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## **Professional Approach and the First Line of Institutional Response to Domestic Violence: A Hungarian Overview**

Today in Hungary, the concept of abuse is linked with the notion of domestic violence and is understood to include mostly the abuse of children and women. A broad social sensitization to the issue of domestic violence has taken place in recent years, which in no small measure relied on international experience and data. Meanwhile, due to disorganized domestic data collection, the lapses are significant, and instead of “hard” data, we deal with assumptions in the area of abuse. The experience of a small number of studies has not received much attention among professional circles,<sup>1</sup> among the public, or in the public discourse. However, more recognized experts have tried to introduce the Hungarian conditions as well, but this is very difficult partly due to the low visibility of the problem and partly due to its complexity. In the public discourse, the topic of domestic violence appears only when there are sensational cases, e.g., cases involving death, rather than looking at hard data, inevitably rendering a tabloid-like discourse. Actions falling under the category of non-criminal offenses only rarely come to light. The stronger actions of a few organizations often bring forth prejudiced reactions and counter charges, rather than attempts at solving the problem. It is difficult to counter these charges, and again, the efforts are not directed at the problem, but rather at clarification of a position, its legitimacy, which cannot be a goal, but a tool.

As a result, most of those fighting violence only think about the specific cases, looking for possible solutions seemingly available for them in the given terrain. However, the problem requires a much more comprehensive solution. If violence occurs within the intimate sphere, it affects many stakeholders: the abuser, the victim, and all those who actively or passively help *maintain the illusion* (that is, the abusive system). The intimate sphere is where we expect safety and predictability; therefore, it is nearly shocking when violence or calculated aggression reaches us in these areas. Both society and the social and child protection profession remain

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<sup>1</sup> The members of the “professional circles” are primarily not sociologists, criminologists dealing with this topic, but experts active in the fields of education, child protection, legal protection, government, health care, etc.

helpless in the majority of cases, even though abuse happens every day against women, children, men, the elderly and handicapped people alike. The results – experts' increasing level of knowledge, social awareness, changes in legislation and the changing institutional system – are not yet hitting the mark; violence hiding behind the walls of homes is still an individual and familial tragedy.

The confusion is intensified by the fact that the meanings of concepts related to the problem in question have not been clarified, or their interpretation lacks consensus; the same concept bears different meanings in the toolbar of different trends, and as a result, the scientific and public approach, and negotiation of the phenomenon defined in Hungary generally as domestic violence is rather chaotic.

### The theoretical frames

Domestic violence as an expression marking a particular problem area is contradictory in Hungary. If we consider only the meaning of the words, then we can think of events independent of sex and age, in which only the relevant factor is hiding, namely that the perpetrators and the victims are bounded by family ties.<sup>2</sup> This generalizing and at the same time inclusive approach appears mostly in domestic discourses, and this interpretation makes the concept popular among social and child protection experts. However, one can observe a very strong presence of a feminist interpretation of domestic violence which primarily complains that the generalizing its meaning “*can easily convey the impression that different members of the family would commit abusive actions in the same way, frequency or extent*” (Szil, 2005:8). Feminist researchers interpret the concept of domestic violence as a phenomenon stemming from the patriarchal social structure and sexist values,<sup>3</sup> intending to suppress women, that is. They use the concept mainly for the abuse and suppression of adult women. Their argument is confirmed by Decision No. 1996/12 of the United Nations Economic and Social Council, stating that “*domestic violence*’ is physical, psychological and sexual abuse perpetrated on the basis of sex by either of the family members against a female family member ...”<sup>4</sup>

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2 This interpretation actually extends to violence where family ties or domestic partnership do not exist, however, constraints of co-existence are present, and the violent events take place behind closed doors (household violence).

3 Sexism as a term is generally used to describe all of the behaviours of men through which they express the inferiority of women or encode it into social standards. In line with this conceptual framework, domestic violence is “only” one of the manifestations of a patriarchal repressive regime – with special tools – controlling the whole society.

