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COERCION IN THE CASEWORKER RELATIONSHIP:  
A COMPARATIVE OVERVIEW

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**DISCUSSION PAPERS**

THE UNIVERSITY OF WISCONSIN, MADISON, WISCONSIN

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This paper was presented at the National Institute for  
Social Work Training, London, March 11, 1968. The research  
was supported by funds granted to the Institute for Research  
on Poverty pursuant to provisions of the Economic Opportunity  
Act of 1964.

## ABSTRACT

A comparison is made of the characteristics of the casework relationship that affect client self-determination in two apparently very dissimilar programs--AFDC in America and the new Children and Young Persons program in Great Britain. Coercive elements arise out of the structural position of social work agencies that are the powerful dispensers of rewards and sanctions. The operational criteria used by the "welfare state" agencies are very similar to those allegedly used in the AFDC program.

Freedom of the welfare client to make his own choices in the casework relationship has long been a basic tenant of professional social work philosophy. Now, in both America and Great Britain, increasing attention is being paid to this issue by reformers within and without the social work profession. The War On Poverty's "maximum feasible participation" of the poor in poverty projects, the great emphasis on supplying legal services to the poor, and the spawning of various poverty action groups are only some of the more obvious manifestations of this concern that the poor and particularly the welfare client, should have a larger say in matters affecting his life.

The purpose of this paper is to compare the social characteristics of the caseworker relationship that bear on the right of client self-determination in two apparently very dissimilar welfare programs: Aid to Families of Dependent Children in the U. S. (formerly known as ADC) and the preventive work of the Local Authority Children's Departments under Section 1 of the Children's and Young Persons Act, 1963. The AFDC program is the favorite target for American social reformers. It is the largest public welfare program in the U. S. and the most persistently attacked. In the eyes of its critics, it represents practically everything that is wrong with the way public welfare is currently administered. It is a backward program in a country that has not yet come to terms with the "welfare state." Section 1, CYP, 1963, in contrast, may be looked at as sort of topping on the welfare state; at least the argument was made that in Great Britain basic

needs are provided for the poor and Section 1 (as well as other programs like it) are for special types of families who lack the capacity to take advantage of the benefits offered by the developed welfare state. What points of comparison can be made between these programs, and, in particular, what can the British learn from the American experience?

Before proceeding, the author's customary word of caution. My comments will necessarily be very general and will gloss over or ignore the many nuances and exceptions. AFDC is an extremely complicated and variegated program; only the high points can be lightly touched. Research in Great Britain has been largely confined to the Children's Departments of three London boroughs and is of a qualitative nature--talking to Child Care Officers, observations, and reading records. What follows should be treated more as statements of issues than as statements of fact.

AFDC programs were state administered prior to 1935. They collapsed during the Depression, and the Federal Government came to the rescue in the form of financial grants-in-aid. Today, the programs are still primarily state-run; the federal conditions for funds that the states have to meet are rather minimal. Within broad categories, the states decide eligibility, levels of assistance, and other conditions. The result of this allocation of authority is that there are tremendous differences in administration throughout the country.

The core of the program is to provide financial assistance and social services to families where the normal bread-winner is absent or incapacitated (physically or mentally). Approximately 80 per cent of the families are fatherless and in the overwhelming majority of cases, the mother is divorced, separated, deserted, or never married; less than

10 per cent are widows. Recently the program has been amended to allow the states to provide assistance to intact families where the husband is unemployed. About half of the states have taken the option, but very few such families are on the roles.

Benefits or need determination are arrived at by calculating the difference between a hypothetical budget of living essentials and the resources of the family. In several states, however, only a certain percentage of the gap is given. There are provisions for grants for special needs--e.g., the replacement of household items; special diets; restaurant meals; health costs; employment, re-training, and educational expenses, etc. The availability of these grants for special needs varies considerably among the states and some programs are quite liberal. States also impose conditions for receiving aid, many of which affect personal behavior: the home has to be "suitable"; the parent has to be "fit"; mothers may be required to work; incapacitated husbands may be required to re-train or undergo medical treatment. Various forms of misconduct can result in the termination of aid. Since 1962, federal law has required the states to provide rehabilitative or social service plans for AFDC families. The received learning is that all such families are what the Americans call "multi-problem" (roughly equivalent to "problem families" or "families at risk" in Great Britain) and should receive professional help in such things as child-rearing, health, home management, personal and family relationships and employment.

