

Welcome to this final issue of 2018. As in many of our journal editorials, initially we present a number of news items relating to safeguarding that have appeared in the past few months, which readers may find interesting. So, before introducing the main contents of this issue, please see below for a selection of such items that have appeared across the news media in recent months.

During June, we learned of the prosecution of Harjit Bariana for six modern slavery offences. He forced people to work long hours in poor conditions. People were accommodated and supplied with drugs, alcohol and leftover food from Barjana's takeaways[1]. His business model hinged on the free labour of vulnerable people. A man with mild learning disabilities who was kept as a slave for over 25 years was convicted of burglary with intent to steal, having been forced to commit the crime by the Rooney family of Lincoln[2]. When he applied for compensation he discovered that he had received a fine for his crime. His benefits were due to be docked irrespective of the statutory defense as a result of having been a slavery victim. However, his conviction was quashed.

The Windrush scandal, which hit UK headlines earlier this year refuses to peter out. The Home Office's introduction some years ago of a "hostile environment," under then Home Officer Minister Theresa May, in hand with the removal of legal aid, has resulted in members of the Windrush generation and their children losing their work and homes, being denied NHS treatment and unable to travel. Re-badging the Home Office's approach to "compliant environment" without any modification of policy and practice is unlikely to address the ongoing legacies of the hostile environment, which include people being wrongfully detained and being dispatched "home[3]".

The beginning of July witnessed the NHS' 70th birthday[4]. There is much to celebrate even though it struggles to manage with its pay freezes, high vacancy rates and see-saw funding. This year has also seen the 70th anniversary of the UN Declaration of Human Rights, although there may be some questions raised by current events in Yemen and Rohingya, which suggest that full realisation of rights is still a long way off for many citizens.

The reckoning is still at the beginning in sport. During May, Bob Higgins was on trial for alleged sexual assaults on young football players. The assaults took place on football training camps, at the marital home, in his car and on ferries to cup competitions. Savouring his status as a trusted family friend, the boys would do anything not to jeopardise their potential careers in professional football[5]. Abuse of aspiring young footballers remains in the headlines with the former boys' football coach and Newcastle United coaching assistant being found guilty of sexually abusing 18 victims over a 24-year period[6]. George Ormond's victims were intimidated by the power he possessed relating to their prospects of becoming professional footballers. Northumbria Police described him as a "predatory paedophile [...] a classic groomer". Fast forward to November and Jim Torbett, Founder of the Celtic Boys Club, has been found guilty of abusing boys[7].

Lincolnshire police have got it in the neck for not reporting crimes – nearly 10,000 crimes including instances of violence, sexual offences and domestic abuse[8]. As Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services noted, "If a force does not correctly record a crime, it cannot properly understand the demand on its services, nor provide support to those who need it most".

The Court of Appeal overturned a previous ruling on the pay of care staff at night[9]. A £400 m payback bill was reversed during July. A 2015 tribunal ruling had determined that social care staff should be paid the national living wage for sleep-in night shifts, back paid for six years – potentially rendering bankrupt over half of all providers. The backstory is the chronic undervaluing and underfunding of social care and the failure to regard “sleeping in” as work, seemingly we are back to where we were (as in this failure continues).

It is a struggle to identify any positive outcomes arising from the use of restraint in detention. This time the victim was an Indigenous Australian man who was restrained by five police officers[10]. “Medical staff at Sydney’s Long Bay jail failed for periods up to up to eight minutes to do basic CPR on a prisoner who had stopped breathing, a coroners court has heard. They then forgot to remove the cap from resuscitation equipment, which came off in the man’s mouth. An expert medical witness said David Dungay Jr had little chance of survival once his heart had arrested but “whatever chance he had was lost” by the failed attempts at resuscitation [...] He was restrained face down in the prone position and injected with a sedative. Dungay told the guards at least 12 times that he could not breathe, before eventually losing consciousness and dying”. How much better we could all be if the dangers of restraint and positional asphyxia were so ingrained that the fiction of the “response of last resort” was finally put out to grass.