4 Parliamentary decision No. 45 of 2003 (April 16).

Despite the strong differences, the two interpretations seem to coexist fairly well. However, when the differences are not clarified unequivocally, and the categories are not separated from each other (are not given “separate names”), they are confused both in the legislation and in professional structures. As Gábor Szöllösi (2005:69) wrote: “*An attempt to equally treat the various victims of crime, as well as to provide special protection for women considered as primary victims, are in place at the same time. This ambivalence appears also in the Parliamentary decision No. 45 of 2003 (April 16) on the development of a national strategy for prevention and the effective management of domestic violence. On one hand, the decision considers not only women but children and other family members as well as victims, and therefore seeks to provide protection for every one alike. On the other hand, an analysis of the text shows that the authors took over the arguments in support of the state intervention and the proposed solutions primarily from foreign literature about violence against women.*” Presumably, this ambivalence appears again and again in layman interpretations, in the way child protection and social experts approach “domestic violence,” and in actions based on them as well.

Thus, practitioners are faced with a duality even in the case of the most basic definition. This duality is further enhanced in publications, professional articles, conferences and trainings that discuss domestic violence, serving for the professionals not only as a source of information, but also as a basis for action. The administration, which is otherwise making serious efforts to raise awareness of the problem of domestic violence, has not mitigated, but on the contrary, has amplified this duality. As part of the national strategy, two major campaigns were launched almost simultaneously. One of the campaigns was managed by the then Ministry of Children, Youth and Sports, in which children as the victims of domestic violence were in focus, while at the same time a campaign led by the Government Office for Equal Opportunities and the Ministry of Interior called “Joining against domestic violence” stressed the victimization of women. Enforcement of the tasks arising from international conventions has split as well: the implementation of CEDAW landed at the desk of the Government Office for Equal Opportunities, while the tasks related to the WHO recommendations are carried out by the Ministry of Children, Youth and Sports and its successors (Krizsán, Paantjens and Lamoén, 2006). Through the implementation of these tasks, the satellites and the local institutions of the top organizations hardly contacted each other.

When the topic of abuse started to appear in the Hungarian public discourse, two big groups split in the interpretation of domestic violence. Today a well-defined front line runs between women’s rights defenders and protectors of children. The one that communicates its position better, and thus get the more

media attention, can expect more compassion from the public, and can enjoy the advantages of the “moral panic” phenomenon, as described by Cohen (1972). As a result, they can get the attention of decision-makers, which can lead to clear political benefits, such as the creation of the expected/awaited measures. What is more, they can get financial resources through quotas of the social care system, earmarked subsidies or win tenders. Thus, this fight is far from philosophical, it is indeed very material.

In the feminist approach, the systematization of domestic violence described in Krisztina Morvai’s already mentioned work (1998) has ground breaking importance. After the publication of Morvai’s work, the clear and firm conviction of violence against women intensified, which – to a great extent – was also thanks to the work of different women’s and human rights organizations. Now, at least at the level of principles, laws and decisions, any kind of abuse against women is considered condemnable, in fact, it is a sin. However, in social practice, these principles are taking root painfully slowly, and still far too many women fall victim to various forms of abuse, while it appears that the legislation “had a painful birth.” But after Morvai’s book, a number of publications have appeared in the national textbook market, which admittedly follow the feminist approach, mostly because the otherwise generalizable abusive actions, the traumatized characteristics of the victims and the treatment methods have been described mostly from the perspective of female victims from the authors’ own victim support practices (Herman, 1992; Evans, 1992). In addition, of course, publications handling patriarchal, oppressive male violence as an axiom have appeared as well (Szil, 2005; Bonino and Szil, 2006) which discuss and summarily reject other interpretations of domestic violence.

Consequently, the domestic literature characterized by the feminist approach is replete with professionally prudent and thorough analyses, but the simplistic scheme of “abusive man –abused woman” provokes many people to debate rather than encourages them to understand and think further. Although, if we look at *the nature of abuse*, we find that the feminist literature gives a very detailed and precise description of not only the major categories, but also ordinary repressive practices.