One of the key facts about AFDC is that the administration of eligibility and budget is a continuing process. Clients in the program have to be checked to see whether changes in circumstances make them

ineligible or require different levels of aid. Needs and resources change, children grow older, fathers or substitute fathers come and go. All of these factors, and many more, can affect both eligibility and budget.

The reformist attack is that the AFDC client is humiliated and subject to personal indignities and invasions of privacy; as a condition of receiving basic income maintenance to prevent extreme distress, she is coerced into behaving in ways not required of other people and has no meaningful right of self-determination.

At intake, the client is subjected to the degrading, obnoxious means test. Detailed questions have to be answered concerning marriage, other relationships with men, relationships with children, family income and resources including the resources of relatives. Not infrequently, the welfare applicant is required to institute legal proceedings against the husband to compel support payments. It is claimed that the indiscriminate use of this requirement increases domestic friction and lessens chances for reconciliation.

A basic principle established by federal law is that AFDC assistance be in the form of a money grant and that the client have freedom of choice in spending the grant. One of the purposes of this requirement was to remove the stigma thought to attach to assistance in kind. In fact, however, the cost of living budgets are so low and calculated so closely that the client has practically no freedom of choice as to how to spend the grant. The special grants system, even where liberal, is also criticized. The very meagre basic grant requires the client to keep asking, to continually justify--in short, to beg.

AFDC mothers are supposed to give up relations with men. The presence of a suitor can subject the family to the "substitute parent" rule where the male friend is deemed to be the husband. Punitive action for illegitimacy is a constant threat despite the fact that many women cannot legally re-marry. Pleasures and social amenities are discouraged. There is little room in the budget for cinema, alcohol, and other social pleasures. People on the dole, particularly in AFDC which is very unpopular, are not supposed to enjoy themselves.

Legal and social codes of behavior, including informal agency practices, require enforcement, and AFDC mothers are subject to fraud investigations which can result not only in the termination of aid but also in criminal prosecutions. The most virulent form of investigation was the "midnight raid" where investigators would force their way into the home during the very early hours of the morning to try to find a man in the house. This form of investigation seems to have disappeared from the news recently (federal regulations now prohibit the practice) but such official attitudes do not die easily and cannot be outlawed by Washington. There are also investigations to catch unreported income, changes in family circumstances, and how money is spent.

The new rehabilitative, social service approach contains dangers for the welfare client. Now, all aspects of family functioning become the legitimate concern of government--child-rearing, home management, education, employment, and the more intimate reaches of the personality.

The relationship of the client to the agency is largely coercive. This arises from the dependency of the client--she is poverty stricken and desperately needs what the official can give; from the highly discretionary character of the program's administration; and from the



fact that the client is required, or feels that she is required, to maintain a continuing satisfactory relationship with a very powerful official--the caseworker. The structure of the AFDC client relationship renders ineffective, for all practical purposes, the elaborate system of legal rights and redress and procedural due process given to all AFDC clients. The enforcement of legal rights requires a complaining client. AFDC clients do not complain. They are unaware of their rights or they are unwilling to complain because of the effect that such action might have on their relationship with the agency. They fear reprisals or damage to the on-going relationship.

These are some of the more important allegations made against AFDC. To what extent, if any, are these issues applicable to the administration of Section 1, CYP, 1963?

Section 1 authorizes the Children's Departments to engage in preventive work with families--to prevent family breakdown and the reception of children into care by means of casework and, if necessary, assistance in kind or, in exceptional circumstances, cash. Although our primary attention will be on the administration of this section, it is necessary to keep in mind the other statutory duties of the Departments; they affect materially the relationship between the families and the Department's Child Care Officers.

