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Making consent meaningful: The 'dance' of seeking consent for an ethnography in the family court

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journals.sagepub.com/home/qrij**Sarah Dennis** 

Manchester Metropolitan University, UK

Abstract

Inspired by the themes emerging from a contemporary dance video, this paper proposes a theoretical framework for seeking consent from prospective participants in an ethnographic study of child protection court cases (care proceedings) in the family court in England. Research evidence to date suggests that this is a formal environment that is often alienating and confusing for families. As a qualified social worker and researcher, I draw on my ongoing doctoral research to explore some of the challenges of negotiating participant consent in the highly emotive space of the courtroom, where life-changing decisions are made about families' future lives and relationships. Here, I focus on how the process of seeking consent can remain ethical, meaningful and responsive under such unpredictable and pressurised conditions by creating a research space that resists coercion through the power of 'no'. A core problematic is how participants can be encouraged to say 'no' to research when they may be feeling vulnerable and disempowered by family court processes and structures. The complexities and ethics of the dance video capture some of the tensions and synergies that co-exist in these researcher-researched relationships.

Keywords

court, ethnography, dance, consent, child protection, social work, ethics

Introducing dance as an ethical framework for seeking consent

In this paper, I use a contemporary dance video (Portner, 2017) as a metaphor for the process of seeking consent from prospective participants during an ongoing, ethnographic, doctoral study of child protection court cases (care proceedings) in the family court in England. I have been a qualified social worker for over 16 years and have extensive professional experience of this highly emotive environment, where decisions are

Corresponding author:

Sarah Dennis, Manchester Metropolitan University, Manchester, UK.

Email: S.Dennis@mmu.ac.uk

made about the future lives and relationships of parents and children, such as whether children can remain safely in the care of their birth families. Attempting to conduct research in the family court is of particular ethical complexity given the unpredictable and sometimes last-minute nature of court hearings, the shame and stigma which can be associated with child protection, and the power imbalances already inherent in the interactions between professionals and family members in this often-oppressive space.

The dance video serves two key roles in this paper. Firstly, the two dancers represent the researcher (myself) and an imagined participant attending a family court hearing in relation to a child/children in their family and the process of gaining voluntary informed consent. Secondly, the dancers represent the complex interplay between a potential participant saying 'yes' or 'no' to potential research study. More simply, the dancers themselves represent 'yes' and 'no'. By defying simple categorisation or description (a beguiling mixture of tussling, balancing, tenuous co-operation, observation and beauty in the ordinary), the dance provides an appropriately complex lens through which to consider the challenges of negotiating participant consent. This involves so much more than a simple tick for 'no' or 'yes' on a consent sheet.

I begin by setting out a series of principles formulated to meet the specific requirements of my research project, which may be of use to other social researchers. These principles may be particularly relevant in contexts where seeking consent might be compromised by significant power imbalances or an oppressive environment:

1. Having both a meticulous plan and room for flexibility and improvisation.
2. Acknowledging the oppressive forces at play and challenging these forces to support prospective participants.
3. Taking a loving approach which comprises actions that communicate care and respect.
4. Accepting and embracing awkwardness.
5. Being aware of and responding to bodily communication.
6. Making it easier for prospective participants to communicate 'no' rather than 'yes'.

Drawing new connections between dance and social work research

Although arts-based research methods have become increasingly prominent in the social sciences, social work research has been slow to adopt arts-based methods and to theorise their use (Huss and Sela-Amit, 2019). Whilst the connections between art and social work research are now receiving increased attention, the 'specific advantages of arts-based research for social work have yet to be articulated' (Huss and Bos, 2023: 1). The use of the arts in social work research methodology thus merits further discussion, and this paper aims to contribute to that discussion by making the novel argument that dance, and specifically the contemporary dance *Lavender* (Portner, 2017), is a powerful extended metaphor for the process of seeking ethical consent in social work research: a useful tool to help conceptualise and theorise the thorny, contested ground of seeking 'agreement' in unusually pressurised research environments, such as the family court.

In *Lavender*, dancers and choreographers Ajani Johnson-Goffe and Emma Portner reclaim a London theatre built in an era of intolerance and of legal repression (Portner,

2017). They move between the empty stairs, aisles, seats and floors of this place of performance, ‘carv[ing] through the implicit oppositional issues of private vs. public, quiet vs. loud and seen vs. watched’ with ‘contemporary issues placed in a historical context [and] historical issues placed in contemporary movements’ (Portner, 2017: np). *Lavender* lasts just over 7 min, and I recommend watching it at the following link: *Lavender* (youtube.com). The soundtrack (the song ‘Spook’ by Adult Jazz) is integral, beginning hesitantly with haunting, dissonant qualities, then building in momentum and brightness. A select few lyrics are displayed individually in writing at different moments of the dance, words which resonate with the concept of seeking consent in an oppressive space where the usual order of life is challenged:

Supersoul
Am I hard to hold?
And I write these songs to trick god
And the cold came
In your public panic room
But did you ask for it?
Really ask for it?

I came across *Lavender* whilst undertaking an MA in social research, when I was starting the process of learning how to be a researcher. I was encouraged to think broadly and creatively about research methods, and I discovered Portner’s dances at a time when I was looking for something new to represent social work research in an authentic and respectful way. Social work is unavoidably messy and often painful with fleeting, hoped-for moments of trust and connection. It is not easy to adequately represent these knots and turns. Portner’s body of work is appealing in its complexity, subversion and skill: it is threaded with queerness, influenced by personal trauma, expansive, honest, bold, diverse, ambiguous and highly technical (Bennett, 2018; Fuhrer, 2024; Knecht, 2017; Landsbaum, no date). Portner herself has described her style as ‘where dirt and high art meet’ (Bennett, 2018: para. 5).

There are interesting parallels which can be drawn between the meaning of art, the processes of seeking consent to research, and *Lavender*, all of which can be understood as the result of oppositional forces. The Polish philosopher Stróżewski (1983) describes art as resulting from the ‘dynamic complementarity of opposites’: the tensions in the creative process including those between the ‘new and the old; acceptance and rejection; submission and domination’ (cited in Bigaj-Zwonek and Gisman-Stock, 2015: 57). Seeking consent could similarly be seen as a complex dialogue subject to many dialectical forces: between research taking place and research that is not able to proceed; between the researcher and prospective participants; and between the proposed plans for seeking consent and the reality of what might happen ‘on the ground’. *Lavender* also echoes throughout with themes of acceptance versus rejection and submission versus domination: there is something both cooperative and combative about the movements between the two dancers, with the whole never easy nor comfortable.

