Punishing the Poor? Child Welfare and Protection under Neoliberalism

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1 Introduction

Stories are the means by which we navigate the world; they allow us to interpret its complex and contradictory signals (Monbiot 2017). In this paper I discuss contemporary child protection (CP) policy and practice in England with its increasingly authoritarian focus, and suggest that parents and children involved with the child protection system need and deserve better stories than those dominant currently. However as Solnit argues:

Changing the story isn't enough in itself, but it has often been foundational to real changes. Making an injury visible and public is usually the first step in remedying it, and political change often follows culture, as what was long tolerated is seen to be intolerable, or what was overlooked becomes obvious. Which means that every conflict is in part a battle over the story we tell, or who tells and who is heard.
(2016, p. xiv, my emphasis).

It is argued in this paper that the voices of those most affected and so often marginalized must be central to the development of compelling stories rooted in evidence that appeal to alternative values than the ones currently prevailing. I conclude by presenting ideas about a social model of CP that addresses social determinants of harm to children and families, and promotes their flourishing.

2 The Child Protection System – Policy and Political contexts

Over the past two decades the comparative study of how different countries respond to child abuse and neglect has increased, providing useful frameworks for understanding policy contexts and political influences. A mid-1990s study of child welfare arrangements in nine countries differentiated two general orientations to practice: child protection and family service (Gilbert 1997). In this study England, the U.S.A. and Canada were grouped within the child protection orientation, and Sweden, Denmark, Finland, Belgium, the Netherlands and Germany came under the family service orientation. The child protection orientation primarily focuses on parental pathology and deviance requiring investigation and, when necessary, adversarial judicial systems to confer authority. In contrast the family service orientation perceives the problem as a manifestation of family dysfunction stemming from psychological difficulties, marital troubles, and socio-economic stress, which are amenable to therapeutic interventions.

A follow-up study fifteen years later, which included the original nine countries plus Norway, found that these approaches had begun to converge (Gilbert et al. 2011). In the context of shifting policy orientations that struggled with the complexities and tensions of attempting to achieve a constructive balance between supporting families and protecting children, Gilbert et al. (2011) identified a new child-focused orientation. The child-focused orientation suggests a focus on overall developmental outcomes, as well as protection from maltreatment, and

envisages an active role for the state in promoting children's welfare from an early age. The child is viewed as an individual with a much more independent relationship with the state, an autonomous individual in relation to their family and a social investment for the future of society.

In the first decade of the twenty-first century, when New Labour was in Government in the UK, what was maintained was 'an uneasy and complex mix of child protection, and a broader focus on social exclusion and children's outcomes in a version of the child-focused orientation outlined by Gilbert et al. (2011)' (Featherstone et al. 2014a). Although the early New Labour emphasis on universal family support services, such as Sure Start, were on a scale not witnessed before and within a tradition of helpful, negotiated support services, an instrumental approach to parents emerged in that they were constructed primarily as conduits to ensuring their children's welfare (Featherstone et al. 2014a). Whilst the discourse around child poverty was mobilised and legitimated, it was routinely disassociated from a rigorous discussion of wider family poverty and the impact on parents (Lister 2006).

However the political and media response in 2008 to the death of a child, Peter Connelly, heralded a marked shift back to a more muscular child protection system focusing on the decisive use of the law to remove children from their birth families. Drawing upon a qualitative document analysis of press reports about the death of Peter Connelly ('Baby P'), Warner (2015) uses critical moral panic theory to highlight the 'emotionalisation' of politics and links this phenomenon to the media and political responses that further perpetuated processes demonising and 'othering' families living in poverty and enabled more intensive moral regulation and social control of 'them'. The case of 'Baby P' was explicitly used by the Conservative Party as providing a clear example of the 'broken society' and the need for major welfare reform well beyond child protection (Parton 2014).

In 2010 the Coalition Government came into power and following on from the global financial crisis, implemented a tranche of public spending cuts in the name of 'austerity' that have continued unabated to date under Conservative party only Governments. Featherstone et al. (2014b, p. 1736) argue that a perfect storm ensued from the 'coming together of a number of developments around early intervention and child protection over the last decades'. The seeds were sown in the days of New Labour's social investment rationale, which saw parents' role as primarily to deliver parenting to children, and the child-focused orientation that viewed the child as having an independent relationship to the state (Featherstone et al. 2014a).

What appears to have developed in the context of increasing poverty and inequality, and significant cuts in family support services is an unforgiving approach to parents: improve quickly and within set time limits or your children will be removed and placed in care or for adoption. Conservative politicians and government advisors have on a number of occasions spoken about the 'rescue' of children to 'loving' adoptive homes, and a need to speed up the process (see Gove 2013). This has been supported by use of neuroscience to argue that the first three years of a child's life are critical, and created a now-or-never imperative to intervene before irreparable damage is done to the developing infant brain (Brown and Ward 2013), despite this interpretation of the scientific evidence having been widely critiqued (Wastell and White 2012). Edwards et al. (2015, p. 180) argue that 'the cultural deficit model underpinning early years intervention and the focus on embracing change ensures disadvantaged families are automatically conceptualised in terms of risk, with little consideration given to wider structural and economic factors'. They suggest these claims are

justifying gendered, racialised and other social inequalities, positioning poor mothers as architects of their children's deprivation (Edwards et al. 2015).