The Children's Departments have close connections with the administration of juvenile justice and can be one of the key actors in the forceable regulation of children, including removal from the home and institutionalization. Children may be brought before the court if they commit offenses for which an adult would be sent to prison or if they appear to be in need of care, protection or control,

or if they refuse to attend school. The Children's Departments have authority to investigate and to bring children before the courts if the Departments feel that the children are in need of care, protection, or control. If the case is proved against the child, one of the alternative dispositions is to commit the child to a Local Authority (in practice, the Children's Department) under a Fit Person Order. The Local Authority (i.e., the Children's Department) is vested with the same rights and duties as a parent and can seek modifications of the orders.

Children's Departments also have authority to receive children into care. This is voluntary action on the part of the parent--although in poverty situations we must be sensitive to what voluntary in fact means--but the Departments do have authority to prevent the return of children or assume extensive control over children who do return if the Departments can prove the parents unfit. In other words, Children's Departments do possess legally established punitive weapons. Child Care Officers admit that the Departments are often known and feared as the agency that takes children away and that they are trying to live down this reputation.

The punitive legal sanctions constitute only one part of the reward and punishment system administered by the Departments. The total system of rewards and punishments is developed out of the relationship between the agency and its clients--why the clients and the Children's Departments are dealing with each other and how they are dealing with each other. The reasons for the relationship affect significantly the character of the relationship.

Clients of the Children's Departments generally come into contact with many statutory agencies. The casework relationship is affected to a considerable extent by the functions that the Children's Department plays in the relationship between the clients and these other statutory agencies. Police, housing, education, health, and the Ministry of Social Security are the principal statutory agencies with which the clients come in contact.

There are two basic routes for police contact. Poor families often seek out the police for help--they are the most conspicuous, readily available representative of governmental authority. Police are called for help in settling marital disputes, to receive children into care pending a confinement or an illness, for protection against cohabitees or ex-husbands, or where parents feel incapable of controlling children. Children will be taken to police stations by mothers for protection against male members of the household. Many of these contacts are not deviant in the criminal law sense. In these situations, the police contact the Children's Department or tell the family to go there. However, the police have been alerted to a potentially dangerous situation, and depending on the seriousness of the situation, they are interested in what the Children's Department will do.

The other route is taken when the police intervene on their own initiative because there is delinquency or other forms of juvenile misconduct or cruelty or neglect. Efforts are being made with varying degrees of success to have families of non-serious offenders referred to the Children's Department for preventive work rather than referral to the juvenile court. Caseworkers report that when they visit families in these situations, they are generally received in either of two ways.

If the parents are having difficulty in controlling the child, then the Child Care Officer is in the "saviour" role. He is there to help the parents control the child, usually, they think, by authoritarian means. In other situations the parents basically deny or excuse the delinquency or neglect and resent official interference. The important point, though, is that in both situations, the Child Care Officer represents to the family an extension of police authority. In many cases, this is the fact. The police are, in effect, staying their hand pending the results of caseworker efforts. Not infrequently this arrangement is quite explicit and is explained to the family by the Child Care Officer. In other situations the police may not be very interested in the family but, the family usually feels that the Child Care Officer has been sent by the police.

There are also several routes by which families are referred to the Children's Departments from the education authorities. Arrangements are being made whereby the Children's Departments are being notified when children are truant. The theory is that truancy is an "early warning" of possible family breakdown. At the present time, the Children's Departments cannot cope with this volume of business and they attempt to select the more serious cases for home visits. When the Child Care Officer does visit, his role and his relationship with the family is quite clear-cut. The caseworker is there to prevent more drastic action--the prosecution of the family by the education authorities in the juvenile court. School officials and in London, the School Care Committee, also refer cases of neglect (e.g., dirty ill-clad, under-nourished, tardy, sleepy children), cruelty, poverty, mental ill-health, or cases where they think that there is evidence of family conflict.