Compared to the relatively late evolution of feminist trends in our country, the child protection approach has very old historical roots. The high point of the century-long, slowly evolving approach must be the New York Convention on the Rights of the Children, which is the most thorough summary of the rights of the children so far, and delivered strong bans against breaching of the rights of the children. Domestic ratification of the Convention did not wait long; it was included in Act No. LXIV of 1991 and its approach became a significant element

of the Act No. XXXI of 1997 (Child Protection Act). These acts and publications born in the wake of these acts provided a sufficiently strong foundation for the systematization of domestic violence from perspective of child protection. Social organizations played a prominent role to achieve this and to help foreshow and overtake the existing international patterns. And this role is not negligible: in Hungary, child abuse was tolerated except for extreme brutality, and in daily practice, it is still largely tolerated, if we call physical abuse or psychological terror an “unfortunate educational tool.” After all, family education is a private matter.

In the area of child abuse – just as in the case of women – empirical works primarily dealt with shockingly harsh aggression, infanticide, and the victims of sexual abuse, which then reached practicing professionals (Kerezsi, 1990 and 1995; Herczog, 2001 and 2002). But after the change of regime, and again after 1997, the entire national child protection system changed significantly, and the inherent change of structure and attitude and the increasing quality requirements resulted in so many jobs at all levels of the profession. Therefore initially not a lot of stress was put on the treatment of domestic violence.

From 2004 onwards, domestic violence – and the fight against it – became a daily media event, a player in the political arena. From that point, more active professional work is visible, along with a number of methodological manuals emphasizing the prevention, diagnosis and treatment of child abuse and neglect (Herczog and Smith, 2004; Papp, 2005). But this is not enough. The fight against child abuse has not yet crossed the threshold at which we can speak of qualitative change and improvement. We have done a good job on paper, whether it is legislation or specialized textbooks. At the everyday level, however, a standard and good practice has not yet been developed.

The processing of domestic violence from the child protection perspective is thus inherently limited, since the victims of the abusive actions who are the focus of attention, have in all cases been children. However, expert followers of the approach are open to various explanatory principles, and they assume that the various forms of abuse do not operate according to the same mechanism, and that the acts of the various abusers are sparked by different reasons and emotions. This openness has practical reasons, since experts working in the field of child protection should keep in mind first and foremost the interests of the child, which could not fully take place within narrow limits of interpretation. For the same reason, the child protection approach has a major drawback, namely, the difficulties in coping with the gray zone between a *fairly good education* and the *mistreatment of a child*, since both the education and mistreatment is stochastic, i.e., the result to be manifested in the (distant?) future is subject to conjecture and in many cases

cannot be described unambiguously (Szöllösi 2000). Even when the child's best interest is taken into account, it is difficult to determine whether the intervention should be directed to protect the child from the parents (which entails a certain degree of psychological or even physical separation), or to support the parents (to help them become a "better parent"... or more accurately (Winnicott 1953), "a fairly decent parent"). Such dilemmas make it really hard to take in the child protection approach which is seemingly so simple on paper.

Differentiation of the concept and content of domestic violence, the current academic discourse on this topic cannot be presented in this study as a whole – what is more; there is no need for that, since it is available in the home literature (Szöllösi 2005). However, we need to clarify "the way we look" at domestic violence, how we see the abuse.

With domestic violence, the focus for us is on *domestic*, since the *intimate sphere makes the violence unique*. The saturation of emotional intimacy, the everyday interdependence and the dependence, distinguish the abuse within familial systems from aggression amongst vulnerable groups living in cultural and economic segregation, etc., or from the violent crimes committed in the streets and public places. Its uniqueness can be highlighted by the fact that laws and the systems for law enforcement protect the citizens well from violence occurring in various places in the community, while family intimacy is "respected" by the law and the social systems, and they are wary of intervention, and as a consequence people are less protected or not protected at all from violence occurring within the family. In several cases, it has also happened that authorities intended for protecting citizens (police, child welfare agency, etc.) side with the abuser calling on some regulations while ignoring others (e.g. Family Law vs. Child Protection Act).

