies.

If you think this is a good way to improve the NHS equipment base - a bit like getting parents to run events to buy school books and computers - then you can contact Gerald Smith on 01630 658470. He'll send you all the information and assures us that there is no cost to the volunteer jumper.

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**Traditional acupuncture**

Those who are interested in complementary medicine may be interested to hear that the College of Traditional Acupuncture UK is to accept its first intake of students to the three-year Licentiate in Acupuncture course which will start in Glasgow in October this year. The college says that this is the first training in acupuncture to be offered in Scotland by a recognised college of acupuncture.

The Warwickshire-based college was founded in the early '60s and has since trained over 1600 acupuncture practitioners worldwide. The emphasis of the training is on producing practitioners who can treat patients safely, competently and effectively.

Graduates of the Scottish branch of the college will be eligible to join the Traditional Acupuncture Society, the largest acupuncture professional body in the UK, which binds its members to a Code of Ethics and a Code of Practice.

For further details contact John Worsley, Director, The College of Traditional Acupuncture UK, Tao House, Queensway, Leamington Spa, Warwickshire CV31 3LZ. Telephone: 01926 4221221 ■

**If you know of anything that you think everybody should know about; an event, an issue or an important story we should be covering - don't hesitate to call us. We are here to inform, so we need your help.**

**Call us on 0131 221 9591**

**An Accent on Accents**

Perhaps Bert McCann's excellent article on the future of the Scots tongue ('Puggie Cairds on the Sitooterie', *Scottish Child*, February/March 1995) has highlighted two of the prime pressures affecting our language. The first of these is the infiltration (and adoption), of Americanisms; the second is the accordance to the language of inferior status: 'bad English'. However, I fear these pressures apply not only to the Scots tongue but also to Scottish accents.

As the author of two anti-bullying video/booklet packages, produced by St Andrews College of Education, I was mindful of the need to use material which was not only of theoretical and practical importance but which was also accessible to pupils, teachers and other agencies who are involved in primary, secondary and special education. In the second of these packages, *To Bully No More - the Pupil Pack*, one of the videos is for use with pupils and has been produced solely using footage of pupils in three different schools in Lothian.

I admit I was conscious of the wider UK market when we were producing the video and without actually discouraging the use of Scots expressions I remember being relieved that no 'kens', 'mingins' or 'eejits' crept in.

The Pupil Pack has received positive acclaim within Scotland and I approached an English publishing company whose own philosophy and catalogue is compatible with ours. This company too is committed to anti-discriminatory, whole school, positive approaches to relationship issues.

The pack was well-received by this publisher, who had shown it to several teaching colleagues in the south of England. The comments were identical. The packing was great, the staff video conveyed excellently the theory and practice, the booklet presented the material in a clear and comprehensive way and the resource material for use with pupils in the classroom was felt to be a significant and stimulating contribution to the tools available to teachers. Pause.

'It's just the pupil video,' he continued.

'Yes?' I enquired.

'Yes,' he said. 'We all noticed it.'

'Yes?' I further encouraged him.

'It's the accents - they're Scottish. They wouldn't be understood down here.'

'But we get videos from England, America, Australia, everywhere,' I protested. 'The accents in our video are not particularly broad anyway,' I further protested (implying that the nearer they are to southern English the 'better' they were - an implication I later regretted). It was no good. Apparently the English pupil's ear is attuned to American and Australian accents and even northern English accents are suspect (although 'Byker Grove' got through). But the English school market says 'no' to Scottish accents.

Never mind the quality - hear the accent! We are in a dilemma, if not a crisis. Good quality productions from Scotland should not need to be anglicised; it is unacceptable to assume that the productions are of insufficient quality to justify the effort required in attuning the ear to a different accent.

The costs of video production are high and if sales can only be guaranteed from within Scotland there will indeed be pressure to make low-cost and perhaps inferior packages - thus confirming the southern England attitude to Scots products. But going to England to film seems to be a real cop-out. And this is just about a matter of accents. What does this mean for the Scots tongue?

**Kevin Brown, Uttershill House,  
Penicuik, EH26 8LT**

# NOTHING W

**T**he nan bread made its way round to Azeem. He waited patiently until the family elders had helped themselves to their shares. With his thumb and forefinger he picked up one from the silver dish, and placed it quickly onto his plate. Azeem looked to where the curry dish was, but his father still had it.

'How's your studying coming along Azeem,' asked Uncle Arif.

