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## Whose Children? The State and Child Welfare

### Introduction

Today, I want to consider the question of the role of the state in children's welfare. In particular, to consider how governments justify their interventions into family life and child care.

It is just over forty years since Lyndon Johnson introduced the War on Poverty with the resounding words.

This administration today, here and now, declares unconditional war on poverty in America.

(State of the Union Address, January, 1964).

The speech signalled a wide range of policy initiatives, including food stamps, Medicare and Medicaid, and most significant from my perspective on child welfare, the *Head Start* programme. Johnson stated his administration's policies would strike at 'the causes, not just the consequences of poverty', but he noted that 'poverty was not a simple or easy enemy' and that it could not be conquered by government alone.

If we spool forward to 1999 in the UK, we have the British Prime Minister, Tony Blair, after two years in office, uttering these words:

Our historic aim will for ours to be the first generation to end child poverty, and it will take a generation. It is a twenty year mission, but I believe it can be done.

Blair, 1999.

The Labour government committed itself to reducing child poverty by half in 2010, and eliminating it entirely by 2020. Subsequently, Blair and his ministers have initiated an astonishing number of policy developments including: *Health Action Zones*, *The Children's Taskforce*, the *Children's National Service Framework*, the *National Childcare Strategy*, *Early Years and Development and Child Care Partnerships*, *Quality Protects*, the *National Carers Strategy*, and *Every Child Matters*. At the beginning, taking pride of place amongst these developments was *Sure Start*, an extensive and wide-ranging programme of service provision aimed at pre-school children and their families ([www.surestart.gov.uk](http://www.surestart.gov.uk)). Sure Start aims to:

- increase the availability of childcare for all children
- improve the health and emotional development of young children
- support parents and their aspirations towards employment.

By now I'm sure you are beginning to get a sense of *deja vu* about our respective government's policies on poverty and child welfare. Well, as my talk progresses, you will see that the similarities don't end there. Though we live in two of the richest countries in the world, both continue to have high rates of child poverty.

A survey of OECD countries in 2000 showed that the UK and the US were among the four worst performers in terms of child poverty, with 15.4% of children in the UK and 21.9% in the US living in poor households (Luxembourg Income Study, 2000). Even figures compiled by the US Census Bureau (2003) show 17.6% of those under the age of eighteen, that is, some 12.9 million children, were in living in poverty. While in the UK, the Child Poverty Action group using government data estimate that in 2003/4 28%, some 3.5 million children were living in poverty (2005).

This brings us to the question I want to consider today. Which is that given that both of our governments have at different times signalled their commitment to ending or reducing child poverty, and that both accept that poverty is a valid index of children's welfare, why are they only having limited success? My argument is that while poverty is often used as the primary justification for intervention into family life, the underpinning theory of poverty in contemporary welfare policy is mistaken. Nevertheless, this mistaken notion of the causes of poverty is being used to develop some overly intrusive, stigmatizing, and ultimately ineffective services. For the most part, British social workers have yet to realize how the changes that are afoot will increasingly cast them into oppressive and illiberal roles. I will draw largely upon examples from the UK, but as you will see, this context has been heavily influenced by US policies. So I hope that it will give us both some food for thought on what is happening to child welfare.

### **Why Intervene? Assumptions and outcomes**

Brid Featherstone (2005) contends that historically in the UK, while there was a commitment by the state to providing for children's education and health needs, child care itself was seen very much the province of the family (2005). This stands in contrast to some of the Scandinavian countries like Sweden, where it has long been accepted to be a joint responsibility between parents and government, supported by employers (Bjornberg, 2002). In Norway, for example, fathers are required to take a month's paternity leave after the birth of a child to ensure that they are available to care for the mother and child, and to promote bonding with the baby. Nevertheless, interesting as these examples are, my

primary focus today is not so much the nature of the services provided, as the rationale that is offered for them in the first place.

