New Labour's new electronic 'telephone directory': The Children Act 2004 and plans for databases on all children in England and Wales

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Abstract: Section 12 of the Children Act 2004 provides for the setting up of electronic databases on children. This article, initially presented as a paper for the 'Changing Social Work' symposium organised by the *Social Work and Social Sciences Review* in the autumn of 2004, highlights a number of criticisms of the plan for these databases. In this context, the discussion refers to the Committee Stage of the Children Bill that took place in the House of Lords in May 2004. It is recognised, of course, that the Bill was subject to some changes as it made its way through the parliamentary process. In addition, the rather rushed pilot projects may well 'iron out' some of the evident ambiguities and problems. Nonetheless, core and substantial criticisms, discussed at Committee Stage, have not been extinguished. Indeed, some of the fears expressed about the impact of the databases are now likely to become magnified. The article dwells on four key areas: the potential elasticity of the idea of 'flags of concern' which is so central to the plan for databases; uncertainty about what happens to the 'flags' when a child reaches 18; the fact that the databases might result in over intervention, even deterring some families from seeking help; finally, it is argued that there are problems with how the government has endeavoured to present the databases as a response to the Laming Report.

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Introduction

It was in autumn 2003, that the government published *Every Child Matters*, its plan for the reorganisation of children's services (Chief Secretary to the Treasury, 2003; see also Department for Education and Skills, 2004). Child welfare professionals broadly welcomed these proposals, but the plan for 'local information hubs', a new system that will facilitate the electronic collating and sharing of information about children and families, has been subjected to a good deal of criticism (see, for example, British Association for Fostering and Adoption, 2004; Cushman, 2004; Dowty, 2004). The Parliamentary Under-Secretary at the Department for Education and Skills, Baroness Ashton, has blandly asserted that a local electronic database will simply be 'a tool for practitioners, a telephone directory to help them share information and better identify and respond to the needs of the child' (House of Lords Hansard, 24th May, 2004 col. 1092).[1] However, the government has conceded that no other country currently operates such databases. Indeed, underpinning this article is an understanding that a system of local electronic databases, containing the information that it is envisaged they will contain, represents a troubling development for those in receipt of children's services, especially in relation to threats to their civil liberties. Moreover, the plan for these 'electronic dossiers' (Williams, 2004) will impact on and contribute to what was referred to in the symposium of the *Social Work and Social Sciences Review* as 'changing social work'.

Importantly, the plans for the databases are vague on a number of key points. Indeed, it has been asserted that 'the whole thing is ill-formed' and 'wishy-washy' and the government has had difficulties in trying to rebut this charge (see the comments of Earl of Northesk, col. 1159). The lack of definition and skeletal nature of the legal framework, which provides for the databases, has been targeted for particular criticism. Critics have maintained, for example, that the Children Bill delegated exceedingly wide powers to the Secretary of State, permitting him/her to 'establish and operate databases' with regulations setting out the operational details. The relevant clause in the Bill – clause 8 – also referred to 'one or more databases' and this has been interpreted as also providing for a central *national* database on children and their families.

At present, however, it appears that the aim is for every locality to have its own electronic 'hub' and this will include 'a list of all the children living in their area' and other 'basic details' (Chief Secretary to the Treasury, 2003, p.53). This would consist of:

- The child's name, address, date of birth and an 'identifying number'
- The school attended or if excluded or refused access
- The GP
- A flag stating whether the child is known to agencies such as education welfare, social services, police and Youth Offending Teams (YOTs), and if so, the contact

> details of the professional dealing with the case
- Where a child is known to more than one specialist agency, the lead professional who takes overall responsibility for the case

This information needs to be electronically logged because, it has been maintained, 'time and again, professionals cannot act on … early concerns because they do not know who else is involved (Baroness Ashton, col. 1095). What is being proposed, therefore, is merely an electronic 'telephone directory', a 'yellow pages' to facilitate the work of busy child welfare professionals. Importantly, for the government, the envisaged databases will, moreover, contain nothing that 'would constitute opinion about any child' (Baroness Ashton, col. 1097). In short, according to the government's rather bland presentation of the issue, all that is being proposed is a rational and technical solution to a perceived social problem.[2]