This is not to say that each and every aggressive, violent phenomenon that occurs within family systems can be interpreted as domestic violence. We accept the Cseh-Szombathy (1985: 21) definition of conflict saying that conflicts are those social situations or processes "*in which there is a conflict of interest between two or more individuals or groups, which is expressed in emotional conflict and/or conflict of willingness, sometimes in adversary interactions as well*" – according to which family and marital conflicts are natural manifestations of the conflicts of interest. In the same work, Cseh-Szombathy calls the misunderstandings or confrontations based on miscommunication pseudo conflicts, because in these cases no real conflict of interest is evidenced. Thus, the aim of marital and pseudo conflicts is inherently the enforcement of interests – of course, in case of pseudo conflicts the formulation of the purpose is based on a mutual misunderstanding between the parties.

Different scenarios of family and marital conflicts can contain both constructive and destructive elements (e.g., they can enhance or destroy the family cohesion), aggression or assault may appear as well. In addition, the conflicting parties can take advantage of the socially suppressed situation of the other party in out-of-family situations – those who strive for a “winner-loser” resolution of the conflict set socially sanctified prohibitions for children and women to achieve “success.” By exploring the application of the patriarchal design, we have already reached the feminist interpretation of domestic violence, even though the family members under the scope of the interpretation use their available communication, cultural and other tools in order to control their natural conflicts.

Family conflicts cannot be solely considered as negative, criminal, something to avoid. Among others, they play a serious role in personality development and the conflict management skills of the spouses – or parents and children, siblings. Examining only the actions and the means, it seems – for us at least – the question of the definition of abuse cannot be resolved satisfactorily.

The spectrum of power constructions built upon conflicts, emotional, verbal and physical aggression, as well as the roles, norms and traditions can be divided according to Fromm's (1973) prism, which creates the concepts of (broadly interpreted) *humane aggression* and malicious, *destructive aggression* by examining the nature of the incentive behind the act. Although Fromm emphasized in his work that sadism rose to social level in human history of the first half of the 20<sup>th</sup> century, the discretion of the underlying incentive can be involved in the framework for the interpretation of domestic violence. So we can say that while ordinary family conflicts are born from conflicts of interest, their goal is to enforce interests, and the motivation behind the actions is not inherently malicious (or not perceived so by the members of the family). Meanwhile, the underlying motivation of domestic violence is malicious and has a destructive intent; the objective is the systematic, deliberate destruction of the victim's personality, placing it under morbid control. The two types of “domestic situations” in many cases cannot be distinguished from each other in a short period of time, while in the long run, the characteristics of abuse can be identified, which are unidirectionality, isolation, cyclicity and escalation.

This distinction is important for us more for practical reasons than for theoretical ones. Aggression in family conflicts can appear in many forms, even in harshly violent form. Csányi (2000) lists 11 types of aggression – and citing other authors, we can meet other groupings – that can be involved within the interpretation framework of family conflicts. When this is parental or pedagogical aggression in connection with hierarchy or some kind of rough manifestation of it, the process

can be influenced by outside help – or by social control, with the clear drawing of boundaries between acceptable and unacceptable behaviour (although we do not claim that this would be simple). The aggressor's behaviour can be changed with adequate technique, the common denominator of the conflicts of interest can be found, various methods for conflict resolution can be used – e.g., mediation between the parties. In contrast, experience shows that domestic violence – no matter how subtle, indirect or manipulative – is not remediable with the preservation of the family system, in fact, it is quite common that after the disintegration of the system, the abuser reaches for the victim and tries to use all possible means to keep the victim under this sick control. Where the characteristics of the abuse appear – revealing the underlying motivation behind the act, the destructive aggression – we can be almost certain that the abuser will not cooperate in attempts to resolve the situation, and that attempts to solve the conflicts will fail.