There are, as you would expect some wide variations in the ways that different governments justify their interventions into family life. Some years ago I was struck by the justification offered by a Nigerian writer for state intervention into child abuse cases, who said, 'The extent to which children will be able to partake in nation building either as leaders or followers when they become adults will depend upon the type of nurturing they have received' (p. 144, Mejiuni, 1991). That is, while the facts that may be marshalled to support the case for intervention would undoubtedly derive from an assessment of the immediate welfare of the child concerned, the broader reason was an appeal to the health of the nation, where children are seen as the seed corn of the future. That is, as a national resource rather than a private responsibility.

Over the last sixteen years, statutory intervention into the private sphere of child care in the UK has become rather narrowly rationalised in terms of preventing children from coming into public care. The main legal provision in the UK for children's welfare remains the 1989 Children Act which contains two separate sections addressing different circumstances. Section 17 sets out the duties of local authorities in regard to children deemed to be 'in need', while section 47 addresses those identified as suffering or being at risk of 'significant harm'. From its inception, there has been considerable debate about whether or not these categories - 'need' and 'harm' - represent mutually distinctive circumstances.

One largely unforeseen consequence of this legislation was that since the avoidance of harm was likely to take precedence over supportive services for children in need, was the possibility that it might distort the provision and availability of services. Indeed, by 1995 it was evident that the investigation and monitoring of children at risk seemed to be consuming disproportionately large amounts of the available resource (Messages From Research, 1995). In research that I undertook in Wales, I found examples of children in need being placed on the child protection register who did not seem to be at risk of significant harm, but their social workers had decided that this was the most effective way of securing resources for them.

The Department of Health decided that there needed to be a 'refocusing' of children's services, especially since the lengthy and expensive processes of investigation of children reported as being at risk rarely resulted in them being removed from the care of their parents. Thus, refocusing would ideally lead to a broader-based approach to the question of how best to support families who were having difficulties, or who were potentially risky carers, without waiting for an incident or report to occur. Subsequently, there was considerable interest in developing neighbourhood family centres and more broadly-based family support services, but relatively little practical progress towards such refocusing followed.

## Reshaping welfare: New words with an old tune

However, since the late 1990s a marked shift is taking place in the formal justifications being offered for intervention into family life and children's welfare. This shift is likely to stimulate considerable change in how social work is organised and how work with children and families is undertaken. The government is presenting these changes as a part of a more thoroughgoing reshaping of welfare in the UK. This reshaping has been characterised by policy analysts as being a shift towards a *social investment* model of welfare. The distinguished sociologist Anthony Giddens (former head of the London School of Economics) who has been an influential articulator of government policy, especially the notion of the 'third way', stated that 'investment in human capital wherever possible, rather than the direct provision of economic maintenance should be central' (p. 117, 1998) to the reshaping of the welfare state as a social investment state.

Shortly after this Tony Blair stated that:

If the knowledge economy is an aim, then work, skill and above all investing in children become essential aims of welfare .. a welfare state that is just about social security is inadequate. It is passive where we now need it to be active. It encourages dependency, where we need to encourage independence, initiative, enterprise for all.

(Blair, 1999 cited in Featherstone, 2005)

Featherstone, citing the work of Canadian writers Jensen and St. Martin, makes the point that welfare that once sought to protect vulnerable individuals from the worst effects of market economies, is being reconstructed to encourage their integration into them. Furthermore,

...legitimate spending is that which does the following: supports and educates children because they hold the promise of the future; promotes health and healthy populations because they pay off in terms of lower costs in the future; reduces the possibility of future costs of school failure and crime with a strong emphasis on children, and fosters employability. Spending for current needs, by contrast should be cautious and is often motivated by the need to reduce threats to social cohesion in the present.

(p. 4, Featherstone, 2005)

At one level, you might not think that there was anything particularly exceptional about this way of looking at children and welfare, after all this notion of children as investments is not new to the UK, nor, I suspect, to the US.

Now I want to be clear that my objection is not an objection to the goals of social investment, or even to many of the means by which it is proposed. For example, I do not object in principle to policies that seek to enable parents to work. Rather, my objection rests upon my concerns with the:

- narrow instrumentality that is becoming applied to children and expenditure upon them
- direction that these policies are taking social work services
- appropriateness of these policies for many of the families that require our help

My view is that while these policies may appear to be using new language and rhetoric, they are reinstating a much older distinction, a dichotomy which has its origins in the Elizabethan Poor Law. That is, a distinction between those who are 'deserving' and those who are not.