In some respects, the claim that the envisaged databases can be perceived as a sensible measure is convincing. In broad terms it is highly appropriate that child welfare agencies should continue to exchange *relevant* information. Moreover, the public policy aspiration to utilise electronic communication technologies (ICTs) to facilitate such exchanges fits neatly alongside the endeavour to 'modernise' child welfare services (Sapey, 1997; Harlow and Webb, 2003; Geoghegan, 2004; see also Garrett, 2003). Moreover, in terms of policy-making, the plan for the databases and the 'wiring up' of these services gels with the notion of 'joined up thinking' (Ling, 2002; see also Social Care Information Unit, 2003). Furthermore, ideas about 'preventative' action to respond to children 'at risk' of 'abuse' or (somewhat more ambiguously) 'social exclusion' can have an appeal to child welfare professionals and to the wider public. However, as was observed in the House of Lords, when concerted attempts were made to clarify the purpose and scope of the government's plans, we:

> ... have here what is potentially a very large-scale system of data recording by the state on its citizens. The system is to be set up in the name of improving the welfare of all children. The names and key personal details of all 11 million children in England are to be recorded for access by professionals from a wide variety of disciplines. The vast majority of children so recorded will not be at risk of suffering significant harm or anything approaching it…[H]ow can we not regard this mammoth information gathering and information sharing exercise as anything other than grossly intrusive on the privacy of families? (Earl Howe, col. 1154)

Indeed, given the scale of what is envisaged and the potentially adverse repercussions, it is clearly vital for social workers and others to scrutinise this so-called new 'telephone directory'. Will, for example, the police be able to access the databases and seek out data when investigating matters unrelated to children, but connected to other facets of criminal detection or intelligence? Will the Immigration Service be

able to access the hubs when determining if an individual or family has the right to remain in the UK? How will the electronic databases impact on social work's labour processes, the *work* in social work (Garrett, 2004; Garrett, 2005)? Are there dangers of (external and internal) hacking or misuse? Carvel (2004, p. 2), for example, refers to this type of database as a potential 'search engine for paedophiles'. Another issue relates to the ambiguity of the government's intentions. Are the databases instruments for research and social policy formulation or a 'tool' for child welfare professionals? This type of damaging ambiguity also characterised the evolution of the 'looking after children' materials in the 1990s (see Parker et al, 1991, Ward, 1995; for criticism see Garrett, 1999). In the House of Lords it was contended:

> I suspect that part of the problem is that the Government are attempting to cohere two related, but quite distinct, functions. There is something to be said for a database system that seeks to use anonymised data to guide and inform the development of child welfare policy. But that is quite distinct from using sensitive personal data as a mechanism for identifying individual children at risk. In effect, by melding those two disparate functions, the Government are inviting the possibility of entrenching the worst of all worlds—an unresponsive system that implodes under its own weight (Earl of Northesk, col. 1156).

These are all substantial areas which need to be interrogated. This article, however, will be limited to and pre-occupied with four core issues:

- The potential elasticity of the idea of 'flags of concern'
- Uncertainty about what happens to the 'flags' when a child reached 18
- The fact that the databases could result in over intervention and could deter some families from seeking out help
- Problems with how the government is presenting the plan for databases as a response to the Laming Report.

Concerns about 'flags' of 'concern'

Every Child Matters argued that:

> there is a strong case for giving practitioners the ability to flag on the system early warnings when they have concern about a child which in itself may not trigger or meet the usual thresholds for intervention. The decision to place such a flag of concern on a child's record, which may be picked up by another agency making a similar judgement, lies with the practitioners (Chief Secretary to the Treasury, 2003, p. 53).

The green paper continued:

> In order to get the balance right, we are consulting on the circumstances (in addition to child protection and youth offending) under which information about a child could or must be shared, *for preventative purposes*, without the consent of the child or their carers. We would also welcome views on whether *warning signs* should reflect factors within the family such as *imprisonment, domestic violence, mental health or substance misuse problems amongst parents and carers* (Chief Secretary to the Treasury, 2003, pp. 53-54, emphases added).

One of the fundamental criticisms here relates to the vague and subjective nature of 'concerns'. This is because the government is intent on ensuring that the databases will not only be used to 'flag' child protection concerns. This was made even more explicit than in the green paper, when the House of Lords was advised that that the government 'do not want to constrain the recording of concerns only to circumstances where there is a significant risk of harm to a child' (Baroness Ashton, col. 1095). As a result, 'thresholds of concern' risk becoming blurred since it is largely unclear at what point a 'concern' is seriousness enough to warrant a 'flag' being assigned. As critics in the Lords maintained:

> we need to ask here where a concern should begin. Is a policeman obliged to register a concern about a child if the child's father has just been to prison? Perhaps. Should there be a flag of concern if the child's father went to prison 20 years ago and has not since re-offended? Perhaps not. But how is anyone supposed to know where the dividing line is? (Earl Howe, col. 1103).