It is not enough for the professionals intervening in the lives of families to build their action plans on the observed actions alone. Certain tools and forms of communication should be deployed if the acts to be influenced fall within the framework of family conflicts, and others if the acts – or rather, the range of acts – show signs of abuse and destructive aggression fitting the interpretation falling within the framework of domestic violence. The aggression of a parent applying beating as an educational tool cannot be treated with the same tools if the beating stems from a family conflict (bad education), and still other tools have to be used if the abuse is coupled with destructive intention.

While we are looking for the “domestic” borders of the domestic violence, we have to distinguish between violence and violence – between aggression and aggression. With this distinction, we immediately offend the common interpretation of the concept of abuse. If we only discuss the abuse itself, we can distinguish the affront from the abuse relatively easily defined by the three characteristics mentioned above. When it comes to the mistreatment of a child, the definition of abuse inflates, incorporating all categories of mistreatment, all of its varieties, including passive (negligent) forms, regardless of whether the actual mistreatment can be characterized by the criteria of cyclicity and escalation.<sup>1</sup> In our opinion, according to the two types of the aggression – any aggression – described by Fromm, the detectible actions or family systems placed under the microscope should be definitely split. One set would include concepts such as family conflict, violence, mistreatment, while the other set would include the concept of domestic

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1 The criterion of unidirectionality in parent-child relations – especially in authoritarian societies – is likely to appear, but not necessarily as a sign of abuse.



violence and abuse. Mistreatment turning into assault and battery and physical abuse may look like a beating – but the intention behind the two are not to be confused, and it is not appropriate also to merge together the tools of efforts to eliminate beating either.

Separation of the two types of violence, however, is far from simple. The concept of the abused woman and abused child set root highly in the way we think, regardless of the fact that the “abuse” as an interest enforcing aggression of family conflicts attacks, or basically terrorizing its victim unidirectionality, in cyclicity and escalation. Describing the party applying violence may cause problems as well: the one who is simply termed the *abuser* should be measured according to his/her underlying motivations, while there are no easily available and useful standards in terms of the techniques of measurement. We are not even sure that the boundaries of the two types of violence can be determined sharply – it seems likely that the boundary is blurred, forming a broad transition between the pure types. After the clarification of definitions, it is absolutely necessary to elaborate methods and tools to confirm the diagnosis.

### **Child abuse from moral approach**

The relation of the individual and the community and the relation of the adult (full adult) and the child have basically changed during the period of social improvement.

We are convinced that these two relations of the system assign the place of children in society. In developed societies, a well-formulated legal system tries to ensure that children are able to become physically and spiritually healthy, witty, well-behaved, well-governed adults who are able to become useful, successful members of the society. If this effort could be fulfilled, the future of the children would enlarge with another possibility: they could become members of a society in which others are also healthy, witty, well-governed, well-behaved, kind-hearted, successful and useful. According to Fritz Perls (1973), the individual and his/her surroundings do not stand in causation, they create the whole together (gestalt). The complete predominance of child laws could be a guarantee with its environment so that types of personality with regard to Perls living in harmony could be spread on a wide scale.

Unfortunately, difficult barriers are ample so that the nice future coded in the child protection laws cannot be created. The biggest barrier is society itself, which proposes and justifies with its behaviour (or not) these laws; that same society which has made a lot of mistakes despite its virtues, and its failures often sour its successes. Mistakes, deficiencies, omissions, bad habits, harmful mechanisms are

present at the level of the individual, the community, and other levels as well: in families. More or less, it works the same way in all countries, and the changing Hungarian society, as well as smaller, bigger communities and families do not conform to the criteria defined by the complete predominance of the child protection laws (Committee on the Rights of the Child, 2006). The lack of reliability, deep and strong sensitive relationships force the individual into ambiguous situations, in which she or he concentrates on defending him/herself and surviving. Family relationships become overstressed, and unfortunately “winner-loser” situations dominate. Firstly, people’s everyday relations expand to supplying the financial necessities. Those children supported by the community and society become lost in this environment.