For example, if we look at the impact of the Poor Law Amendment Act of 1834 we can see the risks of this type of rationalisation of welfare. This Act set out to deter people from claiming welfare and used the capacity and willingness of potential claimants to work as the criterion of their eligibility, reserving welfare for those willing to leave their homes and enter the remodelled and more punitive workhouses. They reasoned that this would provide a stringent test of the measure of need, since only those who were most desperate would come forward for assistance. Moreover, since it was vital to maintain the incentive to work, then public assistance could never exceed the lowest wage available locally. This was the principle of less eligibility. Within the workhouse, it was not supposed to be applied to those who through no fault of their own could not work, i.e. by virtue of their youth, old age and frailty, chronic illness, disability, or their mental state. However, very quickly, uniform conditions became the norm in many workhouses. Thus, those unable to work became subject to conditions that were designed to deter those who were perceived as unwilling to work. To summarise, my objection to the shift that is taking place is that whenever such distinctions have been made in the past, and especially where they rest upon some assessment of the capacity to work, then those who, for whatever reason, cannot work, or are limited in their capacity to do so, are likely to be subjected to stigmatising, intrusive, and inadequate services.

Now I'm sure that some of you think that this is a somewhat over-dramatic comparison and that there is no reason to be quite so pessimistic about what may transpire. But let me try to persuade you otherwise. Underpinning the reform of welfare is the assumption that all parents should be in paid employment. This has been a central theme of the government's social inclusion agenda. From the beginning as New Labour set out to win power, it distanced itself from all talk about old structural divisions such as race and class. Instead, social inclusion, narrowly conceived as inclusion into work, has been the preferred discourse.

This can be seen in a recent statement made by Margaret Hodge, the Minister for Employment and Welfare Reform, who said:

It is incredible that in 1997 the lone parent employment rate in Scotland was 41.3% and now in 2005 it is 57.2% - higher than the national average.

(Dept. for Work and Pensions, 2005)

Featherstone argues, that the new family centres, being developed as part of the Sure Start programme, are 'tying in family support workers to an explicit agenda around fostering employability' (p. 7, 2005). However, while poverty is a common problem for many of the people with whom social services work, it is not always their most pressing problem and there are questions about the appropriateness of compelling single parents to seek work (see US perspectives in Brandwein, 1999). A study by Duncan and Edwards of the work preferences of lone mothers found considerable variation in their views as to what was the best way to help their children (1999). Featherstone also notes that although the mothers of children who have been sexually abused may have plans to enter paid work at some point, they may feel that their time is better spent caring for their children. Understandably, they may have considerable reservations about leaving their children in the care of other people or organisations.

### **Troubled or troublesome? - Stripping away the social context**

Goldson (2002) has noted that the broader policy reshaping that is taking place contains both progressive and regressive elements. The latter being evident in the government's desire to be seen to be tough on crime, social disorder and anti-social behaviour. Consequently, 'when the children of the poor behave in such a way as to disturb moral sensibilities, or worse still, to transgress the law' (p. 685), the frame of reference shifts completely, so that the troubled child is seen as deserving, while the troublesome child is undeserving. He argues, that:

In this way children's structural context - a context invariably characterised by multiple and interacting expressions of poverty, disadvantage and inequality, is conveniently substituted with a conceptual emphasis on moral agency and individual responsibility.

(p. 685, 2002)

The benevolence of the conception of the child in need is replaced by the notion of a child in need of correction.

The deserving child is no more. All 'offenders' are, by definition, 'undeserving'. The very fact that troubled and troublesome children are

invariably one and the same is disregarded. Indeed, the wealth of research evidence and practice experience which confirms that child 'offenders' are almost exclusively drawn from the most disadvantaged, neglected and damaged families, neighbourhoods and communities is dismissed...