Moreover, a range of other issues related to children could, on account of the lack of guidance on thresholds, result in a 'flag' appearing on an electronic database. For example, given its high profile within New Labour's public policy agenda, will a 'teenage pregnancy' result in a 'flag' of concern (See also Department of Health, 2000a)? More generally, because the idea is to *lift* the notion of 'concern' out of a child protection context, there is also a greater likelihood of unregulated and capricious choices being made by *individual* child welfare professionals. This contrasts with the situation at present where, in the realm of child protection, the perspectives and assessment of an individual professional on the safety of a child is debated, discussed and weighted in a case conference, frequently involving the child and their parent, before a decision is made whether or not to place a child's name on a child protection register. Perhaps also, in the context of research indicating that different groups of child welfare professionals have different 'thresholds' of 'concern' there may also be problems for the management of particular databases because a constituent part of the 'working together' configuration might seek – perhaps inadvertently – to

orientate the purpose and day-to-day role of the databases in the direction of its particular and specialist preoccupation (see, for example, Trute *et al.*, 1992; Easen *et al.*, 2000).

This lack of precision and haziness has given rise to a number of fears.[3] It was, for example, laid down in the Children Bill that information which must or may be contained in any database 'includes… information as to services provided or carried out [and] information as to the existence of any cause of concern' (sec 8[5]). Not surprisingly, this led to challenges to government assertions that 'opinions' will not feature on the databases. One Conservative peer maintained that it would 'require practitioners in the field to record allegations, conjecture, gossip, even rumour as a basis for adding a flagged concern. In other words there is no way of telling whether the flag is rooted in fact or opinion. The flag itself becomes the opinion' (Earl of Northesk, col. 1105). Nonetheless, the government has appeared intent on preserving 'flexibility' in terms of how the clause is translated into regulations (see the comments of Baroness Ashton, House of Lords Hansard, 24th May, 2004, col. 1006). This has led to the observation that 'flexibility' may be 'a perfectly honourable aim in most circumstances…It all depends on how much scope there is for moving outside the envelope of factual details' (Earl Howe, col. 1110). Perhaps also, there will be less restraint on child welfare professionals 'moving outside the envelope' because Clause 8 (7) of the Bill seeks to abolish client confidentiality:

> Subsection (7) appears to say that it does not matter what kind of concerns about a child you may choose to log on to a database—it does not matter how trivial the concerns or how tenuous the information may be on which it is based—you will be in the clear as regards the common law duty of confidentiality that might otherwise prevent you from acting (Earl Howe, col. 1137).

Government critics in the Lords attempted, therefore, to narrow the operational focus of the envisaged databases by restricting the use of electronic flags to those circumstances where there is 'reasonable cause to suspect that a child is suffering or is likely to suffer significant harm'. Here the aim was to try to 'establish a commonly recognised and commonly agreed level of concern across agencies' because there 'is no definition of any cause for concern in Clause 8(5)(b); nor is there any threshold that would apply in order to trigger one agency to notify or share its information with another' (Baroness Barker, House of Lords Hansard, 24th May, 2004, col. 1141). Driven by a sensitivity to the Data Protection Act 1998 and the Human Rights Act 1998, the more limited aim of proposed amendments was to 'tie issues back to the Children Act and the provisions of Section 47' (Baroness Barker, col. 1147). The Liberal Democrat peer, Baroness Barker, maintained:

> Our suggestion is that if the Government proceed with the very woolly phrase 'any

cause for concern' to trigger disclosure of information between agencies, it simply will not be understood and acted upon (Baroness Barker, col. 1147).

Significantly, the government was not, however, interested in establishing what it saw as 'a lower threshold for recording a concern'.

I am not persuaded that specifying this threshold would be the right way to be clear about the circumstances under which we require practitioners to record a concern. We are relying on professionals and we expect professionals to use professional judgment when recording concerns. I do not want professionals to feel restricted…[The proposed amendments] would restrict the subject matter that practitioners may place on the database. [This would mean] that we could not record a concern that relates to a child's education, nor whether a child is making a positive contribution to society—if a child is at risk of getting involved in crime, for example. We would not want to see a narrowing of the provision through that amendment (Baroness Ashton, col. 1149).

