

Dear Sirs,

Please read this letter as my submission to the consultation on the draft document Northern Ireland Elective Home Education Policy

You will have received from Education Otherwise, HEdNI and also another EO member of long standing, Mike Eddies, submissions which go in great detail into the reasons why the proposals on Home Education policy are out of step with the law. I recommend these excellent submissions to you and your Board's legal advisors. That an ELB should remain scrupulously within the law should not have to be under debate at all.

However, I do not propose to go over the same territory which they have covered so well. This is my personal submission to the NEELB, and the one amalgamated board of the future, and I wish to bring to the centre of the debate the child (or children) who will feel the effect of all the policies and procedures which are being proposed. ELB professionals find it hard to understand why the home educating parents object to being recorded, monitored, and assessed in their education programme. I feel that I can show you how parents' objections are motivated by the welfare of their child, and how these policy proposals which give no protection whatsoever to the child and the family are very harmful to the welfare of both.

I have created a composite story from difficult events which I know have happened to a significant number of children and families in N Ireland under the present policies of the various ELBs. I know the original stories from my experience as a long time volunteer at branch level with Autism NI and also as volunteer telephone support for home educators in N. Ireland with Education Otherwise. It also includes my own story with my son so I am speaking from personal experience. Although the story is mostly about children who have been in school before moving to home education it is still relevant to the decisions made by parents who have never school educated and who oppose these proposals because they are very aware of the very real dangers of ELB involvement which are portrayed by this story.

The story usually begins when a child becomes distressed in school. They may be enduring bullying, or they may suffer the discomfort of extreme social isolation, or they may be encountering so much failure that they cannot face the shame, or the sheer noise and turmoil of an average classroom may be overwhelming for them. It has been my experience that the children who develop school phobia all fall somewhere on a continuum which stretches from Autism Spectrum Disorder through Dyslexia, Anxiety Disorders and Attention Deficits to simple introversion. They may or may not have a recognised diagnosis, but either way the typical school environment is not suitable to their needs. The parent is quickly aware that the child is in distress, although it may be some time before the child can tell the parent exactly why.

In some instances this story begins even before school starts with disagreement over the provision for a developmentally challenged child who is in the statementing process. ELBs generally want to put children through the same basic channels and if a parent is looking for a specific intervention in addition to or instead of the normal curriculum she can be seen as a foolish person who was easily persuaded to believe mythical cure-alls. There is no actual academic basis for this stance as that would take

too much time for professionals to research and most staff have barely enough time to fulfil their schedule without meeting resistant parents with other ideas. The parent's ideas are dismissed and if she tries to argue her case the follow on is just the same as for a child falling out of the school system.

The normal parent is under a biological imperative to protect her child from distress. She wants to know what the problems are and what is the best way to help her child. If she finds a reason for complaint, such as the child is being bullied, she will gather her courage, contact the school and ask them to fix the matter so her child can continue with his education in a happy manner. If her child is being statemented she will be vocal about her own opinions on behalf of her child.

The school does not like parents who complain. Teachers and principals are under great pressure over standards, academic attainment, being in locus parentis, and spotting child abuse; they can often feel squeezed in the middle when parents then complain to them as well. They may be overstretched and under-resourced, or they may have a bigger problem with bullies, or general behaviour, or staff morale than they can hope to control. Unfortunately some schools have little real interest in pastoral care or meeting the needs of the weakest pupils. Unfortunately the school may also have an already existing pre-judgement on this parent because of some information they have through the networking of services, or because she is already known to them outside school in the local community. Unfortunately a principal and/or teacher may take an instant dislike to a parent, as human beings all carry that tendency.

For whatever reason the response to the complaint may be inadequate to the needs of the child. An opportunity for collaboration has been missed and the story goes down hill from here. The child's distress continues to get worse and the parent soon loses all faith in the school system to care for her child. The child is simply desperate to escape his suffering. Absenteeism increases as he gets more hysterical or sick, and the parent is no longer able to watch her child's distress or to force him through the necessary procedures to arrive at school ready to learn. EWO may be involved at this stage, and the inadequate parent will be seen as the source of the absenteeism, instead of the school and the problem the child had there. Professionals do not like to think that their colleagues or peers in other services and departments may be making mistakes, or not behaving professionally, but sometimes they do. Every barrel has its bruised apples but you don't see until you take a bite.