'Fine,' replied Azeem.

The conversation was brief, it usually was, and it never got any further than his reply.

'Mr Wright has informed me that your prelims are two weeks away Azeem. Is this true?' questioned his father.

'Yes father.'

'To your bedroom after dinner.'

'Yes father.'

He wondered how his father had found out about the coming exams. The burden of parental pressure was now sure to weigh down on him over the coming weeks. How Azeem hated his father when he started showing an interest in his studies. For father would take time out of his busy schedule to inspect his jotters, question him over the nature of any errors and ensure Azeem fully understood his subjects. If father was satisfied, he expected good results.

On the other hand, if his father was dissatisfied with Azeem's work, then money would be forked out on tutors. For most of Azeem's third year father had assigned four tutors to help him, ensuring that his son got the best education possible. It was father's driving ambition to see his son at university. The albatross of this pressure would hang around Azeem's neck for another two years at least.

Uncle Nasir, the youngest of his uncles, passed him the curry dish. Azeem thanked him and peered into the container. There were only six portions of chicken legs and curry left. Gone were all the meaty portions that he enjoyed. Azeem pursed his lips and forced a smile. It was better to show gratitude for what he was about to receive.



The notion had been brewing in Azeem's mind for many weeks. Everybody knew how available she was.

Azeem excused himself from the dinner table and made his way upstairs to his bedroom. He'd deliberately skipped dessert to ensure that he would have some time alone.

The joint that Liaquat had sold him earlier was taken out from the casing of his geometry set. Laughter made him turn towards the door. He listened. It was coming from downstairs. For further assurance Azeem made towards the door and eased it open. He could hear his father blaring away about how he'd sealed a deal for the Khalique brothers. Azeem closed the door gently and turned to the geometry set.

In the background the barking vocals of the American gangsta rapper attuned itself to the slow beat of the next song. Azeem sat with one leg and buttock on the inside ledge of his open window smoking. His mind

# WRONG

**new voices,  
new writing**

relaxed, freed from all the worries of his world. The buzz of laughter lifted itself higher and merged into the mellow beat of his favourite song:

'She's nothing but a...WHORE... Nothing but a...WHORE...WHORE!

She's nothing but a...WHORE...Nothing but a...WHORE...WHORE!'

**It had started off as a dare.**

The door bell rang. Azeem remained seated at his desk. He'd been scribbling short notes from his chemistry text book for the last hour and a half, but after a few minutes he stopped and listened. The front door had not been closed. This was odd. Usually his father invited his clients into the lounge, to conduct business from there.

**The four of them had hoisted her off the floor and made into an empty classroom. She did not struggle. She could not struggle.**

His father called out his name. Who would want him at this hour? Slowly he picked himself off his seat and made for the door. Azeem was very surprised to see father and two uniformed police officers standing in the hall. Surely she hadn't made a fuss just because things had got a little rough.

The rain pelted in droves against the windscreen. Azeem watched. The radio signalled, the driver responded.

'Ten four. This is zero alpha.'

The radio blurted out something, the driver answered. Azeem listened, unable to make head nor tail of the line of communication that the driver had with his radio. The car pulled in at the station. Azeem - cuffed - was taken out of the vehicle, then escorted inside by the two officers. A silver blue Ford Mondeo pulled in at the station moments later. Father.

**She felt hands unashamedly tearing, squeezing, groping and exploring her. Tears streamed down her face. Sobs choked her. She dared not scream.**

He's been in the cell now for just over an hour, and as yet had not been taken out for questioning. Why were they taking so long? Father was a man of influence and surely could rustle up something to ensure his release, anything to get him out of this hole.

Another hour elapsed and nothing. Azeem had now resigned himself to sitting on the concrete slab that served as a bed. He had

better things to do than spend his time in here. What the fuck was his father doing?

Azeem glanced down at his watch. It read eleven fifty seven. There was no way that he was going to spend a night in here. At the thought of having to do so he lifted himself off the slab and charged towards the door, kicking it. Azeem fell to the floor clutching his foot, agonising over the surge of pain that rushed through his body. He cursed himself for his stupidity, then cursed his father for his selfishness. Too busy saving his fuckin' ass from public embarrassment.

**'Hurry up now! My turn.'**

Azeem picked himself off the floor, his foot still aching, and hobbled over to the slab. A moment of madness and a bruised if not broken foot to show for it. Slowly he sat down and eased his back up against the wall. He had no choice but to wait.

