

Children Looked After in England – Reflections on the Past, Present and Future

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This paper explores the debates surrounding out-of-home care for children who are unable to live with their birth parents and become looked after by the state in England. The historical context for the provision of out-of-home care is considered. Themes, including the use of residential care, foster care, adoption and placements of children from Black and minority ethnic children, are identified. These themes are re-examined in light of the current political and policy context, including the impact of globalisation. The paper concludes some reflections on future trends.

■ **Keywords:** Children in care, Foster care, Adoption, Residential care

Home is feeling safe, as in I've got a safe haven. It doesn't matter what happens, I can go home and I'm looked after. I enjoy going back to a place where I don't have to look after myself any more, it's not all on me (A young person – The Care Inquiry, 2013a, p.1)

How to best create a “home” for children in out-of-home care has been the subject of much debate by policy makers, practitioners and academics for decades and will continue into the future. The ways societies respond to the needs of children unable to live with their birth families reflect the particular historical, social and political contexts of the country (Fox-Harding, 1997). This paper explores the debates surrounding the provision of out-of-home care in England for children who are unable to live with their birth parents and become looked after by the state, by considering historical trends, the current situation and reflecting on what the future may look like. The terms “children in care” and “children looked after” are used inter-changeably to refer to children living away from their birth parents in placements organised by statutory authorities. These are the terms most commonly used in an English context.

The Past 40 Years

In the first half of the 20th century, children in care, who were inevitably from poor backgrounds, were placed mainly in residential care provisions that emphasised children's physical and moral welfare, including a focus on education and training, rather than emotional wellbeing (Frost, Mills, Stein, 1999). Policies promoting family-based care

as opposed to residential care gained prominence from the middle of the 20th century and were confirmed in England through the Children Act 1948. This significant piece of legislation was influenced by the work of child development theorists such as John Bowlby, Melanie Klein and Anna Freud, and the experiences of evacuated children separated from their families during World War 2. The main principles of the Children Act 1948 included the emphasis on family-based care or “boarding out”, reunification of children with their birth families and greater promotion of adoption as a means of securing permanency for the child (Hendrick, 2005).

Residential care continued to be used, but decreased dramatically over the last decades of the 20th century. In the seventies, residential establishments for the care of young children were closed down, due to concerns about children's ability to develop secure attachment relationships in institutions with multiple carers (Browne et al., 2005). A survey of very young children in care at the beginning of the 21st century found that there were only 65 children under the age of three in the UK in institutional care (a rate of less than 1%) (Browne et al., 2005). In terms of older children in residential care in the UK, the numbers have decreased but to a lesser extent. The decrease was due part to successive inquiries into abuse in children's homes in the seventies

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and eighties (e.g., Utting, 1991; 1997; Waterhouse, 2000), as well the high cost of residential provision compared to foster care. It has been suggested that the widespread physical and sexual abuse of children that continued undetected for many years reflected a historical theme of residential care being neglected, and children in the homes being seen as less “eligible” and “deserving” (Frost & Parton, 2009). This dynamic has arguably continued with the changes brought in by the Children and Families Act 2014. This piece of legislation places a duty on local authorities to consider supporting former children looked after to remain under “staying put” arrangements with their foster carers until 21 years of age. The same duty is not required for children leaving care from residential placements.

It is now generally accepted in the UK that large-scale residential institutions, which are poorly staffed and inadequately resourced are not conducive environments for the optimal development of children (Francis, Kendrick, & Poso, 2007; Pringle, 1998). However, various commentators have argued that residential care has a crucial role in the range of services available to older children and should not be seen as a last resort, but a complementary service with foster care (SIRCC, 2006). Some studies have shown positive outcomes for children in residential care and some young people have a preference for residential care over foster care (Berridge, Biehal, & Henry, 2012; Kendrick, 1995). Currently, about 9% of children in care are placed in residential institutions (DfE, 2015)

Policies regarding the optimal type of family-based care also reflect differing political and social contexts. The benefits and disadvantages of adoption, with all legal rights over the child awarded to adopters, as opposed to long-term fostering, where parental responsibility is shared between the local authority and birth parents, has been the basis for much debate over the past five decades, and continues to date. Colton, Sanders, & Williams (2001) identifies the shift from a focus on foster families prior to the 1970’s, to a focus on adoption in the 1970’s. This was confirmed via legislative changes in the Children Act 1975 that marked a shift from the pro-birth family approaches of the 1950s and 1960s (Fox-Harding, 1997).

In the decades following the 1960s, the profile of children available for adoption changed. Due to wider use of contraception and to the increasing acceptability of single parenthood and children born outside of marriage, the number of babies relinquished at birth decreased. Increasingly, children placed for adoption were older, had been removed from home due to abuse and neglect and without parental consent (i.e., court ordered). This led eventually to a change in legislation with the implementation of the Adoption and Children Act 2002 that recognised greater complexity in terms of children’s relationships with their birth families and greater need for post adoption support.