At this stage it is unlikely that the parent will have been offered any choices or services other than the return of the child to school in a phased fashion. She may have been threatened with 'further' action against her if she does not accept this proposal. The parent and the child are now afraid of the continuing pressure to attend, along with the veiled threat to the family, while the initial problem has not been dealt with. The only choice in a situation where no one is listening to the child's needs except the parent is for the parent to choose to home educate – if they know that they legally can, but few do.

I personally feel for those children and families who remain trapped in this situation where ultimate compliance is seen as a success, but the bullying and other issues may still be going on. This is akin to learned helplessness. There is nothing more that

either can do and they sink into hopelessness. This is not emotionally healthy nor is it a suitable safe space for learning to take place. The child may fail to learn or develop any further within the school.

If the parent finds out about home education and attempts to de-register her child the school may see this action as the parent becoming more difficult and may attempt to put her off with wrong information; the EWO may continue to see this as a 'welfare' case; and the child may have a Statement so other professionals involved will all be informed about the difficult behaviour of the parent. Either the principal or an officer in the ELB dealing with the SEN may try to tell the parent that a statemented child cannot be home educated without the permission of the ELB, and suggest it is unlikely to be given. Without a clear, unintrusive and unprejudiced way to attain the views of the child, and without an admission of a problem from the school, the decision to home educate will be seen as a parental evasion rather than a viable alternative and the free choice of the child, and the parent will be blamed. By the time the EHE officer is seeking a visit there may well be an extensive file on this parent which gives a prejudicial image of the parent. The parent is most unlikely to have seen the documents about her and the processes she is being carried along in will not have been explained to her.

With her back to the wall the parent may de-register anyway or take the child out of school without any knowledge of the de-registration protocol – not a good idea! The child has been severely traumatised by the events in school and the palpable stress building within the home now because of the external pressure adds to his distress and confusion. His behaviour (which could be anything from violent and abusive to extremely submissive and withdrawn) may take many months to settle down. Home educating parents know this syndrome so well they have given it a name: de-schooling. No obvious education may be able to proceed during this time and no academic results will be visible for some time. This term and the condition it describes seems to be unknown to ELB officials.

The parent, understanding the child's distress and the reasons for it, tries to protect him from the stress of further intrusion from professionals such as EHE which she does not see a purpose for, or she possibly knows she is not legally obliged to accept. Both the parent's 'stonewalling' and the child's behaviours as they come to light are seen as proof of the parent being a problem. There seems to be a policy (not in writing anywhere) that a difficult parent should be persuaded to comply with requests for access by frightening her about the possibility of court and/or her child being taken away. This threat has the parent so terrified that she increases her efforts to protect the child by keeping the intruders away. This is then seen as the parent having something to hide.

Still more professionals from DHSS may want access, and a multi-disciplinary team may be set up, the family may be referred to Social Services and put on a line (Gateway) that leads possibly to support but can also lead to Child Protection proceedings. The parent does not necessarily know that the professionals are, as a matter of course (their perceived duty of care) looking for evidence of abuse and could bring the case to court where the children may or may not be taken away. However the parent feels that she is under some kind of suspicion, feels personally attacked by her professionals, and needs to prove herself innocent of something she

has not been clearly charged with, and which she knows she cannot have done because she has only loved and protected and done her best for her child. The ongoing intrusions and demands are deeply disturbing to her own peace of mind and are picked up by the child also no matter how much she tries to keep the child out of it.

As the parent becomes more stressed by more professionals checking her out, and more evidence of distress in her child, her behaviour will mirror that of someone emotionally disturbed. She is desperately pleading her innocence at the same time as having to ensure that these intruders do not do things to her child which she knows will cause him further mental and emotional harm. Unfortunately the professionals may not recognise the difference between the effects of their immediate stressors on the parent and deeply embedded emotional-mental health issues. These professionals know nothing about home education, and indeed very little about education. If the parent is using a child-led education or has needed to de-school her child the absence of a desk, papers, work books and a timed curriculum may be recorded as the child's educational needs not being met (although it is not held up within law that education is a legitimate 'concern' on which to initiate child protection proceedings). If the child is in such distress and mistrust of people that they will not meet with the official this will also be recorded as concerns for the child's social welfare.