The purposes of art, social research and social work can also be conjoined through their universal links with social change. Bigaj-Zwonek and Gisman-Stoch (2023: 57) put forward the powerful definition of art as ‘a dynamic combination embodied into

one aesthetic tissue' with the aim to 'provoke both personal and social change'. Because art is holistic, they argue that separating the social from the personal is difficult. The aim of my research is to inform and provoke social change, specifically to make recommendations as to how the family court could be an environment made more supportive of families' wellbeing. At the personal level, I have attended hundreds of court hearings and have made many professional recommendations which have brought significant personal challenge, including telling many parents that I have recommended a plan of adoption for their child(ren). There is a personal agenda here. In my attempts, through research and resulting recommendations, to improve the courtroom environment for future families who might attend, I am also trying to address some of the personal pain which lingers from the things that I have done and said as a social worker.

It could be argued that the use of art and dance is somehow an escape or retreat from the harsh realities of social work practice. If ethical practice means shifting focus from the 'individual worker/client dyad' to learning through 'self-reflexivity' and 'humility' (Weinberg and Campbell, 2014: 47), then I need to reflect on why *Lavender* has such personal resonance. Bos and Huss (2023) cite Huizinga (1938) and Sutton-Smith (1997) in describing how engagement in arts activity can allow one to enter a real and symbolic place of safety, where there is distance from real life and a canvas where 'contradictions, ambiguities, secrets and fears' can be expressed (Bos and Huss, 2023: 2). Due to the improvisational quality of art, it can also enable people to act with more freedom in complex social settings (Bos and Huss, 2023). I find watching *Lavender* both soothing and freeing. Having spent many years working amidst human pain within the artificial restrictions of statutory and legal frameworks and ever-diminishing provision of services under austerity, *Lavender's* subversion of what is expected and what is conventional feels like a welcome break of the rules and a hope of something more humane. Years of child protection social work, and the traumas that are carried as a result, lead me to seek healing, with immersion in art one of the rare acceptable conduits to lighten that weight.

Reflecting on voluntary informed consent and codes of ethics in social work

The principles of informed consent are foundational for all research (University of Oxford, 2021): participation in social work research must be 'predicated on the freely given, informed and acknowledged consent of the research subject' (Butler, 2002: 246). Under Beauchamp and Childress' (1989) well-known principles for conducting research (cited by Butler, 2002), participants need to have their autonomy respected as moral agents (including the securing of informed consent) and researchers need to act with 'beneficence' and 'non-maleficence' in addition to not pursuing their own interests at others' expense. It is the responsibility of the 'morally active practitioner' (Butler, 2002: 245) to decide when, how and to what degree these principles are applicable. Seeking voluntary informed consent is a process requiring flexibility and pragmatism, and of particular importance with individuals who might be described as 'vulnerable' due to the possibility of them being coerced by those in a position of power (Crow et al., 2006).

The nature of the concepts and principles surrounding consent is that they are contested, ambiguous and difficult to define. Often, they are in tension with one another: the requirement for information for participants to be understandable versus the requirement to share the requisite level of detail with participants, for example. The concept of vulnerability is similarly open to debate, the ability to be vulnerable can be seen as a strength, and is not necessarily a weakness (Brown, 2012). The power of dance lies in its capacity to accommodate these contradictions and complexities in one 'aesthetic tissue' (Bigaj-Zwonek and Gisman-Stoch, 2023). The movements of *Lavender*, replete with awkward balances and jerks, are neither smooth nor predictable. A morally active researcher needs to be able to accommodate the interactions of the constituent elements of research in a way that makes space for this discomfort.

Ethical codes of practice in social work can be seductive. According to Weinberg and Campbell (2014: 45), we are 'drawn to codes...to place boundaries around the infinite and unknowable', but absolute principles are neither possible nor desirable and the focus needs to shift towards the situated, contextual nature of relationships to best support ethical practice. Weinberg and Campbell (2014) cite Hugman (2003) in proposing a movement from static connections towards relationships which are dialogical and open to change, featuring collaboration between worker and service user and the embracing of difference: making space for social workers to be vulnerable and to share insecurity and confusion. There are similarities in the approach advocated by Featherstone et al. (2018) in their call for a 'social model' of child protection social work which embeds a dialogical approach to human rights and to ethics across practice and policy.

To overcome the challenges aligned with potentially restrictive codes of practice, my own ethics approach aligns with Butler's (2002: 245), who offers his code for social work ethics research 'hesitantly' on the basis that its value lies in the resultant criticism and dialogue engendered when considered by any 'morally active practitioner'. The ethical principles proposed in this paper are offered in a similarly hesitant fashion, designed primarily to generate a space for discussion and dissent through the lens of *Lavender*, rather than as rigid guidelines for professional values and practice. The core of this paper oscillates around the possibilities and limitations of acting as morally responsible, flexible and pragmatic researchers, in authentic collaboration with those whose lives are under the microscope, whilst operating in an environment steeped in a history of oppression.

Choreography and improvisation

Mackrell, a dance critic for *The Guardian* newspaper, describes dance as having two key concepts: 'dance as a powerful impulse and dance as a skilfully choreographed art practiced largely by a professional few', with neither being able to exist without the other (Britannica, 2024: para. 2). There is a key tension here between dance as something free and impulsive and dance as something with a planned series of steps. A similar tension could also be said to be visible in the debates around ethical 'codes' of social work and research practice. On the one hand, relationships need to have the requisite flexibility to bend to the demands of the moment, and on the other, there is a requirement to operate according to frameworks which regulate and prescribe behaviour. With no rules at all, how can we be accountable? The argument in this paper is that contemporary dance can help inform the process of seeking consent in sensitive situations. *Lavender*

follows the choreography of carefully planned steps and movement, which build and are shared responsively, enabling flexibility in spontaneous, attuned responses. The whole can neither be inflexible nor completely free of form.