(p. 690, 2002)

Following in the wake of the organisational split between probation work and social work in the UK, we have also seen the organisational separation of juvenile justice from mainstream social work with children and families. Goldson points out that this reconfiguration of youth justice has been accompanied by an extensive range of new measures which authorise pre-emptive interventions in children's lives. These include *Anti-Social Behaviour Orders*, *Child Safety Orders*, *Child Curfews*, and *parenting orders*. All of these orders contain restrictions on what children and parents may do, and they can be imposed even when no criminal offence has been committed.

This stripping away of broader social context is also evident in the procedures and assessment tools that the government mandates for assessments of children and their families. Paul Michael Garrett contends that these tools present a:

...similar view of the world in that social and economic relationships are uncritically perceived and presented as providing an unquestioned foundation for familial dynamics and interpersonal relationships... we find that social workers are expected to ascertain if young people 'respect the concept of ownership' (and to blandly answer 'Yes/No') ... Similarly, social workers are directed to find out if the 'parents provide guidance on good manners..

(p. 445, 2003)

In the *Home Conditions Assessment*, there is an item which checks whether the home 'smells of stale cigarette smoke', and the *Family Activity Scales* asks whether the children have recently attended a 'county show' or 'fete'. As Garrett observes, this might not tell us much about the cultural environment in which many inner city children live, but it tells us quite a lot about the background of those who constructed the assessment scale!

### **A normative project - the reindividualisation of poverty**

What we are witnessing here is the remoralisation of poverty, in which poverty and its consequences are seen as the product of individual culpability rather than the product of broader structural forces. One government minister made this explicit when he stated:

It is right that we should ask ourselves if there is a role for the benefits system as part of the wider system in asserting the values we hold and the behaviours that we want to see.

(Alistair Darling reported in *The Independent*, 16 May, 2002)

This, as it did in Victorian times, leads to conditional forms of welfare which ignore diversity and plurality in society. In this regard, New Labour has borrowed extensively from the US and the work of some of the communitarian theorists such as Etzioni, and is mimicking some of the welfare 'reforms' ushered in during the Clinton era, such as the *Personal Responsibility and Work Opportunities Act 1996*. Mead (1997) commenting on the US context says that this 'new paternalism' consists of policies 'aimed at the poor that attempt to reduce poverty and other social problems by directive and supervisory means' (cited in Garrett, p. 447).

The underpinning theory behind much of the drive to supervise the conduct of the poor is a belief by government that poverty is directly transmitted from generation to generation, much akin to the cycle of deprivation theories and the culture of poverty theories put forward by writers like Oscar Lewis, during the 1970s. This belief is held despite the absence of sound evidence and often relies on some uncritical attributions of causes and effects.

The expressed rationale for the emphasis upon getting parents and children ready for work and school is to save them from poverty, yet this conveniently avoids the facts which show that many of the poor do indeed work, and thus, can be said to earn their poverty. Among these are the army of women in health and social care employment whose wages are often so low as to qualify them for income support and who are unable to save enough for their own retirement.

I have criticised elsewhere the pessimistic analyses of globalisation made by some social work writers, in particular the uncritical acceptance of the new right economic analysis (Pugh and Gould, 2000) yet our government still argues that its various return to work programmes and the conditional welfare schemes are necessary because they are preparing individuals to take their place in the rapidly globalising economy. Garrett has asked if it really should be the job of social workers to support the application of this 'adaptive' paradigm.

### **Some conclusions**

It has not been my intention to argue against social investment programmes, but rather, to caution against an uncritical acceptance of their implementation and especially, the rationalisations that they offer for potentially illiberal, intrusive, and

unhelpful interventions in family life and child welfare. So there are a few final points I'd like to make.