3   The Child Protections System in England – Contemporary practices

In England children are referred (by anyone) to their local authority Children Services Department if it is felt they could be experiencing child abuse or neglect in their home. Children are then subject to child protection enquiries by social workers and in some cases the police as well. Where it is felt the children are suffering or likely to suffer significant harm, they can be placed on a multi-professional child protection plan under one or more of the categories of: sexual abuse, physical abuse, emotional abuse or neglect. If it is felt that children need to be removed from home due to child protection concerns, local authorities can apply to the family court for a care order. For younger children made subject to care orders, with no plans for them to return to their birth families, adoption is promoted by Government as the preferred option. Adoption is the severance of any legal connection between the child and their birth parents, and most frequently in England made without parental consent (i.e. the Court dispenses with parental consent).

In 'austerity' England in 2018, many families are having their welfare benefits cut, homelessness is increasing, children's centres, youth clubs and other family support services are closing. Local authority budgets are being severely cut and social workers' caseloads rising. At the same time the numbers of children on child protection plans and subject to care proceedings is increasing year on year (Bilson and Martin 2016). The majority of children on child protection plans and in care are felt to be suffering from neglect or emotional abuse. The 'core abuse types' of physical abuse and sexual abuse, which once made up the bulk of child protection registrations in most parts of the UK, now account for only a minority of cases (Bunting et al. 2017).

Although there is no official collection of data on the socio-economic circumstances of the families of children on child protection plans or in the care system, a study by Bywaters et al (2017) is the most recent evidence of a clear link between social deprivation and a child's life chances in relation to their ability to live with their family of origin, with children living in areas in the highest decile for social deprivation being over eleven times more likely to be in out of home care than those in the lowest decile. Each step increase in neighbourhood deprivation correlated with an increase in intervention rates.

Bywaters et al's (2016) review of the evidence on the relationship between poverty, child abuse and neglect (CAN) concluded that there is a strong association between families' socio-economic circumstances and the chances that their children will experience CAN, and that there is a gradient in the relationship between family socio-economic circumstances across the whole of society, which mirrors the evidence about inequities in child health and education. The evidence suggests that the influence of poverty works directly and indirectly (through parental stress and neighbourhood conditions), and also in interaction with other factors, such as domestic violence, mental health and substance abuse. Whilst poverty is neither a necessary nor sufficient factor in the occurrence of CAN, it is one factor but perhaps the most pervasive according to this review of the evidence. Lakoff's (2014) ideas about systemic causation are useful when thinking about poverty and CAN. These ideas require us to move away from models of assessment that focus on individual blame and responsibility, to thinking in contextual, interactional and dynamic ways about families' lives.

However Bywaters et al's (2016) review also suggests policy and practitioners pay insufficient direct attention to the role of poverty in child abuse and neglect. Although we know most children involved in the child protection system are from poor backgrounds, poverty is largely invisible in practice and policy. In the English child protection system, individual parents are generally blamed for their problems and for the harm to their children, irrespective of their psychological needs and social contexts. Individualised risk discourses dominate, with little attention to social determinants of harm or social contexts of families' lives. Thus, need has become refracted through a risk prism.

The language of family support has all but disappeared from the dominant discourse, and the 'small state' ideology of the Conservative Government is leading to more intensive and punitive interventions in the lives of some marginalised groups that is 'not a deviation from, but a constituent component of, the neo-liberal leviathan' (Wacquant, 2010, p. 201). Loic Wacquant (2010) has argued that the role of the 'night-watchman' state in managing the working class and the poor has been expanded and aggressively strengthened under neoliberalism. This analysis by Wacquant can help to locate some of the empirical findings around how child protection systems operate that have emerged in recent times, and the role of social work. With services being increasingly focused on protection from harm rather than the promotion of wellbeing, families fear rather than seek professional help when struggling with parenting in adverse social circumstances (Featherstone et al. 2014a). A number of studies involving families have identified many examples provided by birth parents of feeling powerless in a climate that was seen as very risk averse; being judged and stigmatised simply for having a history of care or for being poor. Fear of an unsympathetic and punitive response inhibit families from asking for help when it was needed, with parents with mental and physical health problems and learning difficulties particularly reporting concerns about asking for help because of the emphasis on risk (Gupta et al., 2016; Morris, Featherstone, Hill and Ward 2018; Featherstone, Gupta and Mills 2018).

Social work as a profession very much identifies itself as part of what Bourdieu termed 'the Left hand of the State', however Wacquant has argued that there has been a shift towards the more disciplinary and individualizing 'Right hand of the State' under neoliberalism. In relation to child protection social work is being increasingly defined as a narrow child protection service, rather than one that promotes family well-being and flourishing.

