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COMMITTEE OF EXPERTS FOR THE PROMOTION OF EDUCATION
AND INFORMATION IN THE FIELD OF HUMAN RIGHTS
(DH-ED)

Joint Meeting on Human Rights and Social Workers
(Strasbourg, 8-10 April 1987)

Final report by the General Rapporteur,
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1. SUMMARY

"Towards better protection of the rights of the vulnerable"

A Joint Meeting of human rights experts, social workers and educators identified ways of strengthening the observance of human rights in the field of social welfare.

Reviewing the European Convention on Human Rights and the European Social Charter, the meeting noted the deteriorating plight of the most vulnerable groups, and suggested ways in which professional social workers and the agencies in which they work can be sensitised to the human rights aspects of their work. Enhanced dissemination of documentation from the European Commission and the Court of Human Rights will be used to stimulate training in schools of social work. This has to be complemented, in the view of the meeting, by governmental initiatives and promotional work and seminars in member States. The meeting welcomed this renewal by the Council of Europe of its interest in social work education and practice, coming as it does 20 years after its major Resolution on the definition of social work.

2. CONTENT, AIMS AND METHODS OF THE MEETING

The Joint Meeting took place at a time when social workers, ranging from Helsinki in the north to Cyprus in the south, had independently also been organising their own meetings looking at the human rights aspects of social work. The Council of Europe's initiative in promoting the understanding of the Human Rights Convention and the Social Charter was therefore regarded as very timely.

The specific aims of the meeting were:

1. To enable participants to review specific international texts on human rights, in particular those aspects of the European Convention on Human Rights and the European Charter and their case-law, that are relevant to social workers. This therefore attempted to relate precise international legal procedures to the everyday experience of social workers and social work educators. The legal procedures might be known to very few social workers, and perhaps not many more lawyers.
2. To identify, through the use of concrete examples and discussion, human rights issues that arise in the daily activity of social workers. Several recent or current cases might be expected to bring the Court's activities to the attention of social workers. For example, some United Kingdom child care cases, held in camera (unusually) had been heard - on the subject of restricting and terminating parental access to children in care. Similarly, a decision of the Commission had been that there had been an actual violation of the right to respect for family life in the way

three children had been taken into care. More generally, ignorance and intolerance threaten human rights, and there were dangers from racism and xenophobia in Europe.

3. To discuss in practical and positive terms aspects of training in this field. The more acute the restrictions on economic and social welfare development, the easier it might be to breach human rights: so the protection of human rights was becoming more important as a policy objective. Protecting human rights was, however, not something to be done only by the institutions of the Council of Europe.

The specific methods of the meeting were:

1. Commissioned expert papers.
2. Review of practice issues, through hypothetical case material.
3. Review of training issues.

The greater part of the meeting was conducted in small-group workshops, with a "mixed" membership (ie, educators and practitioners together).

3. RESPONSES TO THE ISSUES

Discussion of the individual cases and the issues raised included the following points:

1. Social workers necessarily have to act not just for the long-term good of service users, but for what is least bad in the short-term. They are obliged to do this as professionals, even if the institutional and juridical means are limited.
2. Social workers therefore have to identify long-term objectives, even if at first sight the situation does not encourage such possibilities.
3. When working with individuals within a family, such as on a "contract" basis, social workers find the notion of "respect for family life" particularly difficult to address.
4. When working with individuals and families in difficulties, social workers should also sensitise politicians and governments to the causes and effects of problems - human rights include social rights.
5. Social workers are almost uniquely placed to observe where there are violations of human rights. But they are employed by institutions and organisations, and should resist the temptation to conceal institutionalised lack of respect for human rights under the guise of "therapeutic intervention".

6. Where social welfare and financial aid is highly bureaucratised, it is desirable that there should be easier access to enforcement of rights, to the legal texts, and more clarity of functions within agencies.
7. Responsibility for placement decisions for vulnerable people challenges social workers to check the approach of institutions and appraise their respect for human dignity.
8. Respect for the application of human rights in the social welfare field involves not just social workers, but trade unions, social organisations and advocacy groups.
9. Social workers themselves can be victims of the violation of human rights: on the other hand, increased decentralisation of decision-making, and sometimes specific powers over service users, gives greater responsibilities to social workers and more opportunities to integrate human rights in their practice.

Discussion of social work education and the issues raised included the following points:

1. Despite variations in the role of social workers and in social work training in Europe, it is important to develop theoretical and practical awareness of human rights issues:

Theoretical awareness: through acquiring knowledge of the Convention, the Charter, and the legal processes and the eventual sanctions.

Practical awareness: through role-play, study of ethical issues, analysis of types of intervention, particularly in respect of children.

2. The aim in training should be to internalise knowledge, by relating human rights issues to practical situations of individuals, groups and communities. The form of training should cross the different disciplines, but reflect each State's and each school's responsibility to determine the most appropriate educational choice.

3. Problems to be overcome include:

- Lack of knowledge by directors of social work education.
- Perception of human rights as a juridical issue.
- Perception of human rights as an issue of the political Left.
- Lack of translations of the relevant texts.