The sound of keys clattering in the lock stirred him from unconsciousness. The door opened and two officers entered. Cold steel circled his wrists. A hand pulled at his shoulder signalling him to rise. This he did and fell immediately to the floor, his nose doing the most to break his fall. Blood gushed like geysers from his nostrils. Frantic screams for mercy spewed out of his mouth.

'Don't hit me! Please! Stop! Stop! Please stop!'

Both officers looked at each other not really knowing what to do or say. They had come here to merely escort the culprit in for questioning.

**It had been so easy.**

Azeem limped slowly with the officers coming close behind. The dread of facing father loomed before him. What would he say to him? If he was charged, how would father live down his shame?

Tears began welling up in his sockets as he drew nearer.

Father stood staring in shock and horror. His son's shirt was drenched in blood, his nose was grotesquely disjointed and his foot swollen. One of the officers started to explain how Azeem got this way, but father shook his head disbelievingly.

'Look what you people have done to my son.'

Azeem drew a sigh of relief. Everything was going to be alright.

**Hamid Hami**

illustration Geoffrey Craig

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## Fair Start:

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**An observation of the Possilpark Befriending Project  
by Derek Rodger.  
Argyll Publishing and Save the Children, £3.99**

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**Helen McNeill**

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**Fair Start** describes itself as an 'observation' of Possilpark Befriending Project, which is run by Save the Children. However it is more than that. It is also an observation of Possilpark itself, 'a housing scheme barely two miles from Glasgow's main commercial centre' which 'provides young people with formidable obstacles to growing up'.

The book is based mainly on a set of interviews with a variety of people who know Possilpark - local residents, the police, people who work in the area - and, most importantly, nine young people who have been users of the Befriending Scheme. It also includes a selection of black and white photographs, some showing views of the urban landscape, others of people who live there.

The author, Derek Rodger (an ex-editor of *Scottish Child*) chose to write the book in the first person and the present tense. This somehow helps to create an immediacy and directness about the stories which might not otherwise be there. In trying to fill us in about the facts of life of Possilpark, Rodger covers a range of areas, including housing, unemployment, education, the community, policing and politics.

We are given a mixture of official statistics about crime levels, educational achievement, the annual community education budget etc - the official 'line', backed up by the first-hand evidence of people who live and work in Possil, to remind us that there are real people surviving such statistics.

He finds out the truth behind the myths - that youth unemployment, for example is 30 per cent, that the 'incipient dampness' of the housing has entered the folklore of the West of Scotland. He quotes the Area Community Officer as acknowledging the fact that for many of the young people growing up in Possil, 'poverty and unemployment' have to be the main features. We are introduced to two local cops who Rodger says come across as 'fair minded, level headed sociologists' and who tell us that crimes amongst young people - particularly car and drug related crimes - are a big problem. They also say that they view many of the crimes as being fuelled by poverty and unemployment.

Rodger is also keen to emphasise that although Possilpark is described by many of the young people as 'a dump' - and their circumstances as 'dire' - many of the local residents and workers involved in the scheme want to 'stress the positives' and 'just don't want all the good things, all the good people ignored'.

The book is set out in such a way that the stories of all the young people are literally interspersed throughout the narrative. Though interweaving their lives must have seemed like a good idea to the writer, I feel it has backfired. I had to jump pages to follow the story and this made it difficult to keep focused. I then had to thumb through the book to read about the young people themselves. (I actually managed to miss out on one young person's story altogether on first reading - perhaps symbolic, who knows?)

And it is the young people's stories which are crucial. These edited transcripts are direct and honest and give us a clear picture of what their befriender has meant to them.

To his credit, Rodger doesn't just highlight all the successes - he includes the stories where young people have felt disappointed or let

down by their befriender. However the overall impression I was left with was just how important a factor the befrienders played in their lives.

One young woman, Tricia, actually confessed that she literally felt she was still alive due to her befriender, Sheila. Others described the friendships that grew, the support and advice that was given, and the genuine good times they had - 'It helped me cope with my problems. It took my mind away from them.'

One important element I felt was missing from the book was a short description of the ideas and ethics behind befriending and about how the project prepares volunteers for the task in hand. Importantly, however, Rodger succeeds in documenting the views of the people that really matter and thereby affirms their reality.

