

BOOK REVIEWS

Law and childhood studies. Current legal issues volume 14

Michael Freeman (ed.). Oxford: Oxford University Press. ISBN 078-0-19-965250-1. 590 pp.

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The 31 papers in this volume are largely drawn from the 14th Annual International Interdisciplinary Colloquium held at the Law School of University College, London, in 2010.

Like all volumes of this kind that contain a diverse range of papers of varying quality, it is not easy to review. A good starting point is Freeman's own contribution in which he articulates an argument for a 'sociology of children's right'; that is, forward looking and persuasive.

Of similar merit is the paper by John Tobin from the Melbourne Law School 'Courts and the construction of childhood: A new way of thinking'. In this paper Tobin sets out the three models of childhood that have shaped current legal thinking. These are the proprietary model, the welfare model (that underlies most Australia child protection legislation) and the rights based model. This is, by far, the most thorough presentation of the three models and the implications for the Courts of adopting the rights based model that I have had the benefit of reading.

Another Australian contribution is from Ben Matthews from the Faculty of Law at Queensland University of Technology. His contribution is titled 'Exploring the contested role of mandatory reporting law in identification of severe

child abuse and neglect'. This is a very comprehensive examination of all the available data on this topic from across Australia. In that respect it is an invaluable source of information for anyone interested in the effectiveness, or otherwise, of mandatory reporting laws.

The third Australian contribution is from Bronwyn Naylor and Bernadette Saunders from both Law and Social Work at Monash University whose paper 'Parental discipline, criminal law and responsive regulation' will certainly be of interest to many readers of *Children Australia*.

Other papers are about domestic violence, children's sexual behaviour and criminal law, disability, health research, family law and parental relocation, as well as there being many more rich topics. There is also much about the UN Convention on the Rights of the Child and European human rights legislation that may have implications for children's rights.

Papers from countries such as Bangladesh, Nigeria and Tanzania, as well as a paper that discusses issues from an Israeli–Palestinian perspective, make up the volume and are of interest, but possibly to only a limited number of readers.

Rethinking Matching in Adoptions from Care

David Quinton, (2012), Publisher: British Association for Adoption and Fostering, London, Paperback, London, ISBN 978 1 907585 23 4, Price, £ 14.95 + £ 4.00 p&p, 130 pp.

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David Quinton is the Emeritus Professor of Psychological Development in the School of Policy Studies at the University of Bristol and founder of the Hadley Centre for Adoption and Foster Care Studies. In his recent book, *Rethinking Matching in Adoptions from Care*, Quinton provides a commentary of the knowledge base, research, skills

and tools used in making adoptive placements for children 'from care'. (Note: the references are more akin to permanent care or kinship placements within the Australian context).

Quinton defines the 'matching' process as one 'which tries to put parents who have unique characteristics and

capacities together with children who have particular and unique needs' (p. xix). He cautiously supports current matching practices, but in examining the conceptual and research evidence related to the detailed processes involved in placement decisions, he advocates for the use of stronger evidence-based practice. He suggests that overall the current system works well, but says that it is an imprecise talent.

The book is divided into several themes and traverses current UK policy and practice. It includes a history of matching, the conceptual issues associated with children's needs, parenting capacities, matching on ethnicity, and assessment and research in relation to children and prospective adopters (carers). While strongly grounded in UK practice, there are strong parallels for Australian practice which make it useful to flag areas for reflection and development here.

The author states that the intention to link individuals' needs and capacities when considering permanent placement seems obvious; but he believes that the foundations to this process are unclear and the evidence is limited. Specifically, he believes that the assessment of parenting capacities are more developed than the assessments of children's needs in the matching process. He considers the needs assessments of children as conceptually and practically underdeveloped. Furthermore, he suggests that advice and good guidelines in relation to these assessments is lacking in both research and rigorous practice reflection. Many practitioners would agree that assessments (especially the projections to future developmental stages) can be somewhat imprecise in nature, but if this work assists with further definition of the elements and balance in these crucial decisions it will be helpful for all parties in the placement process. However, while this book summarises practices and points to areas requiring further work, it does not purport to offer immediate advice.