4. The role of the Council of Europe could be to:

- Prepare and distribute documentation, concentrating particularly on Ministries of Education, Directors of Schools of Social Work, and federations of educators and of social workers.
- Seek observer status and influence national Commissions, Conferences and other meetings to encourage attention to human rights in social work education.

5. Some specific suggestions for action to the Council of Europe:

- Remind Ministers of each member country about Recommendations in this field.
- Organise fora or an enlarged meeting on this subject, to include service users, representatives of family organisations and of relevant Ministries.
- Formulate a general Code of Practice, to be backed by the Council, supplementing the Code of Ethics of the International Federation of Social Workers.
- Promote individual bursaries for research and advancement of human rights in social work.

4. OBSERVATIONS AND SUGGESTIONS

The following observations were drawn from the plenary and small group discussions, influenced both by the commissioned papers and the case studies. They are divided into three parts: social work principles and practice and human rights; social work education and training; and specific suggestions to the Council of Europe and to national Governments.

Social work principles and practice and human rights

1. Human rights are not the property of any one professional group

Some specific knowledge of human rights and legal provision is to be regarded as desirable. Social workers do want more legal knowledge and expertise than they have at the moment: but they do not want to become lawyers.

2. Social workers constantly have to balance different human rights against one another

To help them in this they often have Codes of Ethics. But the precise strength of these Codes, and their relationship with the Convention, varies in different countries. Codes sometimes still have to be tested.

3. Social workers may be blameworthy, but perhaps may not carry all the blame if service users' human rights are infringed

One speaker argued that social workers were daily in positions of great power vis-a-vis service users. This justified the most forceful attempts to test their use of this power. Others contrasted with this a tendency for social workers to accept guilt for their relatively small part in the failure of the wider society to guarantee norms of citizenship, and the resources for the effective use of human and social rights.

4. Rights in law and rights in practice in agencies where social workers work can be very different

Issues do not come labelled as "human rights" issues: they may be information or advocacy questions, for example. They may also involve the manipulation by the social worker of the superior knowledge he or she holds.

5. The formal human rights machinery can improve domestic legal systems and, indirectly, decision-making in social work

It does this by examination of the decision-making process, and in particular identifying what options were available to be chosen, and what principles were followed.

6. We may need to create a multi-disciplinary language in which to present cases

The implications of the daily work of social workers and others such as lawyers need to be set in a common language.

7. Respect by social workers for hierarchy in organisations can be used negatively or positively

This can be negatively to collude with infringements of human rights and positively to promote respect among all staff for support for human rights.

Social work education and training and human rights

1. How far does training fit students for the job of social worker?

Research, done sensitively, would shed light on how far training actually fits students for the job, including in that human rights knowledge and its practical application.

2. Social work education is not unified nationally

National curricula do not often exist (if at all). Indeed, compulsory incorporation of even a fundamental subject like human rights would be unacceptable in some countries.

3. Positive action can be taken in education

Projects can be undertaken on how to implement human rights provisions, how to organise users collectively to be aware of their human rights. Course credits could be given for placements directly concerned with human rights work.

4. Dissemination activity can be improved for educators

For teachers a potential (it does not yet exist) mailing list from the Council of Europe, and more attractive and multi-media packaging of information, would be desirable. This could include, for example, a Code of Conduct for social workers (and agencies and Governments) and systematic updating of information about Court and Commission decisions.

Specific suggestions to the Council of Europe and national Governments

1. To ultimately aim to integrate the Convention's provisions with national jurisprudence where appropriate.
2. To promote and disseminate existing literature from the Council and to explore the use of additional media for dissemination (handbooks, case studies, video and TV), in order to sensitise students, practitioners, educators and administrators to the practical importance of human rights elements in their daily work.
3. To review earlier documents on the definition of social work (the Resolution of 1967) in the light of changes of social work. An offer to help co-ordinate this work was made by the representatives of the Spanish Association of Social Workers.
4. To stimulate social workers in member States to engage with human rights issues by the Human Rights Scholarship Scheme, by a Social Work Charter of Human Rights, a Code of Practice, use of case studies, and by Seminars in member States, promoted by domestic organisations. A commitment was made that one such Seminar would be held in the United Kingdom.
5. To try to engage, nationally and internationally, service users and social work employers in consultation. A future international Seminar should include service users and people from organisations representing families in Europe.

5. CONCLUSIONS

The Joint Meeting acknowledged the efforts of Mme Etienne Chouffier (International Federation of Social Workers) and Mrs Vera Mehta (International Association of Schools of Social Work) in helping to organise the meeting, and thanked Mrs Cathune Cape (British Institute of Human Rights) for chairing the meeting.

The meeting provided a genuine opportunity for exchange between juridical ways of thinking, and the sometimes more diffuse ways of thinking and feeling of social workers and social work educators. It represented successfully the beginning of a dialogue in the area of human rights, though a renewal in general terms of the Council of Europe's direct concern for social work.