Housing cases figure prominently in the work of the Departments. Under the 1963 Act, they have the power to pay off rent arrears or make other arrangements with housing authorities to prevent evictions. Some housing authorities are developing the practice of referring tenants who are not paying their rent to the Children's Departments. The advantage to the housing authorities is quite obvious. We will discuss shortly how the Children's Departments exercise this power. The Departments also deal with housing authorities for the purposes of re-housing families at risk. Waiting lists for council housing are long. The time period, however, can be shortened considerably--in one borough, it is reported, from 10 years to 1 year--if the Children's Department certifies the family as a problem family in need of priority re-housing. Child Care Officers perform many other duties for families with housing problems. They help in finding private housing; they process forms; aid in the replacement of fixtures, etc.

The various health services are also extensively involved with Children's Departments' families. Health visitors notify the Departments when there is child neglect, cruelty, bad home-management, family malfunctioning, serious financial problems, housing difficulties, inability to care for children, and many other matters that can be included under the embracing concept "families at risk." The role of the Child Care Officer in the eyes of the family varies with the reasons for the referral and the seriousness of the case. In a cruelty or neglect case, the role can be quite similar to the police-truancy situation: the Child Care Officers are the explicit alternative to the more drastic sanction of forceable removal of the child from the home. In other situations, the Officer is the dispenser of advice and

guidance or material and other benefits. Hospitals, clinics, medical and psychiatric social workers, and doctors refer cases of poverty, housing, domestic difficulties, illegitimacy and adoption.

Many of the Children's Department families are on supplementary allowances and Child Care Officers report that they spend a great deal of time negotiating with the Ministry of Social Security area officers concerning the computation of benefits and requests for extra grants for special needs that are within the discretionary authority of the Ministry.

Families also seek out the Children's Departments on their own, that is, without being referred by a statutory agency. Some come for the usual casework reasons such as problems with their children, or their spouses, or they may feel incapable of coping. Many want their children received into care; quite often this is for short term when a mother is going to have a baby or needs other types of hospital care. People also seek out the Children's Department for financial or other forms of material assistance. The practice is beginning to develop where utility boards refer clients who are in arrears. At least in one London borough, the board cuts off or threatens to cut off services and sends the customers to the Children's Department with the expectation that the Department will pay what is due. The word is beginning to spread among the poor that Children's Departments can be a source of financial and material aid. People come for this too.

Source of referral, of course, is only a superficial way of looking at family contacts with other statutory agencies. Whether families come in by themselves or are sent by particular agencies, they quite often involve the Children's Departments with other statutory

agencies. From the files of 60 preventive cases (randomly selected), I tabulated the proposition of cases where contact by a Child Care Officer with another statutory agency was mentioned at least once. In about half of the cases the Child Care Officer reported contact with the police, the education authorities and/or the Ministry of Social Security. In two-thirds of the cases, there were contacts with housing and health. A third of the cases involved dealings with the utility boards. Moreover, for many of these families, contacts with the particular agencies were quite extensive. Delinquency, rent and utility arrears, supplementary benefit issues, truancy, etc. were decidedly not one-shot affairs; they repeated with distressing frequency. Practically all of the Child Care Officers stressed the great deal of time and effort that they devoted to dealings with statutory agencies.

Other reasons for dealing with the Children's Departments in these 60 cases are also revealing. Receiving children into care came up in more than half of the cases. Again, for several of these families receiving children in and out of care, home visiting, institutional visiting, and so forth, were very, very frequent. In almost half of the cases, child neglect or cruelty was sufficiently important to appear in the record. In almost 80 per cent of the cases, problems of poverty, debt, employment, and financial and material assistance were mentioned. It should be emphasized that in all probability, these figures under-estimate the nature and extent of problems that these families have; they represent only those that the Child Care Officer had to deal with and recorded.

These then, are some of the reasons why families deal with the Children's Department. How do they affect the casework relationship?

It is fair to say that the dominant model or image that most social workers have of their relationship with the clients is patterned after the private psychiatrist-client relationship. In that relationship, the client voluntarily comes to the professional for help and the task of the professional is to examine the so-called "presenting problem," establish a therapeutic relationship, and work out a "constructive" plan of rehabilitation or at least devices for controlling the more destructive or obnoxious forms of behavior. The client, in this private arrangement, is dependent in the sense that he feels the need for professional help, but the core of the relationship is voluntary. There are no legal, economic, or overt social compulsions. The professional, therefore, feels free to give his advice and the client, to a considerable extent, is free to take it or leave it.