Jansen and de Bruijn (2023) argue that amidst the complexity of contemporary social life, and the present level of existential crisis at social, epistemic and ethical levels (with social workers often at the forefront of meeting people in crisis), artistic activity can generate transformation through improvisation. Although there is no one overriding definition, for them, the 'reigning principle' of improvisation is 'balancing autonomy and freedom with contextual limitation in ways that are novel and spontaneous...creat[ing] scope for methodically designing situations in which improvisation can be practiced and learned at various levels of abstraction' (122). Here is a crucial juxtaposition between 'methodical' practice that is carefully planned, and yet the same practice being designed to accommodate flexibility (the possible nature of which, in the moment, can be learned and practiced over time by skilled practitioners). Both social work and research require methodical consideration of values, approaches and ethics prior to the encounters themselves, which then will unfold as they will.

During interview (Landsbaum, no date: para 7), Portner describes how, from the age of 12, she spent several hours each night watching her own dance footage, forwards and in reverse, in order to improve her improvisational technique and to break patterns. She believed that if she 'start[ed] to develop a go-to movement, that means I'm stale'. During research, every prospective participant needs to be respected as an individual who will respond to the proposed research in a unique way (rather than their response being anticipated based on what has happened with others before them). Hope Muir, artistic director working with Portner, has discussed Portner's ability to build trust and emotional intimacy through her work being 'a conversation, rather than just a teaching of steps' (Fuhrer, 2024: para 16). It is not the job of the researcher to suggest to a prospective participant how or why they might give their consent, but instead to open a dialogic space for conversation where both parties can fine-tune their expectations and responses.

Each prospective participant requires their own improvised conversation if they are not to be presented with stale and rigid expectations that could restrict their freedom of response. If every participant is to be seen anew and each research encounter as a fresh conversation, then it brings some comfort as a new researcher: perhaps we are all beginners in each research encounter. Portner has spent her career deliberately moving between different genres of dance – she has said that she does not like to stay in one location or medium for too long and that she loves 'to be a beginner' (Fuhrer, 2024: para 3).

I am not a dancer, and so my observations of *Lavender* are those of an untrained observer, and it is not easy to distinguish where on the continuum between more precise choreography and space for improvisation the different moments might lie. It does appear that *Lavender* begins with a higher level of improvisation and consequent uncertainty, although the discomfort is offset by a tone of respect and balance as neither dancer appears to be more powerful than the other. There are several scenes of a few seconds which cut from one to the next, and there is an intimacy in the informality of these moments.

The first time that Johnson-Goffe and Portner's bodies conjoin (at 28 s) is raw and untidy. For a couple of seconds, Johnson-Goffe is sat on the steps of the aisle, surrounded

by empty seats, and Portner is uncomfortably lying across his lap, head buried to one side and arms and legs flailing. His arms hold her loosely, and it looks as though in another second she might tumble down the stairs before her. The scene cuts abruptly to both dancers standing, swaying jerkily: Portner moves her hands to her eyes and Johnson-Goffe, behind her, brings his arm to cover her eyes before his hands move gently to her waist. In the next moment, both dancers are running backwards, or perhaps this is the film briefly played in reverse. A second or two later, Johnson-Goffe is helping to button Portner's half-undone waistcoat. Next, Portner can be seen lying on the steps, gazing up at Johnson-Goffe, his hand briefly resting at her cheek.

As with the first meeting between a researcher and prospective research participant when both are strangers to one another, it is perhaps not surprising that the first moments have the potential to be the most strained. If a reciprocal conversation about research is to take place, trust first needs to be established. Establishing trust in an oppressive environment such as the family court, when that strain is even more acute, is exceptionally challenging. Before a possible conversation about research and consent can even happen, a family member attending a court hearing will have dealt with many stresses – coping with the tensions building before the hearing, finding the court building, going through a security check and locating the courtroom, usually one of many in the same building. Families are not likely to arrive feeling calm and ordered.

In *Lavender*, it takes nearly a minute before there is clear synchronicity between the two dancers. Johnson-Goffe and Portner stand facing one another, a table between them, and lean back, arms outstretched high in unison. With gathering speed they move as one, standing, bending and intertwining and balancing back to back, Portner lifted in the air. Although the trust builds, the air of uncertainty and fragility does not disappear. At 1 min 22 s Johnson-Goffe, standing, holds Portner by one ankle. She lies across the seats of the empty theatre where they perform. With her arms outstretched above her head, her hands tremble. The soundtrack to the dance and corresponding song lyric 'Am I hard to hold' (both audibly and visibly) highlight the potential of a fall, a break and a shift.

The job of an ethical, responsive researcher is perhaps not to expect to 'hold' the participant but instead to facilitate a safe fall – a comfortable exit from the discomfort of participation, if that is what the research participant would want. If an ongoing conversation has been facilitated between the two which is accepting of discomfort and shifts in opinion, it seems more likely that a safe ending could be negotiated, at various points during the research project, if this were something the participant wanted.

Reclaiming the environment

There are many links that can be made between the complex interacting themes and forces of *Lavender* and the themes and forces at play in attempting to conduct ethically sensitive research in the family court environment. To return to the description of *Lavender* (Portner, 2017: online), there is reclamation of an environment in a context of legal repression; opposition between private and public, seen and watched; performers in an auditorium; a quest to belong; and historical and contemporary movements and issues inseparable from one another.

From the late 1940s and the onset of the Cold War with the Soviet Union, continuing until the 1970s, in a moral panic, the US federal government dismissed thousands of gay and lesbian civil servants from their jobs, believing they were a security risk. This purge has become known as the 'Lavender Scare' (Johnson, 2004). The colours purple and lavender have particular significance for the LGBTQIA+ community, with the 'lavender set' having become a derogatory term for groups of queer men in the 1940s and the colour since being reclaimed: a gay power demonstration in 1969 proudly marching with lavender ribbons and banners following the Stonewall riots (McMillan, 2024).

There are vast splashes of lavender and purple on the walls and seats of the Troxy theatre where *Lavender* was recorded: the dance video is adorned with different purples. Portner has discussed learning of the Lavender Scare after filming the video and has reflected during interview that when the theatre was built in 1932, a black queer person (such as Johnson-Goffe) would not have been able to enter the theatre, or even been 'given the permission to freely exist in society'. At that time, she would have been privileged to 'pass' in ways that he would not (Knecht, 2017: para 14). Given this history, the chosen name of *Lavender* appears a clear statement of owning and reclaiming a place of historical oppression.

