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Review of *Children, Family and the State: Decision-making and Child Participation*. Nigel Thomas. Reviewed by Eileen Munro.

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skills while learning about the connection between child well-being and family-centered services.

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Nigel Thomas, *Children, Family and the State: Decision-making and Child Participation*. New York: St. Martin's Press, 2001. \$65 hardcover.

Article 12 of the UN Convention on the Rights of the Child, which has been ratified by all countries except Somalia and the USA, states:

State parties shall assure to the child who is capable of forming his or her own views the right to express these views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.

This right to participation is potentially the most radical and complicated element in the Convention. The other rights—to life, to a name and nationality, to protection from abuse and neglect, for instance—engender some cultural conflict and debate about their precise meaning, but there is a high level of agreement on their validity. The right to express an opinion, however, is both hotly contested and poses immense problems in how it is to be implemented. It challenges many cultures' beliefs about the role of children within a family and the authority of parents. United States' opposition to the Convention has been forcefully expressed by Senator Jesse Helms who takes particular exception to Article 12: 'Will the US be censured because a parent did not leave it to a child to choose which school to attend? Will the US be censured because a parent did not allow a child to decide whether to accompany the family to church?' (Congressional Record, 14 June, 1995).

This book, therefore, is very timely, the range of its material reflecting the enormity of the issue. At the heart of the book is an account of an empirical study of children in public care but it begins by reviewing children's place in society from a number of perspectives: sociological theories of childhood, psychological

theories of child development, the tension between the welfare and the rights approaches to meeting children's needs. Since these are all vast topics, the author can only offer an introductory overview of them but he sets out the scene of the debate very clearly. He argues that children's competence to form a valid opinion is often underestimated in practice. They should, he claims, be seen as people who can and should express their views of their situations but it takes considerable skill on the part of the professional to help them formulate and communicate their beliefs and wishes.

Chapters Seven to Eleven deal with two studies the author conducted with Claire O'Kane on children, aged 8–12, in the care of their local authority. The first, small-scale study helped to develop the methodology for the second which involved a large scale, quantitative survey of 225 cases, followed by open-ended interviews with 47 children and the social workers and carers involved in their care. The research was exploratory with the aim of generating theory. One thought-provoking finding was that children wanted to be included in a dialogue with adults, and did not want either themselves or the adults to determine the outcome. In contrast, social workers tended to think that children would just want to get their own way. In this respect, they seem to echo Senator Helm's fear that participation implies handing over power completely.

The qualitative analysis also brings out the conceptual distance between children's experience of their lives and the formal, fixed pattern of decision making processes used by professionals. The findings are used to create some interesting typologies that could be useful in future research, e.g. children's attitude to their involvement in decision making was grouped into five categories: assertive, dissatisfied, submissive, reasonable, and avoidant. Adults' attitude to child involvement was categorised as: clinical, bureaucratic, value-based, and cynical.

The account of the empirical studies is frustratingly brief, leaving me wanting more detail at several points. This is understandable given the amount of time devoted to wider issues, but it raises doubts about how selection of findings was carried out. The author has a clear and passionately-held view about children's right and competence so he faces a responsibility to show that he

is not just picking out those findings that support his view. The brevity of the presentation means that this is not done.

Another limitation, that the author discusses briefly, is the extent to which we can generalise from children in public care to children living with their birth parents. In many ways, children living away from their parents pose a simpler moral dilemma. Parents are generally seen as the first line of protection for children so, in their absence, children are more vulnerable to exploitation and need greater safeguards, including a right to be heard. Giving a greater voice to children in birth families has major repercussions for the power relationships between parents and children, echoing the equalising of power, being seen in many cultures, between husbands and wives. Such a radical change is bound to face strong opposition but the tide of history seems in its favour. In a traditional society, parenting entailed preparing children for a fixed pattern of living, so obedience to parents was a good preparation for later life. As custom and authority are reduced, individuals are increasingly responsible for shaping their own life styles. Helping children to form and express their opinions, and to make well-founded decisions, is becoming a crucial parental task.

The debate between the welfare-oriented and rights-oriented approaches to child welfare is still only warming up. This book is a very valuable contribution, firmly within the rights orientation, offering a sophisticated and far-ranging account of the myriad theories and values involved in the question of children's right to participation in decisions made about them.

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Donald T. Dickson, *HIV, AIDS, and the Law*, Hawthorne, NY: Aldine de Gruyter, 2001. \$49.95 hardcover, \$24.95 papercover

Dickson attempts to integrate two fields of knowledge (law and social work) by choosing selectively those laws having particular relevance to social work practice in the area of HIV/AIDS. The book is divided into three parts. The first part presents foundation material on both the epidemiology of HIV/AIDS and on