Child Care Officers have adopted the therapeutic rhetoric of the psychiatrist--their role is to get behind the presenting problem and restructure the family to abate the problems and to prevent them from recurring. (This, of course, is what preventive work means in the law and what the Officers are charged with doing.) But people who come to the Children's Department have specific, tangible requests: a child to be received into care, a threatened eviction, an electricity cut-off or a truancy notice. Nevertheless, according to the social work rhetoric, simply disposing of the immediate problem is unprofessional, potentially destructive, and can create even further dependency. All casework services have to be, in caseworker terms, "constructive"--part



of a "plan." However, the crucial difference between the psychiatric model and the Child Care Officer relationship lies in the differences in the social characteristics of the relationships. The Children's Department stands in a very powerful position vis-a-vis the client. The agency is a dispenser of rewards and benefits (which includes the staving off of more serious sanctions) that the families sorely need. These rewards and benefits are levers that the Officers use in the casework plan. The casework plan means changing behavior to conform to what the Child Care Officer thinks is proper behavior.

In the legal-punitive cases--delinquency, truancy, neglect and cruelty--the caseworkers have to use threats. If the child or the parents do not change, serious punitive sanctions will or might be invoked. This is true, and the caseworkers are being honest with the clients, and the clients are entitled to know the consequences of alternatives.

It is on the benefit side that the more subtle and interesting authority implications come out. In the Departments that I have studied, there is considerable reluctance to give financial assistance. It is departmental policy to avoid paying bills outright or immediately. When a family is faced with eviction because of rent arrears or a cut-off of utilities, the Child Care Officers will negotiate with the authorities and during this period will attempt to work with the families. The "plan" is to find out why the families do not pay the bills and to try to get them to re-arrange their affairs so that family economics can be regularized. Punitive tactics have been used. Child Care Officers have let electricity remain-off for considerable periods (but only in the summer) in order to induce more cooperative

efforts. There are cases where Departments have let families get evicted and rehoused in welfare accommodations to induce them to view their situations more "realistically"; it was part of a therapy plan. In one case, the Children's Department wanted to assume control over the children but the mother refused. The Department lacked the statutory grounds for involuntary control. It deliberately withheld financial control until the home broke up and the mother was required to ask the Department to receive the children into care. Other forms of regulatory behavior are also used. Children's Departments will make arrangements whereby the Ministry of Social Security pays rent directly. Child Care Officers sometimes collect rent themselves. They have also required electricity meters as a condition of paying off bills. When money is paid for certain items, it is not uncommon for the Officers to accompany the parent and supervise the actual purchase.

There is considerable concern about paying out money for potentially recurring items as distinguished from isolated, one-shot items. Paying for rent and utilities poses many dilemmas for the Departments. Why should a person ever try to pay the rent if the Children's Department will? This will not only tax the limited resources of the agency but will destroy the casework plan. In one case, which I do not think was out of the ordinary, the electricity was cut off and the mother asked the Child Care Officer for help with the bill. The following appeared in the case file: "I noticed the family smoked the most expensive cigarettes. They were unable to explain why they made no attempt to pay their way when Mr. . . . was working. . . . Although these people are wanting help, I feel a little uncertain about whether just paying off the arrears will really be doing Mr. . . . a good service." Despite repeated requests, the Officer refused to pay for the bill for two months.

During this time, it was made quite explicit that this lever was being used until more cooperative efforts were forthcoming. The Officer wanted a better work effort response from the husband and a change in attitude as to what they thought was owing to them from the welfare state. On the other hand, the Departments are quite generous in paying for others to mind children to avoid short-term receptions into care during confinements or illnesses. There are sound casework reasons for this practice. But, it should also be noted that this saves the Departments money. Furthermore, this form of payment does not have a runaway quality and it does not raise the character or moral issues.