The parent is now known to the staff of ELB and DHSS as someone who is not capable of making sound judgement and who needs to be watched. Every argument she makes for the best care of her child will be dismissed. Every emotion she shows will not be seen as mother love or righteous anger but as hysteria. Every drop from perfection in her behaviour, or her child, or her home, will be proof that she is unfit to home educate and to parent her child. If she takes her child to the doctor because of his continuing physical symptoms (sleeplessness, stomach pains, headaches) she may be accused of Fabricated and Induced Illness, and this will be circulated among the Education and Social Services personnel on her case. If she presents with stress illnesses herself she may be mentally labelled FFF (female, fat, forty) and given some mood medicine. If the child gets a chance to air his opinion to the professionals and states his desire to be home educated the parent will be accused of having influenced the child to her own ends, whatever 'ends' might be imagined by them.

Angry conflicts dominate every meeting with the over-wrought parent proving again that they are correct in their labels for her by her heated and disordered behaviour. The parent may now be accused of causing 'significant harm' although there are no clear issues of 'concern'. The outcome of an investigation, even in the absence of real evidence of abuse cannot be guaranteed to be the revelation of the truth and the restoration of the family. The extent and the quality of the legal representation affordable (and the boards can access ridiculous amounts of money to defend themselves legally) often determines the outcome in an adversarial court, and the emotional toll on the parent may continue to work against her in her efforts to show her innocence.

Finally, after the immense trauma to the whole family of going through and investigation and possibly a court care order, the child will be returned to school, with or without force, but without either's consent as they no longer feel they have any power to stand against the system. Worst of all the child and other children may be taken into care if the distressed mother cannot hold herself together through out the

proceedings. If the child is later found to have severe emotional disturbances the parent is again blamed and no responsibility is taken by the authorities for the effects of their actions and inaction. And if the mother's mental and physical health breaks completely (and parental suicides do happen where care burden and stress have been too great) the professionals can feel vindicated as the parent is now proven as not having been equipped to raise her own child.

In this story the children have been vulnerable children to begin with and they did not have their needs met within the education system. They were not protected when they needed it. Instead their problems were made worse by the efforts of professional personnel to tick just one box in their believed 'duty of care': the box that ensures they cannot be sued for missing a case of child abuse by a parent. This constitutes abuse of these vulnerable children.

This story is underpinned by a number of unspoken and unquestioned assumptions which send the professionals down the wrong paths wasting resources and damaging young lives in the process. Here are some key assumptions. There may be more not yet uncovered.

- **That home education is a welfare issue.** I refer you to the submissions already mentioned above which deal with the law. I hope this story shows clearly that these families are not in need of welfare involvement before the intrusions begin, and that these families are simply trying to do their best to fulfil their duty of care, emotional, physical and educational, for their own children. The involvement of welfare has been without base from the start.
- **That professionals know better than parents what is good for their child,** even though those professionals have only met the child briefly and in an artificial situation, have not had any in-depth education in trauma psychology, and have had no training in home education. The parents however have had many years of experience in parenting their own child: they know his strengths and challenges, they see him in his natural every day self and they support him in his inner vulnerable self struggling to cope with the world.
- **That parents are choosing home education for their own reasons which do not take consideration of the child's needs.** What those reasons are is not made clear (apart from their religious persuasions which are allowed under anti-discrimination codes) but it is generally assumed to be satisfying to the parent and damaging to the child. Many parents did not choose home education but came to it as a last option in caring for their child. The rest have chosen on the basis of firmly held and passionate beliefs, confirmed by the experience of parenting, that education and loving care for a child is best achieved in the home where both are aspects of one process. Their 'choice' displays their commitment to meeting their child's needs fully. Besides most parents actually take time to discuss educational methods with their child and get their opinion. Often the parents make sacrifices to enable the child to have his wish of learning only at home.
- **That home educated children are isolated;** and also that the cure for introversion (is it right that someone should be cured of their introversion?) is to put them into crowds of peers as in a classroom. Home is the one place where the child can have the first foundation for learning – feeling safe. Home is the ideal place for sensitive children who find socialising difficult. From the

home they can take small steps into the community gradually building up confidence as they mature at their own speed. This is the way to intervene to help a child with introversion to have a happy social life. Besides - it is a rare home that does not have neighbours and friends, an extended family, local community services, events and activities, and/or a church community. Parents know when their child needs additional companionship and will travel to find it for their child if necessary.