In summary, the current child protection story in England, fuelled by government rhetoric and 'austerity' policies is the harms children and young people need protecting from are normally located within individual families and are caused by actions of omission or commission by adult caretakers. Parents' actions/inactions are due to factors ranging from poor attachment patterns, faulty learning styles to poor/dangerous choices. 'Interventions' are primarily concerned with protecting children in individual families by identifying what distinguishes this family from others in similar circumstances rather than by identifying common challenges to good parenting such as poverty, debt and poor housing. Tackling poverty and inequality is not considered 'core business' for child protection workers or policy makers (Featherstone, Gupta, Morris and White 2018).

By exclusively focusing on intra-familial harm, destructive social and material harms become irrelevant to the child protection system. A particularly stark and tragic example of this was when in the local authority with the highest possible rating by the regulator, OFSTED, for its CP services, the Royal Borough of Kensington and Chelsea, over seventy people, including children lost their lives as fire tore through Grenfell Tower, a high rise public housing

building. It soon became clear that a basic duty of care to these families and their children had been breached in the construction of their building and the responses to traumatized and homeless survivors afterwards.

4   We need to tell a different story….

Child welfare inequity occurs when children and/or their parents face unequal chances, experiences or outcomes of involvement with child welfare services that are systematically associated with structural social disadvantage and are unjust and avoidable (Bywaters 2015). Currently a child's chances of spending their childhood with their birth parents and/or being subject to a child protection plan are linked to where they live and how deprived their neighbourhood is. This highlights the need to explore inequality in life chances and opportunities between children more holistically than has been the case. To protect children and promote their welfare we need to re-focus attention on the environments and contexts in which they live with their families (without losing sight of children at risk of serious abuse and neglect). We need to tell a different story. To this end the author and colleagues have been developing alternative ideas in order to contribute to a paradigm shift: a social model for protecting children and supporting families (Featherstone, Gupta, Morris and White 2018). The social model has challenged thinking across a range of fields, including disability and mental health. It specifically draws attention to the economic, environmental and cultural barriers faced by people with differing levels of (dis)ability. In particular social models have challenged medical models of individual deficit and pathology, and it is felt timely to explore possibilities for a social model for protecting children.

We incorporate ideas from the Capability Approach (CA). In an earlier article (Gupta, Featherstone and White 2016) we argued that policies increasing poverty and inequalities serve to reduce the 'means' available to families, whilst cuts to local authority and community- based family support services are at the same time diminishing 'conversion' factors that would enhance capabilities in these adverse circumstances. Families involved in the child protection and family court systems then face a 'triple jeopardy' of punitive practices that fail to recognise the socio-economic context of their lives. The CA offers a framework that clearly establishes the structural basis for poverty and challenges neoliberal ideas that blame individuals for their socio-economic circumstances. The CA adopts a broad perspective on the many kinds of constraints that can limit people's lives, including personal, socio-structural and cultural, and institutional factors (Robeyns 2005). It calls for consideration of the role of social institutions to contribute to the development of individual freedoms or 'capabilities' to live the life the person values and has reason to value (Sen 1999), and is based on the goal of promoting real opportunities for people to lead a life of human dignity and flourishing, rather than the narrow goal of protecting children from parental harm (Nussbaum 2011).

Whilst the CA provides a useful overarching social justice framework for analysis, it is important to supplement these ideas with ones from critical sociology and social work. To develop ideas about how a social model could be implemented in social work practice, we draw upon Krumer-Nevo's (2016) Poverty-Aware Paradigm (PAP). It gives a central role to thinking about the social and economic determinants that must be addressed if children are to flourish and families are to safely care. The PAP approach, builds upon and extends the structural analysis of poverty, viewing poverty not only as a lack of material and related social capital (e.g. adequate housing, education and health), but also as a lack of symbolic capital. This is manifested in stigmatisation, discrimination, 'othering', denial of voice to and the knowledge of people living in poverty. This approach requires attention to the material and

psycho-social impacts of poverty and inequality. Importantly it also requires workers to critically reflect on their role in perpetuating (and resisting) a hegemonic discourse that encourages us to see poor people as 'others' and the shaming practices that inevitably follow. Krumer-Nevo (2016) suggests a number of strategies linked to the PAP, including the importance of relationships, material support, and active advocacy.

That people who live with impairments are the experts on their lives and fundamental to the co-production of knowledge and services is a central principle of the social model of disability, and the importance of co-producing knowledge and services with families who experience the child protection system is integral to our ideas about a social model for protecting children and supporting families. Importantly this promotes the capability for voice of those who are all too often excluded from public discussion (Bonvin 2014, p. 240).

Our work on developing a social model for protecting children is at an early stage. We seek to facilitate dialogue and build alliances that reach across social and cultural (policy makers, professionals, families and academics) and to drive forward conversations that ask different questions of policy makers and practitioners and raise the prospect of alternative understandings. Over 30 years ago Dingwall et al (1983, p. 244) coined these wise words:

(C)hild protection raises complex moral and political issues which have no one right technical solution. Practitioners are asked to solve problems everyday that philosophers have argued about the last two thousand years… Moral evaluations can and must be made if children's lives and wellbeing are to be secured. What matters is that we should not disguise this and pretend it is all a matter of finding better checklists or new models of psychopathology-technical fixes when the proper decision is a decision about what constitutes a good society.

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