In *Lavender*, Johnson-Goffe and Portner make their entrance via a staircase, with exaggerated slowness, crawling on their hands and knees, sometimes using their elbows and sometimes part-collapsing to the floor as angular heaps with dirty soles of feet in the air. There is a sense of their participation being something uncomfortable, something forced. Outfits are formal but dishevelled, deliberately incomplete: in Portner's case a shirt and waistcoat with plain underwear visible. Johnson-Goffe wears a waistcoat and trousers. After just over a minute, they are on their feet in the middle of the aisle, beginning to reclaim this old space in unison. There is something provocative about this performance from half-dressed dancers in an empty auditorium; reminiscent of two young people careering round the corridors of a deserted school after hours, uniforms desecrated.

In the similarly formal setting of the family court, 'legal repression' has echoed for decades and legal professionals perform in their court auditorium. Barristers actively seek out confusion and ambiguity to the advantage of their clients (McCaul, 2011) whilst 'judges must perform their judicial role impartially and without bias' (Roach-Anleu and Mack, 2020: 2). Popular books have described the English legal system as needing to be dragged into the previous century (The Secret Barrister, 2020) and the family court as a microcosm of the British class system in one room: the family sat at the back, rarely having the right to speak; social workers looking stressed and harassed; a wall of lawyers who all know each other; [and] a judge at the top and front, powerful and wealthy (Curtis, 2022).

The family court is an environment that families commonly experience as alienating, confusing and traumatic (Broadhurst and Mason, 2020; Family Rights Group, 2018; Hunt, 2010; Hunter et al., 2024; Welbourne, 2016). This is a space where private and public collide: where family stories are told and performed in all their pain, ordinariness and small moments of joy, and life-changing decisions are made based on those stories. The interplay between public and private (in both *Lavender*, and the courtroom) calls to mind W.H. Auden's words in the dedication within his extended poem *The Orators*

(1932: np): 'Private faces in public places are wiser and nicer/Than public faces in private places'.

Many parents attending court for child protection hearings in respect of their children have experienced significant adversity in their lives. In a study of 354 mothers who had been subject to recurrent child protection court cases (care proceedings), 40% had spent time as children in the care of the local authority, usually when under 10 years old (Broadhurst et al., 2017). Broadhurst and Mason (2017, 2020) interviewed 72 mothers whose children had been removed from their care. The women had typically already experienced multiple adverse childhood experiences and harmful early adult relationships prior to the loss of their children. In the 'Up against It' study of fathers involved in care proceedings (Philip et al., 2021) just under half of the men surveyed reported long-term physical and mental health problems; around half who returned to court with subsequent children had experienced neglect or abuse in their childhoods. Morriss (2018) writes of mothers who have had children removed from their care being 'haunted' by the associated shame and stigma. Those working in family justice must be attuned to parents' significant and understandable mistrust of professionals (Broadhurst and Mason, 2020).

In addition to the complexities of these parents' backgrounds, there are certain circumstances when prospective participants in my research project might attend court without receiving any prior information about the research. Although I would always attempt to seek their consent to the research before the day of the court hearing itself, this might not always be possible. Child protection and family court work can be very unpredictable at times. Court hearings might take place on an urgent basis, for example, following a sudden injury to a child. Family members might not have made contact with professionals in the weeks before a timetabled court hearing due to instability in their lives, such as not having a stable address or functioning phone, or being unwell. In Welbourne et al.'s (2017) ethnographic court research (observing hearings with parents who lacked litigation capacity in care proceedings), it was not always possible for the parents to have advance notice of the researcher's wish to observe their court hearing, because the parent was not communicating with their solicitor, and agreement had to be sought on the day.

It is too reductionist to claim that a discussion about seeking consent for research in the family court can 'reclaim' this environment imbued with mistrust and power imbalances. But there is much to be learnt from *Lavender* about approaches that might help resist the oppression of the family court. Knowledge of the history and understanding and respecting the challenges that prospective participants might have encountered is a proactive start. Despite the weight of the history it carries, *Lavender* also has a playfulness, a lightness which could inspire approaches to building a relationship with a research participant.

The physical space in *Lavender* is used in an unconventional, creative manner throughout. At no point do Johnson-Goffe and Portner appear on what might be a traditional 'stage', although for half a minute (from 4.17 min), they move together on what looks like a dance floor. Most of their time is spent in the space usually occupied by an audience. The whole theatre is theirs, explored unhindered: they crawl and jump and lean and lie down, moving across and between and against and on top of the furniture. At 4.52 min, the camera has panned out to reveal hundreds of seats in landscape orientation. In the next seconds, Portner and Johnson-Goffe, tiny leaping figures, move from

each side of the frame to meet in the middle, jumping precariously from one table to the next.

Utilising a 'playful' approach is resonant of Dr Dan Hughes' PACE model of communication and behaviour which was originally developed to support children affected by trauma. PACE stands for Playfulness, Acceptance, Curiosity and Empathy (DDP network, 2024). These are all interpersonal qualities that have the potential for much broader application and are qualities that I aim to adopt as a researcher when relating to prospective participants. They are qualities that also cut to the heart of good social work practice, yet are not always easy to capture. I would summarise them as interactions (both verbal and non-verbal) that communicate care, kindness and calm, providing a sense of emotional safety. Often these are small practical tasks and considerations that go unnamed in everyday practice but can help to build trust in challenging circumstances. These actions would all have the intention to make a prospective participant feel as comfortable as possible (not to compel them to participate in research) and would result from observations of and thought to what they might need in that moment (as well as, hopefully, the prospective participant's own expressed wishes).

In a meeting with a potential research participant at court, these qualities might be embodied by using a light, gentle tone of voice; being creative and imaginative with the use of space (for example choosing as quiet a spot as possible to have key conversations about consent); enquiring about their travel and supporting them to plot an easier route home; buying them a cup of tea; helping them find the court bathroom; providing tissues if needed; wearing an outfit that is not overtly alienating in the formality (within the limitations of court etiquette); and using smiles and eye contact and demeanour and body language to reassure. All of this would be with the aim to enable a prospective participant to say 'no' to me, and with that in mind, I would constantly remind them of their right to do so, again with care and as light and gentle a touch as possible.