*Helen McNeill, Volunteer, Maryhill Children & Young Persons' Befriending Scheme.*

*The views expressed above are personal and do not necessarily reflect the views of the Volunteer Centre.*

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## The Violence of Our Lives:

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**Interviews with Life-sentence Prisoners in America  
by Tony Parker Harper-Collins, £18.00**

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**Rosemary Milne**

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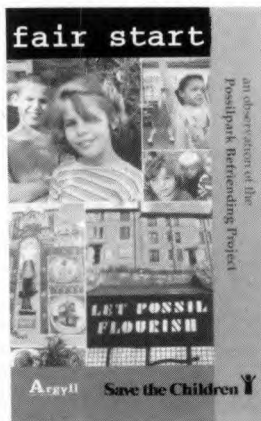
All sorts of plaudits have been heaped of Tony Parker over the years, as he has slowly accumulated a remarkable collection of life stories from just a few of the millions who have experienced imprisonment here and in America.

This latest book, **The Violence of Our Lives**, continues his highly successful interview formula: each chapter is the story of an ex-prisoner or prisoner, men and women, some of them serving sentences of two or three hundred years without any prospect of parole or release before death. There is no commentary from Parker, no private insights to confuse or 'improve' each tale. We meet the person in a brief introductory description of the physical appearance and clothing. Thereafter we hear only his or her voice. It is this which makes Parker's prison writings so unusual. It's not often an author confines himself to the simple unadorned version of the wrongdoer.

The lives in this book, as in others written by Parker, are as varied as you could find in any random group. Apart from the concluding chapters, which are the stories of a few victims, the book is entirely given over to the accounts of 'criminals'. All these people really have in common though is that they have committed awful crimes which have resulted in huge, crazy - even by punitive British standards - sentences of incarceration.

Very few of these people have much time for theories of childhood trauma and deprivation as the motivating force in what they did. I didn't count them, but I have a distinct impression that somewhere around 50 per cent of the interviewees describe themselves as having had relatively happy childhoods. The temptation might be to say 'Ah but this is all part of their own self-delusion - there must have been factors in the past which led them to such acts of depravity and murder'. And of course there is a common thread, contained in the title of the book - **The Violence of Our Lives** - a phrase used by two of the men interviewed.

Whatever the circumstances of each individual childhood, the reality was and is that they grew up in a country where guns and gun-ownership are taken for granted, where parents have to work to keep the family going, even if it means that the kids are left unattended, and where men treat women like dirt. Not one of these adults asks to be seen as the victim of that society, however. Almost all of them say they agree with the sentence they are serving, even if it means they will never be free again.







I can think of a few UK politicians and media people I'd like to read this book. Perhaps we'd hear a bit less about the virtues of severe prison regimes, boot camps for wayward youth and the rest of what passes for penal policy in this country. At the very least these life stories call into question some of the preconceptions and stereotypical notions people have about violent offenders as well as opening our eyes on the appallingly punitive criminal 'justice' system of America.

*Rosemary Milne is a former Editor of Scottish Child.*

## Children Living with Domestic Violence: Putting Men's Abuse of Women on the Childcare Agenda

edited by Audrey Mullender and Rebecca Morley,  
Whiting & Birch, £13.95

Claire Houghton

*'He says he loves my mum but he lies. He tells Mum to do everything at home. He never gave my mum any money. He hit my mum, I saw it. I tried to look happy but I wasn't inside...'* (Boy aged 6, Asian, resident in Women's Aid refuge).

It is refreshing and quite right that the first section of the new book **Children Living with Domestic Violence** has first-hand accounts of children talking to a Women's Aid children's worker about their experiences of domestic violence. We start by hearing from the children in a positive context where we hear that they are being helped to work on their feelings of anger and sadness and that their accounts for this book have had positive results for both the children and their mothers. Each one of their accounts bears much sorrow and strength, and the excellent chapters from a range of adult sources rise out of their accounts. The chapter on housing and homelessness, for example, could not have more validation than the children's words: 'I want a home'; 'We've been accepted for a three bedroom house - feel great'; and of living in a refuge 'The room was really small with all of us living in it' and 'The workers couldn't afford a bigger house'.

It is a book essential for anyone who works with children, young people and abused women. You will gain from it an insight into and understanding of the experiences of domestic violence. It also points towards a co-ordinated approach by all agencies to children and women, from challenging myths, to specific recommendations, amongst which are police guidelines and preventative work in schools. It gleans information from many sources, the most valuable being the children themselves, and from good practice in many countries, including Canadian work 'Make a difference - how to respond to child witnesses' which reinforces the observation that if you work with children and young people then you know someone who lives with, and is affected by, domestic violence.

