

Human Rights into Practice: The application of a Human Rights Framework within a Scottish Social Work Setting

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Introduction

As a social worker with a number of years of practice experience, I have often wondered to what extent social workers are aware of human right issues within their own practice. My experience has suggested that in statutory social work settings (e.g. working within a child protection team) keeping a focus on human rights and social work values can be a challenge for social workers whose focus is on managing risk within a context of budgetary cuts and neo-liberal management directives (Dominelli 2004). It was this tension between my commitment to ethical practice rooted in human rights and my day to day practice experience that led me to apply for this Masters Programme. Given this background, it seemed appropriate for me to focus on human rights awareness among social workers for my D module project. This issue is particularly current at the moment, as there has been recent coverage of immigration officers being embedded within children's services department in a number of London Boroughs¹ (The Guardian 2018). Social services departments insist that this partnership supports social work assessments, as some services are not available to people who do not have leave to remain in the United Kingdom.² However, critics argue that this practice is intimidatory, specifically designed to disincentivize people with irregular status from seeking help. This then leaves potentially vulnerable children and adults destitute and at risk of exploitation.³

The International Federation of Social Workers (IFSW), and the British Association of Social Workers (BASW), both place social justice and human rights at the centre of social work practice, with the BASW code of ethics stating that,

Human rights and social justice serve as the motivation and justification for social work action. In solidarity with those who are disadvantaged, the profession strives to alleviate poverty and to work with vulnerable and oppressed people in order to promote social inclusion. (BASW The Code of Ethics for Social Work, Statement of Principles p5).

It could be argued that the practice of embedding immigration officials within social services departments, and thus actively *excluding* certain groups from seeking support, is very far removed from the ideals as outlined by BASW in the code of ethics. This then begs the question of how a profession, which should have human rights at its core, can practice in a way which could be seen to violate human rights.

¹ Greater London is split into a number of different Local Authority areas known as 'Boroughs'. Each borough is responsible for the delivery of social work services within their locality.

² These people are said to have 'No Recourse to Public Funds'. However social services support is not seen as a 'public fund' and there is concern that legislation is being misinterpreted (see Farmer 2017, Jolly 2018).

³ See <https://www.project17.org.uk>

I am also interested in how social work values may (or may not) compliment a human rights aware practice, and whether there may at times be conflicts between principles and practice which social workers are committed to, and human rights principles and legislation. An example of this is in the Scottish children's hearing system which was established in the early 1970's to address all concerns about children and young people whether these were in relation to care and protections issues, or issues relating to offending. Essentially the hearing system has a welfare approach and has had to adapt in the last 15 years as a result of legal challenges using human rights arguments (Norrie 2000). This has led to the children's hearing system becoming a much more 'legalistic' forum as opposed to the 'welfare' forum as originally intended. From my own experience of social work in Scotland I am aware that this change of focus has not been welcomed by social workers, who believe the hearing has lost its focus on the child and are concerned that it is parental rights rather than children's rights which are prioritized. This then indicates there may be an innate tension between the welfare model of social work, which 'bestows' rights on people and the rights based approach whereby people can legally, and proactively, claim their rights (Nickel 2007, Ife 2012).

This then leads me to the research questions to be explored within my project:

- Do social workers identify with the IFSW/BASW conception of social work as a human rights profession?
- Do social workers have an understanding of the development of human rights and the application of human rights ideas to social work practice?
- Do social workers see any tensions between their work and human rights principles?

Ideally this would be something which I would deliver initially to a small group of social workers within my own location. If that seems to be successful, I would then suggest making the training a part of my organisations 5 day induction training for new social workers which generally happens twice a year.