Challenging hierarchies: a loving approach

This ethical framework aligns with Tyler's writing on stigma, sharing her position that the only way in which stigma can be resisted is through practices of solidarity which challenge 'hierarchies of person value' (Tyler, 2020: 271). One simple way in which I will challenge these hierarchies, during the research encounter, will be to emphasise in my verbal discussions with prospective participants that their family life and their court case are far more important than my research. I will also try to communicate in a way that avoids, as far as possible, using technical and confusing language (which already abounds in court hearings). Instead, open and respectful communication could incorporate a number of verbs highlighting the actions which research is built of, and its active nature. I will write about and discuss, amongst other activities: watching, writing, typing, moving, sharing and hoping (hoping to make the family court better for other families in future).

Lavender's distinction between 'seen' and 'watched' is central. To 'watch' something, often something that changes and moves, is to look at it for an extended time period. Watching also implies to be careful, or to stay with something to ensure safety. To see is to be conscious of what is around you (using your eyes) but also to know, understand or consider (Cambridge Dictionary, 2024a, 2024b). According to these definitions, the

crucial difference between the two terms is that to be 'seen' carries an extra depth of knowledge and recognition. There is an honesty to *Lavender* which encourages such movement beneath the surface, even when that might be less comfortable, to reach something deeper.

At 55 s, Porter and Johnson-Goffe stand and look one another in the eyes for the first time. Portner's shoulders and limbs are slightly slumped, not held with poise. Her face is sweaty and her hair is loosened from its tie, sticking up into the air at the front. She is not trying to hide discomfort behind a tidy exterior. Portner has said that she is drawn to art that is honest, that she has learnt to face rather than suppress her pain and that she does not want to be impressed, just to be moved (Bennett, 2018). During interview, she has discussed not wanting to conform to the gender norms of dance, telling the story of attending an open ballet class which was one of the best of her life. The class was filled with prima ballerinas wearing pointe shoes and leotards. Portner wore her own usual dancewear of shorts, socks and t-shirt, and this was accepted without judgement (Knecht, 2017).

Seeing also connotes passivity in the person being seen (such as a family member being 'seen' by all the professionals involved in their family court hearing without that family member needing to give any active consent to that process) whereas the presence of a researcher ties with a more active process of 'watching' requiring specific permissions and consent. For hooks (2015: 115), 'the "gaze" has always been political... there is power in looking' and there is significant difference between being objectified through another's gaze versus a gaze that is 'seeing', opposing where necessary and defining issues for one's self through one's own eyes. An ethical research encounter needs to enable (as far as possible) a prospective participant to become an active participant in 'looking' at the meaning of the research for themselves, through their own eyes, rather than having this foisted upon them as meaningful only through another's gaze.

In my research encounters, I will strive to take a 'loving' approach, again inspired by hooks' writing (2001) where love is not fluffy, romantic nor sensual but instead a mixture of various actions which consistently demonstrate care, affection, recognition, respect, commitment, trust and honest, open communication. In my research, I will be aiming to form a relationship with prospective participants that also allows us to remain connected and for my actions to remain responsive to their unfolding situation, unless they freely choose to break those bonds. I also want to remain connected to prospective participants beyond the ethnography, if they wish: remaining in contact to share the outcome of research findings and for them to potentially become involved in the dissemination of findings. The idea of a 'continuum' is central to this paper. In *Lavender*, Johnson-Goffe and Portner do not operate in isolation but as a continually interacting force: mirroring, balancing, interweaving, challenging, observing and sometimes chasing, but only ever separate momentarily.

Negotiating between 'no' and 'yes' can also become a continuum. In my study, I have planned 'layers' of consent which enable prospective participants to agree or disagree to different potential elements of the ethnography. The decisions and discussions in family court cases do not just take place in courtroom hearings: arrangements are often negotiated in spaces within the court building but not in the courtroom itself, including during formal meetings and sometimes by more informal means such as within talks in corridors. In addition, there is a significant difference, during a court hearing, between observing a person and making notes specific to how that person acts and

talks. My consent forms for prospective participants are structured in a way that recognises these different possible layers of observation and makes space for different levels of consent.

Accepting the awkwardness

Taking a role in shaping society, such as when acting as a social worker, inevitably results in unintentional harm (Weinberg and Campbell, 2014). As a social worker and researcher, I would always want to appear kind, helpful and supportive, but the reality is that I will often not be perceived in that way. During the research encounter, I will strive to take active responsibility for acknowledging my previous role as a social worker with prospective participants, despite that generating awkwardness. A family member attending court in circumstances relating to child protection may have all kinds of complex and negative emotions about social workers, and so this discussion is likely to require me to sit with emotions of discomfort (and potentially shame).

As a researcher, I want to empower prospective participants to feel comfortable enough that their ‘private faces’ can also be accepted and welcomed, whilst ensuring that there will be no compulsion for them to reveal anything of themselves to me if they do not want to. I want prospective participants to feel able to express ambivalence and unhappiness about both my role and my research, if that is what they are experiencing. All these tasks are imbued with awkwardness: to make space for more challenging emotions requires a capacity to manage that awkwardness without trying to bureaucratise it or create yet another physical barrier or hierarchy to protect oneself. The family court is already too often an environment that is mistrusting and risk-averse, with those working in it seeking ‘refuge in procedural responses’ (Family Rights Group, 2018: 4). Lorimer (2014: 195) writes that ‘awkward’ describes ‘the unfamiliar, the clumsy and the unskilled’ but that to be awkward is also to be:

generative, productively troublesome...[as] disconcerting encounters have the potential to prompt thought, practice and politics...awkwardness is premised on a knowing co-presence or felt connection. It requires a mutual vulnerability and a sense of disconcertion. (Lorimer, 2014: 195).

My initial research encounters have the potential to be much clumsier than the relationships in *Lavender* due to the differences in context. These two dancers have already consented, built an intimacy and practised together prior to the recorded performance and the video medium enables editing afterwards. Seeking consent in court will be messier: much more spontaneous and in-the-moment. What *Lavender* teaches however is that vital relational moments in life are not necessarily smooth. Encounters which generate friction are those which may have the value to be most generative: the elements coming together to produce something which is greater than the sum of their parts, like the striking of a match. Families attending court are already in circumstances of near-intolerable tension and friction: this context is unavoidable. The skill as a researcher will be in trying to place emotional safety around the tensions of research so that they can be acknowledged without relationships necessarily having to break down.