Children should be taken care with especially careful attention to be able to become an adult as presented in the Committee on the Rights of the Children. But there is an important question: does he or she have an opportunity to get this careful attention in his or her family or in Hungarian society nowadays? If she or he does, how many children have this careful attention? What percentage of them get perhaps incomplete but good enough careful attention (Winnicott, 1953)? For what percentage of them can we, rather, speak about a lack of opportunity?

When the possibility of a happy childhood and the nice future is unlikely or not possible, when the rights of the child and their destinies go wrong, the profession speaks about *the poor treatment of children*.

The poor treatment of children is a collective term/concept. It consists of widely different activities, their results, features are also different, and they differ in their workings and consequences. According to the WHO definition, this concept includes all forms of bad treatment – the neglect and exploitation against children which results the actual or potential harm of the child’s health, survival improvement or dignity in a frame of relationship which is based on responsibility, trust or power. Another definition emphasizes the physical abuse of children: “The intentional use of physical force or power, threatened or actual, against oneself, another person, or against a group or community that either results in or has a high likelihood of resulting in injury, death, psychological harm, maldevelopment or deprivation”. (Krug et al, 2002).

### **Responsibility**

The existence of the poor treatment of children is our common responsibility. The responsibility of the abusers as a neglectful and exploiting adults is obvious, even if they are acting unconsciously, even if they suffered abuse in their childhood and even if they regret what they do.

But those adults who witness the bad treatment of children are also responsible if they do nothing...because they are afraid, because they think they can do nothing, because they are disinterested, because they do not feel that they can do something or they do not know what they should do. Perhaps their responsibility is less than that of the abusers, but they are nevertheless responsible.

The responsibility of the professionals has equal status and stands opposite the responsibility of the adults who practice the bad treatment of children. The task of dozens of institutions is to support children's healthy physical, intellectual and moral development totally (child care, education) or partially (law enforcement and judicial authorities, health care). Their results, their successes or failures are not really shown in the child protection statistics. Their responsibility is hanging in the air.

Before speaking about the question of responsibility, we have to mention that in the last 10–15 years, child care protection has undergone significant change and development, both in its own area and in cooperation with other professions as well (Fábián, Hüse and Szoboszlai, 2012). Based on the assumption of the experiences of the county custodian offices – playing the role of a supervisory position in the child protection administration – we can state that the personal and material conditions of the profession have developed, its theoretical and practical methodology has also improved, the new areas (child welfare service, civil participants) have started to fit in their roles. And in the light of experience, each failure or bungling and every negative phenomenon becomes more contrary and its result is that the experts cannot do much with his/her responsibility that is why “it falls on him.”

Relevant legislation is about obligation, exactly about the obligation of the child welfare service and the reporting system members. During the development of local laws, an entirely refined change of the obligation has been created where the police must intervene in the case of domestic violence and it must inform the child welfare system if an underage child is involved in the event. Teachers must report if an enrolled child has been absent from school for nine lessons unjustifiably or if his/her behaviour has changed in a strange way. Doctors must report when they see symptoms which make them suspect that a child had been a victim of abuse.

There is an opportunity to shirk the obligation assumed by others, but those who do it in Hungary are not aware of the legal consequences. We are not allowed to shirk from the responsibility ourselves. Of course, we are able to forget our own responsibility, especially when it is not a problem that people are no longer doctors or teachers, only people who earn money though teaching or healing.

### **The child welfare service and its reporting system as the first line of the institutional response**

Child welfare systems have reporting systems functioning in their region, and its members are every organization, institution, private person which has contact with children in any way (15/1998. [IV. 30] NM regulation). Without the reporting system, the child welfare service is deaf and blind and rather weak. It would be impossible to fulfil its role in ensuring the well-being of children.