It says that 'three to five children in every school classroom are living with this reality, and that you can be the 'safe person' who listens with acceptance, compassion and encouragement. To do this an understanding of the context and reality of domestic violence is necessary, and reading this book coupled with listening to children could mean that you are the person to make a difference.

The section 'Families separating as result of men's abuse of women' details the confusion that some children feel and the pressures and dangers that women and children are put under when they leave the abuser. It answers the question some people are still asking - why don't

women leave the abuser? Women and children are often in more danger when they are attempting to leave or when they have left - almost half of all homicides of women are killings by a partner or ex-partner, according to research quoted in this book, and 34 per cent of women experiencing severe physical violence were no longer living with their partner when the last incident occurred. The book shifts the focus back on the abuser, where the blame and responsibility for the abuse and suffering of women and children belongs.

Children talk of how frightened or torn apart they feel about access, and often go on to demonstrate how that access is used to abuse the child emotionally and physically and to manipulate and control both woman and child. 'Sometimes I didn't want to see my Dad. I haven't seen my Dad for six weeks now; I feel unhappy because I haven't seen him. Sometimes my Dad still threatens Mum - it makes me feel unhappy'. Or 'We arranged to see Dad by he didn't turn up. I felt disappointed'. Or 'I am scared that I have to see my Dad sometimes that he will hurt me and shoot me. He said lots of times he would do that to all of us'.

The chapter on domestic violence and child contact demonstrates the difficulties and dangers involved for women and children and professionals. It constantly points out what really is good - and the most safe - practice. The ways in which men emotionally and physically abuse children to manipulate and control them and their mother - and professionals involved - both during and after separation is covered in both this chapter and the second section of the book 'Researching the impact on children of men's abuse of women and links with child abuse'. Again the child's voice comes through: 'I was really upset sometimes because my Dad, sometimes he hit my Mum and he hit me and my brother, sometimes he could be really nice and we could have lots of fun. It made me feel very unhappy when he hit me, and it hurt'.

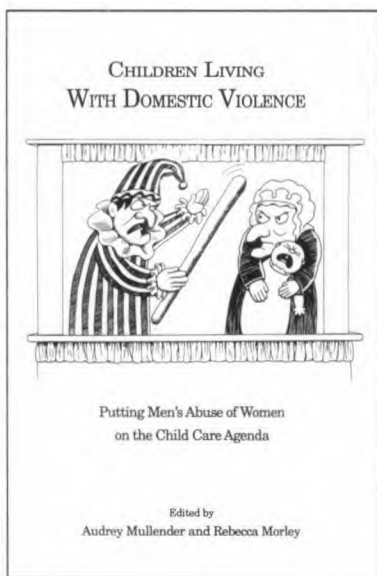
The emphasis on listening to and hearing children and adult survivors is reinforced in Alex Saunders' chapter by retrospective accounts from adults who lived with domestic violence as children and escaped to refuge. The essential support that can be provided by Women's Aid for women and children - through information, safe refuge, anti-violence, anti-sexism, anti-racism etc - is reinforced as essential for surviving and indeed for children and young people to thrive in their new lives. I do not apologise for saying that it is also about time that Women's Aid lead role in working with and campaigning for children who have lived with domestic violence is recognised, and that through this book we hear that children and survivors, as well as academics and practitioners, are shouting that it is essential for this work to be resourced.

The predominant myth that there is a 'cycle of abuse' - that children will repeat abusive behaviour as adults - is challenged and counteracted throughout the book. This is one of the many factors which

makes this book stand on its own as the first UK book on the subject and the first book I've read which does not support this theory. Even those who listen more to survivors talk of non-violent survivors 'breaking the cycle' and hence validate the myth.

It is acknowledged and stressed throughout the book that children deserve and have a right to support in their own right as survivors of abuse - not because they are the abusers of tomorrow. Children's experiences vary just as their experiences and actions as adults vary, and the 'commonsense appeal' of the cycle of violence has an effect which is insulting and damaging to survivors - and can also put it 'outside of our experience' if we have not suffered abuse and which most importantly and unsurprisingly masks the power relations between men and women, adults and children - which includes us all. As Liz Kelly has pointed out: 'Breaking cycles is much easier and safer to discuss than changing the structure of social relations'.