There are many moments of beautiful awkwardness in *Lavender* that illustrate a disconcerting connection and vulnerability. At 1.37 min into the dance, there is a 3 s shot

where Portner balances on top of the seats, with the toes of one foot on the corner of a chair. Johnson-Goffe stands on the floor, in a row of chairs beneath her, and Portner's other foot rests on his shoulder. The two balance precariously as Portner pushes her left leg, and they are forced to lean away from one another. Whilst this requires control and balance, there is a sense of uncertainty about how this moment might progress: the scene cuts straight to a different location in the theatre, with Portner lying on a wooden floor, with no explanation of the transition. The relationship between the two was able to take them to a new height, but pushing too far, and an unsafe testing of the boundaries, could have resulted in a fall.

Dance, bodies and sharing a space in research

There are significant gendered and racialised bodily differences between Johnson-Goffe and Portner. *Lavender* enacts how bodies might come together, in the context of social and structural differences, to form a unique partnership that is not easily categorised (similar to the relationship between a researcher and prospective participant). These relationships are intimate, but not aligned with other intimate relationships in society (such as those between lovers or between a parent and child).

The ethics of dance could be reconfigured as ethics to support research. Whalen (2023: 439) describes dance as 'typically physically embodied in a moving, engaged, powerful and corporeal way that involves one or more persons together in a shared, interconnected, active and dynamic space'. Research too is embodied, and the bodily movements of myself and prospective participants in a 'dance' of consent will require attention as careful as that given to the words surrounding the research encounter. As well as opportunities for connection and healing, dance provides opportunities for abuse and harm (Whalen, 2023), and thus, dancers (and so too researchers) could be described as 'ethical agents and actors who must navigate issues of personal space...consent, closeness and care' for those who are sharing a space. Whalen (2023: 440) hopes that her dance ethics 'will have something to say not just about dance but about human ethics through dance'. Challenges surrounding identity, and fear, can result from differences in physical and social power, and emotional vulnerability, linked with economic or structural power imbalances, might be exploited (Whalen, 2023).

Whalen (2023: 443) also discusses the nature of situations (in the context of romantic entanglements) that might be coercive and involve ethical harm. She talks of a 'bodily awareness' that might be useful in determining whether closeness is wanted or not, although in her argument this 'might involve a bodily sensitivity beyond understanding of verbal norms that is analogous to dancer-trained bodily sensitivity'. The examples given by Whalen (of particular responses) could also have relevance in a research encounter. She gives some examples of bodily cues that might suggest harm when A rushes to B and puts their arm around their shoulder. These 'cues' might include B's shoulders stiffening, B turning their face away from A, other movements of B to distance themselves from A or B not showing any positive response. If those things were to happen, 'person A can respond with sensitivity and awareness...or they can double-down and press closer'. In a situation where I was seeking consent to research, I might not be an expert in body language, but having an awareness of bodily responses is still necessary and the possible actions and responses deserve full consideration. If a participant were to

be very upset and move away from me in tears or were to turn away during my explaining my research to them, it would be irresponsible not to take action in response to those movements (most likely pausing any focus on my research to prioritise the participant's welfare in that moment).

Making 'no' easier than 'yes'

In discussing the ethics of dance, Whalen (2023: 443) makes comparisons with consent to sexual activity, where saying 'yes' [is] now the preferred explicit norm for consent rather than yes being inferred unless someone says 'no'. She argues that this is important given that in situations involving fear or intimidation, a 'no' may not happen. In seeking consent for my research, I want to adopt this concept, essentially assuming a 'no' unless the prospective participant actively says 'yes' to the research. A comfortably indicated 'no' could be a positive outcome for a prospective family participant. Truman et al. (2021: 223) have 'considered the capaciousness of saying no ... moments of no can create a lot of space: to draw a breath, to open out and open up the potential for something else to happen. No can conserve energy, and it can preserve privacy'. During a family court hearing, the energy of prospective participants will be focussed on what is happening within their family lives and their privacy will already be compromised. Empowering them to refuse to participate, without them having to expend unnecessary thought on doing so, will be vital.

If approaching family participants in court hearings and asking if they wish to take part in the research on a day of a court hearing (without having had prior contact), I will give them time to consider this whilst I am not present (after I have explained the nature of the research). I will tell them that if I have had no response from them (or somebody representing their wishes) after a certain time period (an hour), then I will assume that they do not wish to take part in the study. I have also decided to position 'no' before 'yes' on consent forms, in order to prioritise 'no' and counteract some of the forces of bias that are liable to make participants feel under pressure to say 'yes' to research. Munro (2008) has discussed how to counteract the bias inherent in child protection work, with an awareness of concepts such as groupthink (e.g., if everyone else agrees to a study, it must be very difficult for one person to refuse to consent).

Towards the end of *Lavender*, at 5 min 20 s, Portner slowly brings herself to standing on a table. She takes to her knees then gradually raises to her feet, straightening the shirt which hangs around her thighs. Johnson-Goffe then stands in similar fashion, although less hesitant. By 5 min 37 s, he is also standing. He is several inches taller than her and uncomfortably close, faces almost touching: the two hold each other's gaze, unsmiling. The next sequence lasts until 6 min 14 s: a long period within the dance. Whilst Johnson-Goffe's expressions and demeanour remain unchanged (with an impassive calm stare at Portner), Portner moves through a range of emotions (which are not easily categorised). She studies his face, her eyes moving over it; there is hesitancy here and an anxiety too in the movement of her lips. Her eyes look as if they might have tears: is this upset, overwhelm, fear, intense focus? She closes her eyes for a few seconds, head bowed, a look of slight pain. She composes herself and looks to him again with a sense of curiosity or defiance. There is an echo of hooks' (2015) 'oppositional gaze' here. Portner then takes her hands and crosses them across her chest, eyes

moving down and she turns her body, arms still crossed, away from Johnson-Goffe: perhaps with hesitation or contempt or from a need to take a breath and escape the intensity for a while.