In fairness, it should be recognized that the Children's Departments are, for the most part, reactive agencies. One gets the feeling that they are trapped by circumstances beyond their control. They are not responsible for the shortage of council housing, delinquency, slum schools, low levels of assistance, the wages stop, the Ministry of Social Security's administration of special grants, poverty, and ill-health. They have limited resources (particularly financial and material), heavy caseloads, and seem to move from crisis to crisis. There is no intensive casework in fact. Success, in their terms, does mean imposing their standards of behavior on their clients, but it should be made clear that these standards are no more than what is minimally required to survive in a market-dominated society and to preserve the barest semblance of family stability and decency in very disorganized and disturbed situations. In many instances Child Care Officers have had to do practically everything for families during extended crises. Moreover, there are cases where extensive financial

and material assistance is given without any real hope of change. Despite the fact that helping these families may be contrary to law and dangerous politically, it is recognized that particular families simply cannot manage on their resources and have to be supplemented more or less permanently.

In looking at these two programs--AFDC in America and Section 1 of the Children's and Young Persons Act, 1963, in England--one is struck at the virulence of the hangover of the concept of pauperism. In the nineteenth century, poverty and pauperism were synonymous with moral decay and linked causally with criminality. Failure to earn a living was a form of deviant behavior. The persistence of this moralistic attitude towards the welfare client and the pathological theory of poverty is one of the basic charges made against the AFDC program. It is intrinsic in the Children's and Young Persons Act. Both the Ingelby Report, which led to the Act, and the Act itself justify preventive work, in large part, on crime preventive grounds. The attitudes of the Child Care Officers as well as the policies of the Departments are dressed-up versions of nineteenth century program criteria: we must be careful lest we increase dependency. Not infrequently "success" with families at risk is judged in terms of the regular payment of bills. Social work principles in the Children's Departments today are remarkably similar to those of the Charity Organization Society, founded about a hundred years ago "secure in the fashionable thesis that ill-considered and unsystematic philanthropy was the chief source of pauperism."<sup>1</sup>

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<sup>1</sup>David Owen, English Philanthropy, 1660-1960 (Harvard Univ. Press, Cambridge, Mass. 1964), p. 221. M. Penelope Hall, The Social Services of Modern England (Routledge & Kegan Paul, Ltd., London, 6th edition, 1966), p. 133.

In both programs, the reward and punishment systems administered by the agencies produce enormous power over the clients. In AFDC, as we have seen, client dependency arises from the highly discretionary character of an income-maintenance program. The caseworkers hold the money and the knowledge about the program despite the existence of legal rights for welfare clients. There is also great dependency with Section 1 administration. To a large extent, this arises from poverty and income-maintenance issues. It also arises from the brokering activities of the Children's Departments. They can do the things that the clients want. Ironically, this dependency is increased by the current policy efforts to coordinate the work of the various statutory departments. To the extent that the police cooperate with the Children's Departments, the latter become part of the administration of justice. Housing authorities use the Children's Departments to allocate priority rehousing. At least one Ministry of Social Security area office sends applicants for special grants first over to the Children's Department for its approval. Coordination is the wave of the future, but one of its consequences is to increase the discretionary levers of the Children's Departments.

It seems clear that much more attention has to be paid to the problem of coercion in the caseworker relationship. Client self-determination is too often treated formally without considering its social context. The American experience, not only in welfare but also in the administration of juvenile justice, amply demonstrates that the different social positions of the actors in the process practically nullifies elaborate systems of legal rights, protections, and due process. In Great Britain, Child Care Officers are authority

figures. They are extensions of other authoritative agencies--the police, the schools, the health agencies--or the key to desperately needed benefits. In most of the cases that I examined, the files mentioned problems of cooperation on the part of clients--overcoming hostility, gaining confidence, taking advice, etc. I asked one experienced caseworker supervisor how she got clients to cooperate. She said: "My dear boy, if they want to be re-housed, they damned well better cooperate." Overstated? Perhaps. But she pointed to an important aspect of the caseworker relationship that law reform proposals, administrators, and social workers either tend to ignore or glibly slide over.