*Claire Houghton is National Children's Rights Worker for Scottish Women's Aid.*



# Waiton

The heat from the lights was intense, the atmosphere smoky and dry as Prince Naseem Hamed's theme music boomed around the Livingston arena.

The audience, made up of working class men, wide boys and a few women wearing fur coats roared as 'the greatest boxing talent in Britain today' somersaulted into the ring and squared up to his Argentinian opponent. Two rounds later Sergio Liendo lay unconscious on the canvas.

This was the first fight I had ever been to and came a week after Gerald McClellan had collapsed in the ring with a life threatening blood clot. Now the call to ban boxing rang louder than ever before.

As I drove home listening to the debate on Radio 5 Live, I began to sense that this time boxing might actually be banned, not because it is any more dangerous today than in the past (with the increased safety regulations it is clearly safer) but because, like in almost all areas of public life from football to films there is a growing call for more controls.

The various doctors and experts discussed the pros and cons of boxing as if they were talking about monkeys in a cage. The voice in favour argued that 'if it stops young men smoking and so improves the health of future generations it must be a good thing'. The voice against pitied the poor boxer, saying 'these young men see no other way off the streets and are used by the men on the sidelines who make the real money'.

As it happens, in all areas of life it is the men with the money who get the most out of what any of us do. The young men at my community centre who are working 12 hour shifts at the local Chunky Chicken factory could tell you that. But whether for or against boxing, what both sides have in common is a patronising disregard for the choice made by young men - working class young men, for the most part - to give it a go in the ring and a belief that 'these people' cannot make their own decisions without professional assistance.

Perhaps what boxers need is a good session of counselling to modify their aggressive impulses - after all, this is now the English Football Association's official policy when dealing with 'delinquent' players. First came Arsenal's Paul Merson, then Eric Cantona and most recently the Crystal Palace striker Chris Armstrong who has been suspended and sent for counselling for smoking a joint in his own home.

Like the Cantona debate, the discussion about boxing has also become a discussion about 'the onlooking mob' - all 10 million of them if we take the viewing figures for the Benn versus McClellan fight - whose rowdy and unruly behaviour appears not to fit in with today's ideal of what is decent.



Labour Party sports spokesman Tom Pendry believes that 'voicing obscenities' at football matches should be made a criminal offence. If this means that slagging off your own team as well as the opposition becomes an offence then as a Sunderland supporter I will be spending more time in prison than on the terraces.

Boxing is essentially a working class, macho, aggressive and violent sport and as such represents everything that today's politically correct caring counselling professionals despise. It stands as an eyesore to those who fear the rise in abusive behaviour, like Beatrix Campbell who targets masculine fundamentalism as the threat of the 1990s. The theme of our time, she writes, is 'the proliferation of violence, violence as a way of sorting things out, violence as the temper of the new world order. And violence that, in the West's popular and political culture, refuses to name its perpetrators - men.'

She continues, 'The Government blames yobs (not men), football commentators blame fascists (not men), Jimmy Hill blames society (not men), the Home Secretary and Tony Blair blame criminals (not men) for making life a misery'. Jimmy Hill and Michael Howard may not be extreme feminists like Miss Campbell but they would no doubt agree with her that more laws, regulations and policing are required. Indeed the example of the English FA and the increasingly defensive attitude of the pro-boxing lobby suggests that the fear of man's 'untamed propensity to violence' is becoming mainstream, and so is the call to tame the beast, with counselling or stricter controls over what we say, see and do.

The unrestrained and uncompromising nature of boxing is what makes it so exciting. Once in that ring there are no mediators or arbiters, just you and your opponent and a fight to the finish. It's a risky business and it's brutal but I for one am prepared to fight for the right to fight ■

Stuart Waiton

# IN THE NEXT ISSUE OF SCOTTISH CHILD JUNE / JULY



## In the next issue

### It's in the genes

The spectre of the 'genetic criminal' has raised its head in the American courts. Is nature in danger of taking precedence over nurture in the public consciousness as the main determinant of human behaviour, asks Stephen Naysmith.

### Hitting Out

Should an analysis of domestic violence always focus on the male of the household? What do we mean when we talk about family violence in relation to children? Rosemary Milne discusses these and related issues.

### Kids on film

Margaret Hubbard analyses the portrayal of children in popular films

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