Indeed, this response only served to highlight the potential elasticity of the 'concern' construct in the Bill. Related to this, there is, of course, a 'huge risk that any database … would, over time, be subject to "function creep"' (The Earl of Northesk, col. 1140); a risk surely highlighted by Ashton's fanciful, but troubling idea that the databases might even log where a child is making a 'positive contribution to society'.

Disposing of the 'flags' when a child reaches 18

How will these 'flags' be treated when a young person reaches eighteen years old? Is there a possibility that the electronic 'flags' signifying ambiguously defined 'concerns' will be retained in some form when a young person reaches 18? Might there even be an administrative or regulatory temptation to simply transfer the flag assigned to a child or young person into their 'new' family when they become a parent? Are there risks that this could be used as a crude indicator that, say, a 5 year-old might have a predisposition for 'anti-social behaviour' because there were 'concerns' about his father who, when a boy had had contact with a YOT resulting in a 'flag' being situated in his database field?

At the Committee Stage a number of attempts were made to obtain clarification on this practical, but significant issue relating to the erasure or disposal of the 'flags'. Amendments attempted, therefore, to ensure that the 'flags' were destroyed when a child reaches eighteen:

An underlying principle…must be the ambition of the Government to harness IT for the benefit of children. Accordingly, as a generality it would be wholly inappropriate

and antipathetic to the terms of the data protection legislation for their data to be retained once they have reached adulthood. Indeed, it is my understanding that to an extent this is a matter that is causing voluble concern to both the human rights and constitution committees. (Earl of Northesk, col. 1140)

However, the response from the spokesperson for the government' was lengthy and convoluted:

We will want information to be retained for as long as it makes sense to do so. It may well be appropriate to be able for some time to see that a practitioner had in the past had some contact with, had been involved with, or had a concern about a child…So we are working closely with the trailblazer pilots on the subject. In the light of its experience on the retention of information in the pilots currently under way, we are considering how that needs to be covered properly in guidance and directions…Noble Lords will have seen the policy statement that commits the Government to making regulations on when a record is to be removed in its entirety from the database—after the child has become an adult or, sadly, after the child has died…We are clear that the information databases in this clause are about children; they are not about holding or sharing information about adults. The databases will hold information on all children up to their 18th birthday. *We are considering whether special arrangements…might be put in place to hold records past the 18th birthday for certain vulnerable groups of children, with consent.* We need to ensure that appropriate arrangements are in place for the transition to adulthood, particularly for some children with profound disabilities, for example, or children with learning disabilities. The 'with consent' is critical. We want to make sure that we have that in place and are looking to see how to achieve it. We propose that that would be covered in guidance for those managing the databases (Baroness Ashton, col. 1142, emphasis added)

We can see, therefore, that the government is clear that the databases are 'about children'. However, it also appears, in line with the foundational aspiration to retain 'flexibility', that information could be retained as long as it 'makes sense to do so'. Moreover, there are also references to 'special arrangements', albeit if 'consent' is provided.

More broadly, fears about the retention of 'flags' need to be interpreted in the context of New Labour's orientation on 'social exclusion'. More specifically, there exists the notion that 'social exclusion' can be *transmitted* from generation to generation. At the launch of the Social Exclusion Unit, Prime Minister Blair, for example, asserted: 'Social exclusion is about income, but it is about more. It is about prospects, networks and life chances. It is a modern problem likely to be passed down from generation to generation' (in Alcock 1998: 20 emphasis added). Alistair Darling, a former Social Security Secretary, echoed these sentiments when he claimed: 'many of these people live on the worst estates. They will die younger, statistically there is a good chance

their exclusion will pass on to their children' (Darling 1999, emphasis added). This reflects, moreover, some of the discredited ideas which underpinned the 'cycle of deprivation' theory in the 1970s (Haylett 2001, pp 361-362; Deacon 2002; Denham and Garnett 2002). A conceptual relationship which is further emphasised by the government's intention to 'break the cycle of disadvantage, to stop it being transmitted through generations' (Department of Social Security 1999; see also Jordan 1974). In short, there is a need to form a 'conjunctural analysis' (Clarke, 2004) of the plan for the databases and to try to examine how it likely to be shaped by other seemingly unrelated pressures, tendencies and preoccupations. If this is done, it is, perhaps, easy to see how ideas about the retention of flags post-18 can be viewed as gelling with other focal ideas about the intergenerational 'transmission' of 'social exclusion', 'risk', vulnerability' etc.