Though I do not want to presume any knowledge of their experiences, the many emotions that Portner moves through in under a minute give a sense of the many conflicting complex emotions a parent may feel towards a social worker/researcher at court. There too could be curiosity, hesitancy, fear, anxiety or contempt. There is a high likelihood that the presence of yet another professional, in the form of a researcher, may be more than a parent is able to cope with at court, that the parent moves away and does not take part and that, in giving such power to 'no', my ability to observe hearings and collect data may 'suffer' (Crow et al., 2006). This however seems a small price to pay if family wellbeing is genuinely prioritised through an empowered 'no'.

Paradoxically, as I want to complete meaningful research in the family court (for the benefit of future families' wellbeing), I ultimately want prospective participants to say 'yes' to my research (but to do so fully and comfortably, without coercion). In the last moments of *Lavender*, the pace gathers: the music has increased in intensity throughout and Portner and Johnson-Goffe start to dance again, their limbs flailing and intertwining jerkily. The question of 'consent' still hangs over them however, somewhat unresolved; the lyrics to the soundtrack having particular resonance here: 'In your public panic room.../But did you ask for it?/ Really ask for it?' (Song Lyrics, 2024). These last two lines repeat throughout the last moments of the dance. There is a moment, between the renewed dancing, where Portner and Johnson-Goffe gaze at one another again in opposition, to then resume their slightly frenzied movements. Ultimately, I could never know whether consent to research had been given absolutely freely, without coercion, unless I were the person responsible for giving that consent.

In the final seconds of the dance, both Portner and Johnson-Goffe have joyful smiles upon their faces. This is ultimately what I would want from prospective participants: for any decision to participate, despite all of the complexities and contradictions, to bring something positive: a sense of some good coming from a difficult and contested space. For a dance with two participants to function as a dance, ultimately they have to decide to move together, however awkward that might be. I would want participants to feel a sense of agency and purpose having decided to take part in the research.

Conclusion

With deliberate hesitation, this paper has proposed a series of ideas, principles and values for debate, ideas which might assist in the 'dance' of negotiating consent during research in ethically complex situations (specifically during research in the family court, which is where I have spent many years previously working as a social worker). Dance is used as a provocation and extended metaphor: to consider the interactions between researcher and prospective participant and between 'yes' and 'no' as well as, on a broader level, between all of those involved in these hugely complex processes where life-changing decisions are made about families. It also highlights the subtleties of human interaction and the highly charged, sensory and embodied nature of exchanges in the family court environment.

A specific contemporary dance video, *Lavender* (Portner, 2017), has been used as inspiration in creating an ethical framework for seeking consent (designed in order to

generate discussion and dissent). This framework values vulnerability, authenticity and the necessary, beautiful, ordinary discomfort of private faces in public spaces. Using this dance as a metaphor for negotiating voluntary informed consent suggests the following:

1. Having both a meticulous plan and room for flexibility and improvisation.
2. Acknowledging the oppressive forces at play and challenging these forces to support prospective participants.
3. Taking a loving approach which comprises actions that communicate care and respect.
4. Accepting and embracing awkwardness.
5. Being aware of and responding to bodily communication.
6. Making it easier for prospective participants to communicate 'no' rather than 'yes'.

These principles weave together learning from contemporary dance, social work and research: three complex relational, bodily practices which all test the possibilities and boundaries of co-operation. This framework will underpin my own research on families' experiences of the family court, but also has potential relevance for any social researcher operating in an environment with significant power imbalances, particularly where these make the act of voluntarily consenting to participate more complex than a simple 'yes' or 'no'. The ethical framework which I have proposed is a reminder to hold integrity, care and respect as central to working with research participants. More fundamentally, it also offers a way in which to understand those qualities not as pre-defined values, but as forms of practice that emerge through an ongoing improvisation, amidst the tensions and compromises of social research encounters.

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ORCID iD

Sarah Dennis  <https://orcid.org/0009-0003-1750-0220>

References

- Auden WH (1932) *The Orators*. London: Faber and Faber.
- Bennett W (2018) Emma Portner talks her relationship to dance - and to her husband, Elliot page. *Them*, December 27. Available at: <https://www.them.us/story/emma-portner> (accessed: 14 May 2024).
- Bigaj-Zwonek B and Gisman-Stoch J (2023) Art in society at a time of political and cultural transformation: The Polish case. In: Bos E and Huss E (eds) *Using art for social transformation. International perspective for social workers, community workers and art therapists*. London: Routledge, 56–68.
- Bos E and Huss E (2023) Introduction. In: Bos E and Huss E (eds) *Using art for social transformation. International perspective for social workers, community workers and art therapists*. London: Routledge, pp.1–17.