The Social Market Foundation advises that the numbers of unpaid family carers who provide care for 20-plus h a week has increased from 24 to 28 per cent between 2005 and 2015[11]. Such information should help to shape the much delayed but still promised green paper on social care, which continues to be postponed [...].

Jordan Burling’s death in June 2016 resulted from malnutrition, bronchopneumonia, immobility and infected pressure ulcers[12]. He was 18 and had not attended school since he was 12. He had not seen a dentist since 2009[13]. This preventable death recalls that of Dylan Seabridge in 2011. Since both had a right to learn and thrive it is clear that not all parents are equal to the task of home schooling.

The *Care Crisis Review* was published in June[14]. Andrew McFarlane, the incoming President of the High Court’s family division acknowledged the view of his predecessor Sir James Munby that the relentless rise in the number of care applications has resulted in a disaster which is overwhelming both the courts and children’s services. There are now 73,000 children in state care. Nigel Richardson, the Chair of the Review said, “Dealing with the crisis is complex – inevitably so, because children and families live increasingly complex lives. But making the difference cannot be just about constant re-structures, or ever changing systems – the fundamental basis of our child welfare approach is encouragingly sound. The way forward has to be about working with complexity to offer hope [...]”.

Peter Ball is a convicted sex offender and a retired Church of England Bishop. The Independent Inquiry into Child Sexual Abuse heard from Lord George Carey, the former Archbishop of Canterbury, who had delayed a proper investigation in the allegations of young boys and their families about Peter Ball. The latter’s friendship with Prince Charles[15] underlines the reluctance of so many people to believe boys and young men who report abuse. As the familiar refrain goes – that was then – and 25 years later we know that reputation, friendships and charisma may mask abusive behaviour[16]. Fast forward to August and 12 people whose ages range from 62 to 85 years, including nuns, were arrested as part of the Scottish Child Abuse Inquiry. A former children’s home, Smyllum Park, was run by the Daughters of Charity of Saint Vincent de Paul. During October, The Republic of Ireland’s Minister for Children announced that the unidentified remains of an estimated 796 children buried in a mass grave at a Mother and Baby Home will be exhumed[17]. The Bon Secours Sisters which ran the home until it closed in 1961, offered a voluntary contribution of 2.5 m euros towards the cost exhumation.

So, Universal Credit is not working [...] first it was the IT challenges, then the inbuilt delay in payments, the case studies of human misery as people experienced severe financial hardship and eight years later – the National Audit Office’s evaluation[18]. The impact of Universal Credit on unemployment and “savings” from efficiency and the reduction of fraud have not materialised. There was a brief nod towards the hardship associated with Universal Credit in the Autumn

budget. And a visit from the UN Special Rapporteur on extreme poverty and human rights has been taking place during the first part of November, to hold a fact-finding visit in relation to high levels of poverty facing many people to a large extent as a result of austerity measures and “streamlining” of the benefit system, so issues concerning Universal Credit are likely to form part of the Rapporteur’s coverage and final report about the findings from the visit.

Finally, on the news front, something rare on the safeguarding landscape, an idea with lots of promise: contextual safeguarding[19]. The University of Bedfordshire has developed an intuitively sound approach to the challenges confronted by children’s safeguarding practitioners. Contextual Safeguarding accepts that safeguarding referrals always present an abbreviated version of events. For example, if a young person whose family is known to services is truanting or arriving late at school, the wheels of the child protection strategy meeting may roll out plans involving attention to permissive or absent parenting for example. However, since Contextual Safeguarding is characterised by a hunger for context, the task of encouraging this young person to go to school requires a renewed purpose. For example, if the Child Strategy Meeting was to embrace the necessity of a Contextual Strategy Meeting, it may be revealed that the episodic bullying to which the young person is subject begins on the school bus and persists in the school toilets, changing rooms and shopping centre. Then the relevance of the peer group responsible for bullying, the absence of supervision on school transport, in school toilets and the local shopping centre are revealed. In turn, the progressive change of perception enables different formulations of responses which engage with transport, passenger safety, supervision at school and security in the shopping centre for example. Plenty of parallels here for adult safeguarding to take note of!