Over intervening and deterring children and families from seeking help?

A further concern, reflected in the House of Lords debate, was that if a 'multitude of minor and inconsequential concerns are flagged on to a database' this could result in the 'masking' of 'the smaller number of real and serious flags of concern which will justifiably have been created'. If this happens, it was argued, 'the whole purpose of the system will have been negated. We will get over-intervention and a skewing of resources in the wrong direction (Earl Howe, col. 1138).

This resulted in more unsuccessful attempts to have the government put in place thresholds in relation to the flagging of 'concerns'. In addition, it was stressed that the vague nature of the Bill on this question had potentially damaging implications and outcomes for children who may need to confide in adult child welfare professionals:

> There has to be a threshold to ensure that children are quite clear about when confidentiality would and would not be broken. If you do not have that clear delineation, you would give children no legal recourse if information were ever to be shared inappropriately. More importantly, though, you would risk children not disclosing things to professionals at all. The consequences of that could in some circumstances be extremely serious (Earl Howe, col. 1138; see also the comments of the Earl of Northesk, col. 1141).

Social class location can also be connected to concerns that some children and parents might be deterred from seeking out help because they are fearful that their 'details' will be entered onto a database. MORI, for example, undertook research on public awareness and perceptions of privacy and data sharing for

the Department of Constitutional Affairs in 2003. Extraordinarily, given the government's plans for accumulating and sharing information on over 11 million children, only the views of those aged 15 and over were sought. However, sixty percent of those asked stated that they were 'very or fairly concerned' about public services sharing their personal information, with 22 percent '*very* concerned'. Only 12 percent stated that they were 'not at all concerned' (Skinner *et al.*, 2003, original emphasis). These percentages reflect the public's wariness about privacy being undermined by 'information sharing', but also of note is the fact that a 'fairly consistent trend' is for the middle social classes to be least concerned (Skinner et al, 2003, p. 5). Related to this, those in 'the middle social classes are more likely to trust public services to handle information responsibly than working class people/those on benefits' (Skinner et al, 2003, p.21). It could be argued, therefore, that the setting up of databases might *particularly* deter working class children and parents from seeking out help.

Importantly also, it is not entirely clear if a child or parent will even be informed that a child welfare professional has electronically inserted a 'flag of concern' in a computer database field. In terms of child protection activity, this is a very retrograde step in that the idea of 'partnership' has been a guiding motif and principle for professional practice in this area since the 1980s. This is reflected in the steps taken to have parents informed that their children's names have been placed on child protection registers and – more recently – parents being invited and encouraged to attend and participate in child protection case conferences (Department of Health, 1995). In the House of Lords, it was stated that 'parents would have the right under the Data Protection Act to know what was on the database' (Baroness Ashton, col. 1101). However, it still remains unclear how operationally this will occur (see also Cleaver et al, 2004, p. 47). Will, for example, parents be informed only if they specifically pose a question about the database? Alternatively, will service providers and database administrators be more proactive and seek out parents and to alert them about the 'flags' and other information, stored on the local database about them and their children? Is there to be, moreover, any form of appeal or administrative review that allows parents and also children to challenge or have deleted information on the database? (see also the remarks of Lord Northbourne, col. 1117).

There are major unanswered questions relating to the day-to-day running of the databases. However, for the government, it is the murder of Victoria Climbie and the subsequent inquiry by Lord Laming which has been deployed to undermine and fend off queries and criticism of the plan for the databases.

Responding to Laming?

Victoria, aged nine, died in London in February 2000 after suffering neglect and violence at the hands of her aunt, Marie Therese Kouao and the aunt's partner, Carl Manning. This was after the child had been placed in the care of her aunt by her parents, Berthe and Francis, who had remained living in West Africa. In January 2001, Kouao and Manning were convicted of murder and are currently servicing sentences of life imprisonment. The Laming Report provided an exhaustive exploration of the circumstances surrounding her death and highlighted the 'sloppy and unprofessional performance' of social work, health and police services (Secretary of State for Health and the Secretary of State for the Home Department, 2003, p. 3). Subsequently, the government has maintained that the 'reason' the databases plan 'came up was that it was very much part of the recommendations that emerged from the Climbie inquiry' (Baroness Ashton, col. 1100). However, here again, there are reasons to criticise the validity of this claim that the Laming Report provides something of a justification for the databases.