- Britannica (2024) dance (performing arts). Available at: <https://www.britannica.com/art/dance> (accessed 25 January 2024).
- Broadhurst K and Mason C (2017) Birth parents and the collateral consequences of court-ordered child removal: Towards a comprehensive framework. *International Journal of Law, Policy and the Family* 31(1): 41–59.
- Broadhurst K and Mason C (2020) Child removal as the gateway to further adversity: Birth mother accounts of the immediate and enduring collateral consequences of child removal. *Qualitative Social Work* 19(1): 15–37.
- Broadhurst K, Mason C, Bedston S, et al. (2017) *Vulnerable Birth Mothers and Recurrent Care Proceedings (Final Summary Report)*. Lancaster: Centre for Child & Family Justice Research. Available at: https://www.nuffieldfoundation.org/sites/default/files/files/rc-final-summary-report-v1_6.pdf (accessed 24 January 2024).
- Brown B (2012) *Daring Greatly: How the Courage to Be Vulnerable Transforms the Way We Live, Love, Parent and Lead*. New York: Gotham Books.
- Butler I (2002) A code of ethics for social work and social care research. *British Journal of Social Work* 32(2): 239–248.
- Cambridge Dictionary (2024a) Watch. Available at: <https://dictionary.cambridge.org/dictionary/english/watch> (accessed 03 July 2024).
- Cambridge Dictionary (2024b) See. Available at: <https://dictionary.cambridge.org/dictionary/english/see> (accessed 03 July 2024).
- Crow G, Wiles R, Heath S, et al. (2006) Research ethics and data quality: The implications of informed consent. *International Journal of Social Research Methodology* 9(2): 83–95.
- Curtis (2022) *Behind Closed Doors: Why We Break Up Families—and How to Mend Them*. London: Little, Brown Book Group.
- DDP Network (2024) What is meant by PACE? Available at: <https://ddpnetwork.org/about-ddp/meant-pace/> (accessed 05 July 2024).
- Family Rights Group (2018) Care Crisis Review: options for change. Available at: <https://frg.org.uk/wp-content/uploads/2020/10/CCR-1.pdf> (accessed 12 January 2024).
- Featherstone B, Gupta A, Morris K, et al. (2018) *Protecting Children: A Social Model*. Bristol: Bristol University Press.
- Fuhrer M (2024) ‘I Love to Be a Beginner’: Emma Portner’s Busy Ballet Era. *The New York Times*, March 19. Available at: <https://www.nytimes.com/2024/03/19/arts/dance/emmapartner-ballet-choreographer.html> (accessed 14 May 2024).
- hooks B (2001) *All About Love: New Visions*. New York: HarperCollins.
- hooks B (2015) *Black Looks: Race and Representation*. London: Routledge.
- Hunt J (2010) Parental perspectives on the Family Justice System in England and Wales: a review of research. Available at: https://www.judiciary.uk/wp-content/uploads/JCO/Documents/FJC/Publications/Parental_Perspectives_final.pdf (accessed 28 April 2023).
- Hunter G, Thomas M and Campbell N (2024) Experiences of Public Law Proceedings: A briefing on interviews with parents and special guardians. Available at: <https://revolving-doors.org.uk/publications/lived-experience-of-the-law-pilot-phase-briefing-experiences-of-public-law-care-proceedings/> (accessed 09 May 2024).
- Huss E and Bos E, eds. (2023) Introduction. In: Huss E and Bos E (eds) *Social Work Research Using Arts-Based Methods*. Bristol: Policy Press, 1–10.
- Huss E and Sela-Amit M (2019) Art in social work: Do we really need it? *Research on Social Work Practice* 29(6): 721–726.
- Jansen E and de Bruijn P (2023) Jamming through life: Social complexity and the arts. In: Bos E and Huss E (eds) *Using Art for Social Transformation: International Perspectives for Social Workers, Community Workers and Art Therapists*. London: Routledge, 118–128.

- Johnson DK (2004) *The Lavender Scare: The Cold War Persecution of Gays and Lesbians in the Federal Government*. Chicago: University of Chicago Press.
- Knecht L (2017) Emma Portner is Instagram's Favorite Dancer. *Bustle*, July 18. Available at: <https://www.bustle.com/p/dancer-emma-portner-is-racking-up-instagram-fans-as-she-leaps-over-gender-norms-70430> (accessed 15 May 2024).
- Landsbaum C (no date) Emma Portner's Body is Her Megaphone and she's using it to queer up the dance world. *The Cut*. Available at: <https://www.thecut.com/2017/10/emma-portners-body-is-her-megaphone.html> (accessed 14 May 2024).
- Lorimer L (2014) On auks and awkwardness. *Environmental Humanities* 4: 195–205.
- McCaul K (2011) Understanding courtroom communication through cultural scripts. In: Watgner A and Cheng L (eds) *Exploring Courtroom Discourse: The Language of Power and Control*. Farnham: Ashgate, pp.11–28.
- McMillan K (2024) Violet delights: A queer history of purple. Available at: <https://www.vam.ac.uk/dundee/articles/violet-delights-a-queer-history-of-purple> (accessed 14 May 2024).
- Morriss L (2018) Haunted futures: The stigma of being a mother living apart from her child(ren) as a result of state-ordered court removal. *The Sociological Review* 66(4): 816–831.
- Munro E (2008) *Effective Child Protection*. London: Sage.
- Philip G, Bedston S, Youansamouth L., et al. (2021) 'Up Against It': *Understanding Fathers' Repeat Appearance in Local Authority Care Proceedings*. Nuffield Foundation. Available at: [UpAgainstIt-ResearchBriefing-1.pdf](https://www.nuffieldfoundation.org/researchbriefing-1) (nuffieldfoundation.org) (accessed 24 January 2024).
- Portner E (2017) Lavender. Available at: <https://www.youtube.com/watch?v=qIS3OZT3KsM> (accessed 01 September 2024).
- Roach-Anleu S and Mack K (2020) *Judging and Emotion: A Socio-Legal Analysis*. London: Routledge.
- Song Lyrics (2024) Adult Jazz—Spook Lyrics. Available at: <https://www.songlyrics.com/adult-jazz/spook-lyrics/> (accessed 12 February 2024).
- The Secret Barrister (2020) *Fake Law: The Truth about Justice in an Age of Lies*. London: Pan MacMillan.
- Truman S, Hackett A, Pahl K, et al. (2021) The capaciousness of No: Affective refusals as literacy practices. *Reading Research Quarterly* 56(2): 223–236.
- Tyler I (2020) *Stigma: The Machinery of Inequality*. London: Zed Books.
- University of Oxford (2021) Informed consent: Information and guidance for researchers. Available at: <https://researchsupport.admin.ox.ac.uk/governance/ethics/resources/consent> (accessed 28 January 2024).
- Weinberg M and Campbell C (2014) From codes to contextual collaborations: Shifting the thinking about ethics in social work. *Journal of Progressive Human Services* 25(1): 37–49.
- Welbourne P (2016) Adversarial courts, therapeutic justice and protecting children in the family justice system. *Child and Family Law Quarterly* 28(3): 205–222.
- Welbourne P, MacDonald P and Bates P (2017) *Getting it right in time: parents who lack litigation capacity in care proceedings*. Plymouth University. Available at: <https://www.nuffieldfoundation.org/wp-content/uploads/2019/11/Final20Report20Getting20it20Right20in20Time.pdf> (accessed 29 January 2024).
- Whalen A (2023) Dance ethics. In: Harold J (eds) *The Oxford Handbook of Ethics and Art*. New York: Oxford University Press, pp.439–455.

Author biography

Sarah Dennis is a social worker, PhD researcher and lecturer in Social Work. Her area of research is family court culture and outcomes, focussed on improving the wellbeing of family members who attend court in child protection cases (care proceedings).