Consequently, if the child welfare service wants to meet the requirements of the legislation, it has to create a well-functioning expanded reporting system in the region. It has to take the first steps itself:

- The child welfare service has to explore who should be a member of the reporting system in the region. Sometimes it has to find out which way is appropriate to call the people and how s/he can be involved in the cooperation.
- It has to declare the role of the members – sometimes it does well if it involves the member of the reporting system too – and it has to focus on the advantages in cooperation.
- It has to give adequate feedback regularly about its common work.
- It has to inform the members of the reporting system about the child protection situations of the region and it has to disseminate the newest professional documents.
- It is an advantage if it has enough insight into the professional knowledge of the reporting system member.
- If mainstreaming of the information works well, cooperation should be spread to the case work.

None of the requirements are possible to fulfil. It is true that fulfilling even one of them can cause headaches sometimes. However, for the underfunded and overloaded child welfare services, as for fire fighters, their most important tasks are the most difficult, for example, fire-prevention and the functioning of the fire alarm network.

The child welfare service can remove the endangered children, but also it has to cope with other problems. Without its reporting system, it would be nearly impossible to judge and qualify an endangering situation in one of the children's lives.

They cannot establish relations with the endangered children and their families. Sometimes cooperation with families is difficult without experts who deal with pedagogical and health care problems who are accepted by the families.

The child welfare service without its signalling system would have to bear the responsibility alone.

### **Why is it good if there is a reporting system?**

The bad treatment of children can be difficult to recognize in reality. If we recognize the facts, sometimes they are difficult to declare. If they are declared, we may have difficulty finding their purpose. The education of their children is the parents' right and obligation, but it is difficult to judge whether activities are useful and facilitate development or infringe the rights and healthy development of children. Basically, the progress of education is based on statistics probability theory, that is, in other words children go straight ahead towards unsteadily defined goals in an unsteadily describable way.

The mistreatment of children is like the fog. Everybody knows what fog is like, what clear weather is like, but it is very difficult to define the border between the two.

Team work and cooperation with the members of the reporting system is essential in child protection work. Because with more information, a case can be better defined, and we can make better, surer decisions. Many people want to contact partners who think like them and more or less agree with them. They should not be afraid of those who think differently – their opinions can help us reevaluate a situation and improve our understanding, and so do better work.

The common consultation of cases helps not only the child welfare service, but also the members of the reporting system to be more sensitive to the signs of the mistreatment of children. It is also useful when faced with ethical dilemmas.

After collective work, strong decisions are born which are able to maintain their own positions.

### **The operation of the reporting system**

The question is neither who will be the members of the reporting system nor how it should work: it is a matter of an adequate stream of information flowing to the appropriate experts and institutions without delay or barriers (where according to the documents, a quick and effective reaction should be required). The real question is how the reporting system comes to function effectively.

Let us look at one particular example. Communication between the child welfare service and the schools should be important, but it is rare that it operates as it should. What problems do we see?

- The reporting obligation of schools refers to a faceless institution. The information spreads (if it spreads) among the teachers (form teachers) and those who are responsible for the youth protection and leaders, and it has to be confidential and not published. Because negligence of a sign cannot be imputed to anybody.
- The leaders of schools are not interested in disclosing problems, because they are afraid that the information of how many children with learning disabilities attend the school will be made public, and that other parents will take their children away to other schools.
- If the school sends a report, they mostly report unjustified school absence, which is clearly written in the legislation. Reporting about a change in behaviour or physical injuries is not usually initiated.
- The problem for schools or teachers is a child's annoying behaviour during lessons, and they try (if they try) to stop or solve the problem with pedagogical instruments. Other problems hidden in the background of the disturbing behaviour are not disclosed.
- The child welfare service is passive and does not care about the lack of reports.
- The child welfare service does not work with the schools. It expects (if it does) the reports, but there is no feedback; teachers are not considered partners in disclosing and solving the problems.
- The child welfare service receives the reports, but their information is not transmitted to a circle of the experts, a case management team is neither created nor coordinated.
- The child welfare service does not deal with the problems, it is not able to achieve positive changes in children's situations, and they are made worse with its unwise decisions or interventions. The bad results discourage teachers from cooperating.
- Some other problems include: avoiding responsibility, unexplained competence borders, fear of starting the process – “what will happen to... if ...,” fear of revenge from the parents.