As was commented in the House of Lords:

the main reason why Victoria Climbié was not saved from suffering a terrible death was not primarily the fact that information was not shared between doctors, the local authority and the NSPCC; it was that none of those persons or bodies once in possession of information that should have aroused suspicion actually took the initiative to do anything which would have saved her (Earl Howe, col. 1154).

Similar points have been made relating to the murders of Toni-Ann Byfield, Holly Wells and Jessica Chapman. It short, it was:

…not the absence of information as to the vulnerability of these children which contributed to their tragedies, but rather the failure of the various agencies with responsibility for their care and welfare to communicate properly and effectively between and among themselves…Fundamentally, therefore, the data and information required to offer protection for children at risk is already recorded. What is missing is an appropriate culture of inter and intra-agency information sharing (Lord Northesk, col. 1155).

Certainly Laming called for improvements in the exchange of information; he asserted that information systems that 'depend on the random passing of slips of paper have no place in modern social services' (Secretary of State for Health and the Secretary of State for the Home Department, 2003, p. 9). It is also suggested by his report that that most of the problems relating to the exchange of relevant documentation was largely a reflection of defective *intra-agency* processes (within, for example, social services), not *inter-agency* ones. However, Laming did go on to argue

that a 'national children's database', for all those under 16, would aid information exchange processes:

> I was advised that there are no technical reasons why every child could not be registered after birth, or upon arrival in this country and then 'tracked' throughout their childhood…I realise this suggestion should not be made lightly. Indeed, it is likely to be countered by concerns about personal privacy expressed by those who oppose the use of national identity cards (Secretary of State for Health and the Secretary of State for the Home Department, 2003, p. 365).

Laming was, though, alert to some of the potential problems with his 'national children's database' and, interestingly related his idea to plans for national identity cards; something that the government has worked hard to avoid because of its political implications. Moreover, Laming noted that the 'indiscriminate sharing of unchecked information can have the counterproductive effect of presenting a misleading picture to the receiving agency, as well as swamping it with more information than it can process effectively' (Laming, 2003, p. 355). A concern that, as we have seen, was subsequently echoed in the House of Lords. Furthermore, he stressed the need for a proper 'feasibility study' which would reveal whether the venture was a 'practical proposition' (Secretary of State for Health and the Secretary of State for the Home Department, 2003, p. 396).

The Government has, of course, argued that the databases are 'not primarily a child protection measure. They aim to enable information sharing so that a preventive approach can be taken, through early identification of the needs of children, in order to promote their wellbeing' (Baroness Ashton, col. 1094). Nonetheless, it is still the death of Victoria Climbie which has been pivotal, for social work and social care in terms of how New Labour has promoted the case for having done with data-protection related obstacles to greater sharing of electronic data. Indeed, the Government has subsequently used the Climbie case to argue that the need for the envisaged electronic databases is beyond contestation. Further news coverage and public concern relating to breakdowns in information exchange that may have prevented the Soham murders and the deaths of George and Gertrude Bales, two pensioners who died after their gas supply had been cut off, have also been used to bolster the case for 'reform' in this area (see also 'Action urged after pensioners tragedy', *Community Care*, 8-14 September, 2004, p. 9).

However, evidence suggests that attaching the evolution of the database idea to Victoria's death is misleading because plans to introduce new electronic systems for monitoring and tracking children were *already* underway *before* the publication of the Laming Report into the child's death. It was, for example, as early as April 2002 that the Performance and Innovation Unit published the report *Privacy and Data-sharing: The way forward for public services* (Performance and Innovation Unit [PIU], 2002). Here, the government conceded that the public was concerned about