This issue of the journal contains papers covering several quite diverse safeguarding issues. Our first paper by Fraser-Barbour, from Flinders University in Australia reports on a small-scale study that examined the views of service providers, both within disability service sectors and in mainstream violence services, on ways of effectively supporting people with intellectual disability who may be experiencing abuse and violence. Participants who took part in interviews talked about a number of different factors that either hinder or enable professionals working in this area and through the analysis some key themes including the importance of relationships, information provision and the policy context were identified. Implications for practice from the study include the development of information and resources for professionals and improving knowledge and understanding of processes (post-disclosure) for adults with intellectual disabilities.

This is followed by a paper on elder mistreatment in South Asian communities by Talpur and colleagues from the University of Sheffield. The paper reports the findings of a literature review of research undertaken about elder mistreatment in South Asian communities and presents the major implications from the findings of the review for practice, policy and research. From database searches, a modest number (16) of studies that met the inclusion criteria were found. Prevalence estimates varied between countries, but only a limited number of studies used standardised measurement instruments. Factors such as age, gender, socioeconomic status, residential status, health status, education and social structures appeared to be relevant risk factors, with cultural factors influencing behaviours relating to reporting and taken action(s). Given the relative lack of research within South Asian communities, this paper serves as a useful addition to the literature.

The following paper is a viewpoint piece by Benbow and colleagues from the University of Chester, which focuses on issues relating to terminology that is used in the area of safeguarding. Within the discussion, some interesting points are raised for consideration.

Clerk *et al.* (colleagues from the Universities of Buckingham and Hull) provide the next paper, which presents findings from a study that explored practitioners’ understanding(s) of applying two key pieces of specific legislation, the Mental Capacity Act (MCA) and the Deprivation of Liberty Safeguards. The study used a Delphi method to determine the views, perceptions and consensus opinions about the issues involved in a number of scenarios, gathered from a range of professionals including social workers, care assistants, therapists (OT/PT) and GPs. Participants did not respond consistently in reacting to scenarios, but the most significant areas of

disagreement occurred in relation to the timing of when capacity assessments were carried out and also when patient/service user decisions differed from the clinical advice that was provided. Given that responses also varied both within professional groups and settings, this suggests that the application of the MCA is a complex area and that the area of decision-making relating to capacity and the Act is in need of further detailed exploration.

The final full paper in this issue is by Ernst from Wayne State University in the USA and considers the issue of elder neglect by caregivers. This was a qualitative study that analysed a number of case records using a framework centred on risk and vulnerability. The cases selected were those in which neglect by caregivers had been substantiated by Adult Protective Services personnel. In relation to findings, the neglect that the individuals experienced predominantly related to withholding or refusal of medical care. The neglected older adults had multiple health conditions and caregivers also had substantial health, or mental health conditions and/or work-related responsibilities that made caregiving problematic. Lack of insight about the older adult's needs and/or conditions was also apparent within the cases and refusal to either access or accept services – by both the older people and caregivers was a major theme in the findings. Although the sample of cases accessed was relatively small, in-depth information about the nature of neglect by caregivers was obtained and will add to our understanding of such situations and assist in the development of responses.

The final items in this issue are two book reviews, written by Independent Safeguarding Consultants, Michael Preston-Shoot and Pete Morgan. The first of these considers a book written about practice issues relating to self-neglect and hoarding, written by Independent Practitioner, Deborah Barnett and the review pulls out some interesting discussion points for practitioners working in this complex and challenging area. The second review is of an edited volume relating to safeguarding practice under the Care Act, written by Adi Cooper and Emily White, which also contains ideas and suggestions about improving practice, something which all of us in safeguarding strive to achieve.

We hope that this issue of the journal will provide items and idea for readers to reflect on about the broad field that is adult safeguarding. As regular readers of the journal know, we are always interested in hearing from potential contributors and to discuss ideas for possible papers relating to research, policy and/or practice in this increasingly broad topic area. If you have suggestions or ideas, do make contact with one of us and we will be pleased to provide advice and offer support on this. Our contact details appear on the inside cover of the journal and are also available on the journal website.