- **That proper education takes place seated at desks and consists mainly of prescriptive exercises and rote memory practice.** This methodology, and the National Curriculum's narrow range of study subjects, are just one corner of educational theory and practice. Many other subjects and methods are practised and continuously debated, and all have validity. This belief ignores the many ways that children teach themselves as part of their growth, and the many ways parents have been teaching their children, including that all important and academic skill of learning a first language. The prescriptive methods of education are still hotly debated as their suitability and efficacy for all are not solidly proven, and they are known to induce failure syndromes in challenged or sensitive children.

In response to the Draft I would like to make some proposals that I think the Dept. of Education should take into serious consideration.

- Take steps that genuinely include home educating parents in the decisions about home education policy. For example a proper survey of the parents already known and of all the charities who are affected in the cross-over between education and welfare. Build up a relationship of trust with the home education community and all the education service users able and disabled.
- Provide policies and procedures which also protect the child and the family from the professionals. Do not attempt to change Home Education into school education at home but accept the variety of philosophical approaches, methods and curricula.
- Ensure (in collaboration with the charities submitting to you) that ALL parents are presented with a clear code of their rights with regard to leaving the school system and educating at home, and any ongoing interaction with ELB. Agree on a list of acceptable choices for providing information that constitutes evidence of an education being provided.
- Provide training in Home Education for Child Psychologists, EHE, EWO, and Social Workers. Also training in ASD and the related spectrum of social, behavioural, and learning difficulties which are not categorised under Learning Disabled. This will enable better decisions by staff on causes for 'concern' and reduce wastage of time and money chasing innocent parents.
- Do NOT keep a data base, and do not seek or share information about families until such time as a 'concern' has been raised with due reason for same. It simply creates data rumour with consequent wastage of resources and damage to families and their children without highlighting the real threats.
- Offer families such resources as do not cost the ELB money. Examples are empty rooms to meet in, free time at outdoor education centres, or access to area orchestras, science labs, and so on. Offer informal meetings where children can gather and EHE can get to know families.
- Solicit the child's opinion in writing and accept it as valid and binding.

I referred at the beginning of my submission to my own story. When my infant son school refused and went through serious trauma I had to stop forcing him into school to appease the teachers and the law. After a time of professional intrusion I was accused of causing my son 'significant harm' and the whole family was put through a formal Assessment of Alleged Significant Harm. The allegation was proved baseless, of course. The cost of it would easily have funded the training for the home intervention programme I wanted for my son. The later SEN Tribunal would more than have paid for helpers to run the programme until his 16th birthday. (In his case he was never de-registered due to his SEN.)

I would like to finish with some extracts from a summary of the proceedings against me by the Consultant Child and Adolescent Psychiatrist.

- *.....there appeared to be great anxiety amongst certain professionals aboutthe choice of the approach. (However)the theory appeared developmentally and behaviourally intactwe were unable after much probing to adduce any evidence that the programme was harmful, indeed the intent was clearly to do good.*
- *It was clear that this was a stressful time for the (family) given that they were subjected to highly professional scrutiny and at times extremely testing and perturbing questions.*
- *But hard evidence runs out quickly and we are all in a hinterland of supposition, opinion, and perhaps prejudice at time. Those who consult us deserve better than pigeonholing and processing down the easiest available route.*
- *...if the same request was made now I am not sure if I would agree to the appropriateness of an assessment under these terms.*

It is a matter of concern to me that after many years the lessons of this psychiatrist have not been learned elsewhere in the ELBs. At this moment in time I am attempting to support another family being stressed by highly professional scrutiny on grounds of supposition, opinion, and possibly prejudice, as the parent has refused to go down the easiest available route which would return her child to a life of unprotected misery in school. It happens every year, and I only get to hear from the parents who found out that home education was an option.

I beg you for the sake of the children to truly listen to the home educating parents and also to the children who are being failed by the ELBs who wish to pigeonhole them for expediency.

Shevaun Rafferty