developments relating to electronic technologies and data-sharing. Public attitude research revealed, for example, worries about data-sharing being impaired on account of 'infection with inaccurate data', and – significantly in the context of some of the plans referred to earlier – the 'use of soft data (such as professionals' opinions or assessments of individuals or clients)' (PIU, 2002, p. 38). However, the authors of the PIU report were clear that the public sector does not want to 'lock information into a particular organisational form' (PIU, 2002, p. 105). Moreover, the 'current legislative approach to data sharing' was 'restrictive' (PIU, 2002, p. 106). In this context, it was argued, two key changes were needed: 'enabling data sharing where the individual consents to their personal data being disclosed to a third party'; and 'changes to the way in which data-sharing gateways are established in statute. This is particularly important in instances where consent is not viable'. The report went on to argue that public services could 'make progress' and referred to a number of 'service specific proposals'. First on the list was 'identifying and supporting children at risk of social exclusion' (PIU, 2002, p. 108-109). Here, it was maintained, that there was a need to try and promote better use of data with information-sharing 'across agencies to build up an holistic view of children's needs, and ensure children do not slip through the net' (PIU, 2002, p. 108). These children needed to be kept 'on track' and common 'information-sharing practices' would aid this activity. The setting up of Information, Referral and Tracking (IRT) projects reflected this policy aspiration (Cleaver *et al.*, 2004). Moreover, these projects, more recently renamed Information Sharing and Assessment (ISA) projects, are now being presented as retrospective 'pilots' for the envisaged databases.[4]

Conclusion

Since the history of child welfare is ordinarily written simply as a 'progressive narrative' it is frequently the case that 'interrogative questions appear ungracious' (Hendrick, 1994, Preface). However, this short article has provided a critical commentary and argued that there is a range of concerns can be related to this plan for electronic databases on 11 million children. Underpinning this discussion is, moreover, the belief that some of the issues raised have not been a central enough feature of debates, within a 'changing social work' and among associated professionals. Furthermore, children have been rendered marginal by the government despite the occasional, ambiguous and unsatisfactory, references to their views having been canvassed (see, for example, Department for Education and Skills, 2004). Indeed, the House of Lords debate, referred to in this earlier, suggests that it has been a handful of unelected, albeit well-briefed, Conservative and Liberal Democratic peers who have provided the substantial opposition.

A range of issues have been identified, but it might be argued that some of these are rooted in more fundamental questions which are connected to professional, political and public concerns beyond England and Wales. This includes the evolution (partly on account of the events of 9/11, but also because of neoliberal hegemony) of state formations which are most authoritarian, watchful and intent on deploying surveillance technologies to monitor the socially and politically wayward and troublesome (see, in this context, Bauman, 2002). This is reflected in England and Wales, for example, in plans to introduce 'national identity cards' (Home Office, 2002).

Substantial shifts are now also taking place with regard to how the state and its agents, such as social workers, relate to children and families who are receiving services, or are thought to require 'intervention' (see also Harlow, 2004). In this context, ICTs will fulfil a major role within social work and related fields. Electronically mediated forms of information exchange are likely, therefore, to become more central and possibly more contentious. Indeed, one of the implicit arguments in this discussion is that a reinvigorated professional attentiveness to the right of service users to privacy and confidentiality (as well as protection) is important (International Federation of Social Workers, 2000). This suggests that social workers, partly prompted by debates focussed on the electronic databases, should try to evolve values that, although still rooted in a commitment to social justice, are also emphatically committed to the safeguarding of civil liberties. In a practical sense, now the databases are being introduced, this is likely to mean striving to influence how they are deployed and developed. More broadly, as Pierre Bourdieu (in Bourdieu et al, 2002, p. 190), writing in a French context, has maintained, social workers 'must unceasingly fight on two fronts: against those they want to help and who are often too demoralized to take a hand in their own interests, let alone the interests of the collectivity; on the other hand, against administrations and bureaucrats divided and enclosed in separate universes'.

Notes

1. I remain grateful to the participants at the 'Changing Social Work' conference and to the peer reviewers for their comments and suggestions in relation to this article. All future references to the contributions in the House of Lords' Committee Stage debate of the Children Bill in May 2004 will simply provide the name of the contributor and the relevant column (col.) in the House of Lords' Hansard. At this time, the relevant section in the Bill was clause 8. Subsequently, this was to evolve into section 12 of the Children Act 2004.

2. This attitude was typified by the government's chief spokesperson on the issue in the House of Lords, Baroness Ashton. In the early 1980s, Baroness Ashton, then simply Catherine Margaret Ashton, worked for the Central Council for Social Work Education and Training (CCETSW).

3. There are worries that the government might, for example, encourage practitioners to use the 'Risk of Offending Generic Solution' (RYOGENS), now being deployed by many YOTs, to help determine 'thresholds' of 'concern' and the appropriateness of 'flags' being assigned to children (see also Garrett, 2005).
4. Related to the discussion on the deleting of 'flags' of concern, for those aged 18 and over, it is also of note that these projects currently 'track' adults because they encompass the age band 0-19.

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