## Notes

1. [www.chroniclive.co.uk/news/north-east-news/blyth-slave-driver-takeaway-boss-14798217](http://www.chroniclive.co.uk/news/north-east-news/blyth-slave-driver-takeaway-boss-14798217)
2. [www.bbc.co.uk/news/uk-england-lincolnshire-44697059](http://www.bbc.co.uk/news/uk-england-lincolnshire-44697059)
3. [www.theguardian.com/uk-news/2018/apr/15/why-the-children-of-windrush-demand-an-immigration-amnesty](http://www.theguardian.com/uk-news/2018/apr/15/why-the-children-of-windrush-demand-an-immigration-amnesty)
4. [www.bbc.co.uk/news/topics/c9vw29v1wznt/nhs-at-70](http://www.bbc.co.uk/news/topics/c9vw29v1wznt/nhs-at-70)
5. [www.bbc.co.uk/news/uk-england-hampshire-44300482](http://www.bbc.co.uk/news/uk-england-hampshire-44300482)
6. [www.independent.co.uk/news/uk/crime/george-ormond-child-sex-abuse-newcastle-united-youth-coach-boy-victims-a8428646.html](http://www.independent.co.uk/news/uk/crime/george-ormond-child-sex-abuse-newcastle-united-youth-coach-boy-victims-a8428646.html)
7. [www.bbc.co.uk/news/uk-scotland-glasgow-west-46098908](http://www.bbc.co.uk/news/uk-scotland-glasgow-west-46098908) (accessed 5 November 2018)
8. [www.bbc.co.uk/news/uk-scotland-glasgow-west-46098908](http://www.bbc.co.uk/news/uk-scotland-glasgow-west-46098908) (accessed 5 November 2018)
9. [www.24housing.co.uk/news/court-of-appeal-reverses-400m-back-pay-bill-to-care-providers/](http://www.24housing.co.uk/news/court-of-appeal-reverses-400m-back-pay-bill-to-care-providers/)
10. [www.theguardian.com/australia-news/2018/jul/25/david-dungay-inquest-shown-harrowing-footage-and-told-of-prolonged-cpr-failures](http://www.theguardian.com/australia-news/2018/jul/25/david-dungay-inquest-shown-harrowing-footage-and-told-of-prolonged-cpr-failures)
11. [www.surewise.com/carers-insurance/articles/new-report-reveals-that-unpaid-carers-are-propping-up-the-carer-system-with-women-baring-the-brunt-of-the-responsibility/](http://www.surewise.com/carers-insurance/articles/new-report-reveals-that-unpaid-carers-are-propping-up-the-carer-system-with-women-baring-the-brunt-of-the-responsibility/)
12. *The Guardian*, 11 July 2018.

13. [www.bbc.co.uk/news/uk-england-leeds-44474309](http://www.bbc.co.uk/news/uk-england-leeds-44474309)
14. [www.familylaw.co.uk/news\\_and\\_comment/care-crisis-review-publishes-report-setting-out-options-for-change#.W1rayOS0VPY](http://www.familylaw.co.uk/news_and_comment/care-crisis-review-publishes-report-setting-out-options-for-change#.W1rayOS0VPY)
15. [www.bbc.co.uk/news/uk-england-44957172](http://www.bbc.co.uk/news/uk-england-44957172)
16. [www.christiantoday.com/article/iicsa-what-did-we-learn-from-george-careys-testimony/130070.htm](http://www.christiantoday.com/article/iicsa-what-did-we-learn-from-george-careys-testimony/130070.htm)
17. [www.irishcentral.com/news/tuam-remains-exhumed-mass-grave-galway](http://www.irishcentral.com/news/tuam-remains-exhumed-mass-grave-galway)
18. [www.learningandwork.org.uk/2018/06/15/national-audit-office-report-on-universal-credit-our-response/](http://www.learningandwork.org.uk/2018/06/15/national-audit-office-report-on-universal-credit-our-response/)
19. [www.beds.ac.uk/ic/current-projects/contextual-safeguarding-programme](http://www.beds.ac.uk/ic/current-projects/contextual-safeguarding-programme)