The country and local responses to the problems provide a guide to the effective work of the reporting system with the help of cooperation fulfilled by the effectiveness-orientated aspect.

Table 1: Tasks of the effective reporting system

Tasks	Bureaucratic aspect	Effectiveness-orientated aspect
<i>To formulate the goals</i>	How would it be correct, to be "controllable"? (Because it is controlled.)	To inform every one involved and/or including experts about the problems as soon as possible.
<i>To disclose the regularity of the operation</i>	Who informs whom? To determine the order.	How does the information spread most effectively? (speed, the circle of the active experts).
<i>To disclose the errors of the operation</i>	To shift the responsibility to other organizations ("Who is at fault?") or it is uncommon.	What is the mistake? Where is the process blocked or where does it go wrong? Where is the fault?
<i>To correct the errors of the operation</i>	With the different effort of the participants or it is uncommon.	To cooperate with everyone involved as equal participants. The error involves the quality of the team work, so everybody is involved. To correct the errors is not a question of responsibility but a common task.
<i>To improve effectiveness</i>	To maintain the bureaucratic solutions or it is uncommon.	Every participant of the team is to carry out concrete tasks.

### Professional family care

The professional family care is a basic and expanding task of the child welfare service. The threat to a child's physical, spiritual, intellectual and moral development can come into existence from different causes, but the most difficult problems to manage are caused by the various forms of the domestic violence. Consequently, handling domestic violence can be also problematic even where there is a well-functioning child welfare service with good experts.

#### The causes of difficulty:

- Non-cooperating experts (eg., The GP does not give an expert's report, a nurse does not sign, the family caregiver does not initiate official procedures, the district attorney or the police do not intervene when called).

- Incompetent and competent experts. Incompetent: the tasks are done but not by experts (child and youth protection commissioner, family care guider, a lecturer of the local government and the child welfare service). Competent: the experts have qualifications but do not have the knowledge and/or skill to do something.
- Lack of experts (there is no psychologist, mental hygienist, legal professional, etc.).
- Lack of scientific data. Domestic violence is an unknown, sticky area; easily followed models of good solutions do not exist.
- Attitudes of the local society (especially in the country and small towns).
- The abusive parents do not cooperate.
- Fears that:
  - intervention will cause more and bigger problems,
  - the abuser will take revenge on the family care guider,
  - local leaders will protect the abuser,
  - the press will publish the matter and it will become a scandal, etc.
- Ethical dilemmas, a reluctance to make decisions. There are no good solutions or “pleasant” alternatives: we can only choose between bad and the worse ones.
- Uncertainty of the long-term effects. We do not know what the consequences of our present decisions will be in 10–15 years, but it is sure that there will be consequences.

The result of these difficulties is passivity. The abused child remains alone facing an uncertain destiny. Anything can happen to him or her. From the point of professional family care, the most necessary activity is the appropriate cooperation with the members of the care system.

There is an overlap between the reporting system of the child welfare service and the social care system, but the larger the region is, the smaller the overlap (more experts, more organizations and wider opportunities). However, the principles of effectiveness are the same, the functioning of a larger relationship network requires larger efforts. It is a big dilemma how these efforts can be entrusted to the experts of the child welfare services. The wrong answer contradicted the unequivocal legislation in Hungary is that not only “may” but also “need” to entrust these efforts to the experts of the services, because other ones can only be included into the case management by the child welfare service. The truth is that every organization is interested in getting results. The results can be in paper (statistics, the bureaucratic aspect) and based on effectiveness. If the partner organizations are rather bureaucratic, then the child welfare services needs to be involved activating and including them – provided that the child welfare service has already



exceeded the framework of the bureaucratic aspect. However, we meet more and more organizations which put the effectiveness forward: they do not have to be convinced, only their tasks have to be determined and by doing them they can contribute the common effectiveness.

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