The author notes that most of the guidelines in the UK focus on the procedures and processes, but not the 'how'. Quinton unpacks the use of language and delves into its meaning and interpretation; one example being when we refer to 'meeting' a child's needs. He says that this criterion occurs on a continuum of achievement and notes that practice advice is silent on how we might actually know whether a child's needs are indeed met.

Quinton also questions how we judge when and if placement outcomes are fulfilled or satisfied. Disruption is possibly the only measure of outcomes, and yet the predictors of disruption are not well researched. The outcome question appears to be much more complex than whether a placement remains intact. Quinton suggests that the agency should have a long-term relationship with carers and children, and hence be in a stronger position to offer support (and accurately assess outcomes).

He also argues for reconceptualising matching as an ongoing process in which agency actions and support are seen as part of 'the ecology of parenting' – not just something

that takes place prior to the placement or is added when difficulties arise. The tailoring of services and supports in this model evolve as the needs and capacities of carers and children develop and are better understood over time. Quinton argues that this flexible and tailored support should be part of the ongoing process, not just a phase that passes once the transition to placement is considered to be done. Within this model the placement agency would have an active, as opposed to adjunct, role in parenting. Within the Australian context this would support a policy which reconfigures the responsibility for enduring post-placement support and expert resources to meet ongoing needs and ensure stability. The capacity of the placement agency to offer responsive and expert advice and assistance for the duration of placements is seen as necessary; and would also be supported by practitioners who have had difficulty negotiating support for carers facing unforeseen challenges well after the legal order is finalised.

Quinton refers to 'adopter led matching' which, in the UK, has been seen to create more realistic expectations of the child and greater experience in handling problems. (These practices typically involve days at which approved carers can meet with social workers to receive information, including videos, of children who are waiting for placement). This practice aims to ensure a more fully prepared placement and match to parenting style. Quinton also ponders how the unknowable element of 'fit' or 'click' is brought into the matching process.

The author offers some useful reflections on the assumptions found within cross racial placement. He also notes that we are often looking for 'good enough' parenting skills – given that matches are difficult – and asks how we identify, in advance, the characteristics of potential parents in managing challenging behaviours.

Of interest in the Australian context is the assertion that the continuing influence of birth parents has been shown to influence placement stability. This especially relates to boundaries of contact interference, which is a characteristic more likely found in kin and permanent care placements.

A further element of the matching process relates to professional practice. Quinton alerts practitioners to the issues of consistency, of probability, and of the vagaries of our own professional judgements in making these pivotal decisions. He notes that practitioners are left to their own experience, presumptions and practice pressures associated with timing, preferences and delays in making decisions. Quinton has some provocative questions of practitioner skills: How do we provide accurate assessments? Do we use testing instruments to enhance observations/provide evidence? Do we know if social workers' views and practice judgements on matching have any predictive power? He concludes that assessment of needs will remain inexact and urges that we view matching as part of an ongoing process of assessment and support through which emergent problems can quickly be identified and handled. The commitments in Australia

to the development of professional skills in placement support, behavioural and therapeutic approaches are reinforced in this construction.

Our understanding of the needs of vulnerable children, their carers' and practitioners' self agency in helping to determine the characteristics that have the most profound influence on the stability of placements, of the placement decision itself and on outcomes, is important. This book reviews the concepts and issues in this complex process.

It underlines that work in human services is demanding, with many unknowns and unexpected challenges. It urges us to pay greater attention to the processes and assumptions embedded in practice. Quinton points to areas for further research and practice development. This book will be of interest to those with aspiration for an academic pursuit, and to policy and practice leaders. It may also be a useful orientation to the context of practice, but does not purport to give practice guidance.