The first is that it isn't all bad news. For despite the efforts of Labour to attempt 'joined up government', in the sense that policies and practices are intended to be consistent with one another and be co-ordinated across departments (Cabinet Office, 2005), it is not possible to discern a wholly unified approach to child welfare (Lister, 2000). For example, the aims set out *in Every Child Matters* (DFES, 2003) are rather broader than the narrowly conceived social investment programme. They focus on five outcomes for children, i.e. that they should:

- Be healthy
- Stay safe
- Enjoy and achieve
- Make a positive contribution
- Achieve economic well-being

The second point is that we should think again about whether the assumption underpinning the reform of welfare that independence is both a desirable and an achievable goal, is self-evidently so. As Fiona Williams has noted (2001), there are grounds for questioning this simplistic conception. She contends that throughout our lives we are all interdependent upon others and that individual self-sufficiency is a myth which obscures the informal and unpaid work that women and carers do. The point is that, arguably, **interdependence not independence is the defining characteristic of human societies.**

Featherstone contends that, 'we learn through caring the civic responsibilities of responsibility, trust, tolerance for human limitations and the acceptance of diversity' (p. 10, 2005). For example, from this perspective, the work that some children do in caring for their siblings or parents might be re-evaluated to some degree. Instead of simply subtracting them from their work, perhaps we might consider how best to support them in it? While much is made of the supposedly damaging effects that such care work has upon their education, little evidence is adduced to demonstrate its longer term effects. Moreover, the positive contribution that such care work might make to both the person cared for and to the development of the child is ignored or underplayed (Newman, 2000). I remember reading once, that a survey of health and social care workers, showed that many had grown up in households where they had direct experience of looking after a sibling, parent or another relative, and that while this might have made them mature beyond their years, it had nonetheless, played a significant part in their later aspirations to help others.

Ruth Lister has argued strongly that a reshaping of welfare in the UK should include stricter regulation of working hours and more flexibility in working

arrangements to permit both men and women to better contribute to not only their own families, but to the wider community as well. British men work the longest hours in Europe, yet a recent survey of 100,000 workers undertaken for the Trades Union Congress showed that one in ten wished to work fewer hours even if it meant earning less money, and that most would welcome greater flexibility in their contracts. Since 2003, men in the UK have been entitled to two weeks paid paternity leave after the birth of the baby. Recently the government announced plans to increase maternity pay to nine months and to extend paid paternity leave. Under the proposals, fathers could in some instances take up to six months leave if the mother decided to return to work after six months.

Progressive arguments for reshaping welfare are not yet well established in the UK, but these plans for extending paternity leave together with wider European Union initiatives, like the directive on working hours, are beginning to produce a political climate that might become more receptive to them. Indeed, there are signs that the goal that many feminist writers have long argued for, i.e. a redefinition of what counts as work, is beginning to happen. As Tronto has stated:

Care is not a parochial concern of women, a type of secondary moral question, or the work of the least well off in society. Care is a central concern of human life. It is time we began to change our political and social institutions to reflect this truth.

(p. 180, Tronto, 1993)

Finally, to return to the question that I started with, i.e. 'Whose children'. The answer for the UK, at least, is mixed. On one hand we have, a series of initiatives which are ostensibly about improving children's welfare and promoting the capacity of families to move away from poverty, but which seem to be returning to old and unhelpful distinctions. While on the other, there are signs that child welfare is moving away from a selective casualty-based response, towards a broader universal vision of child welfare as something that applies to every child in the different domains of their lives – home, school, neighbourhood, and community. Thus, while some policies aimed at poverty and child welfare, are heading in one direction, others appear to offer more progressive possibilities, especially as the UK moves closer to European practices. For as Ruth Lister has noted:

For all its weaknesses, the national child care strategy represents a breakthrough in British social policy. It represents the first time that government has accepted that child care is a public as well as private responsibility.

(p. 432, Lister, 2003)

What I hope I have shown today is how my question that began with the rationalizations or justifications that governments offer for their interventions into family life, can lead to a questioning of the very basis on which we conceive of social welfare in the first place. The welfare state established in the UK after the Second World War was founded on the premise that the welfare of children and women was to be secured through measures designed to keep men working, or to support them if they could not. This was later shown to be discriminatory and ineffective in many regards. It is my view that some of the child welfare policies and anti-poverty measures currently being developed in the UK will also prove to be similarly unfair and limited in effect.

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