As Britain became more multicultural in the decades following World War 2, the issue of “race” and culture became

more prominent in debates about children in care. Prior to the mid-sixties, it was commonly accepted that black children were not “suitable” for adoption (Thoburn, Norford, & Rashid, 2000). However, as the numbers of white babies for adoption decreased, black babies slowly became viewed as acceptable for white childless couples to adopt, usually as a last resort (Barn, Sinclair, & Ferdinand, 1997; Gill & Jackson, 1983). Transracial adoption was also advocated as a way of reducing the disproportionately high number of black children in residential care (Small, 1986). Gradually in the seventies, the critics of transracial adoption were beginning to have their views heard. In addition, increasing numbers of black young people brought up in transracial placements were talking of their struggles with identity confusion and alienation (BIC, 1984). A highly polarised and heated debate followed and has continued. The Children Act 1989 introduced the need for due consideration be given to the racial, cultural, religious and linguistic needs of children when decisions are being made about placements for children needing permanent substitute care. The recent Children and Families Act 2014, however, has lessened this requirement.

The Children Act 1989, which was implemented in England and Wales in 1991, is an uneasy synthesis of different perspectives (Fox-Harding, 1997). With the Children Act 1989, extended families and kinship networks became more central to the decision-making processes for children looked after, as did children’s rights to representation (Colton et al., 2001; Gupta & Lloyd-Jones, 2010). The Children Act 1989 strengthened the duty of local authorities to support children in need in their families, whilst also increasing the legal framework for protecting children from parental abuse and neglect. There was also increased emphasis on safeguarding and promoting the welfare of all children in local authority care, emphasising the collective responsibility of local councils, often referred to as “corporate parenting”.

The past two decades have seen complex shifts in emphasis on different perspectives depending on the political climate of the time. In the late 1990s, Tony Blair, the then prime minister refocused attention on adoption, which could be viewed as a move away from a pro-birth family perspective. However, New Labour implemented this policy alongside initiatives, such as Sure Start and *Every Child Matters* (DfES, 2004) that aimed at increasing support to vulnerable families. The Adoption and Children Act 2002 brought in Special Guardianship Orders, where guardians obtain parental responsibility, but unlike adoption, parental rights are not completely extinguished. Kinship carers have mainly used these orders. This Act also enhanced the requirements for post-adoption support, and allowed unmarried, including same-sex couples to adopt; changes that reflected the complex needs of children adopted from care, as well as a greater societal acceptance of co-habitation and same-sex parenting.

There has been increasing recognition of the importance of involving children in decision-making that affects them, in line with Article 12 of the UNCRC, a child's right to participate in decisions affecting them. In addition to being a legal requirement, there is also increasing evidence that the participation of children can improve decision-making, engagement with plans and help promote positive developmental outcomes (Luckock & Lefevre, 2008). The Children Act 1989 resulted in many positive changes to the way children's views are represented in care proceedings and when looked after. Many of these changes continue to influence practice today, however the context, resourcing and culture of public service provision has reduced the scope for independent representation for children in care proceedings and once looked after (Gupta & Lloyd-Jones, 2010; Jelacic et al., 2013).

The Current Context

In the UK in May 2015, a Conservative Government came into power following five years of being in a coalition government. The political changes over the past five years have impacted on children in out-of-home care in many ways. The "austerity" policies of these two governments have resulted in child protection practice in England taking place amidst increasing poverty and inequality, severe cuts to family supports and local authority budgets and a highly risk averse context (Featherstone, White, & Morris, 2014). At the same time, referrals to Children's Services and care proceedings are increasing. For example, the highest number of applications was made for care orders in July 2015 (CAFCASS, 2015). These increases have been directly linked with government policies, given a raft of national and international research linking poverty with children in out-of-home care (Pelton, 2015). For example, Bywaters (2015) found large differences between local authorities in England in the proportion of children in care or subject to child protection plans, with deprivation being identified as the major explanatory factor.

In 2012, the then Secretary of State for Education, Michael Gove, launched a campaign to promote adoption and speed up the family court and adoption processes. He spoke of the need to "rescue" children from poor parental care (Gove, 2012). The promotion of adoption and tighter timescales in the family courts continues to be government policy, whilst at the same time support services for struggling families are being significantly reduced. However, there have been challenges to the Government's direction of travel, including by social work academics and practitioners calling for a rethinking of how we respond to our society's vulnerable children and families (Featherstone et al., 2014). Senior members of the judiciary have also expressed disquiet. There have been a number of Supreme Court and Court of Appeal judgments that challenge the Government's policy direction, stressing the importance of supporting family relationships, and restating that adoption should only be used

as a last resort (Gupta & Lloyd-Jones, 2014). Most adoptions are "closed", namely without direct face-to-face contact; however, the increasing use of social networking sites, such as Facebook, is posing challenges to anonymity within adoption placements. Adoption agencies have reported a marked growth in cases of an adopted child, typically a disaffected teenager, finding their birth family through social media. Birth parents are also using sites such as Facebook and Twitter to try to make contact with children taken years before (Hilpern, 2015).

The viewing of adoption as the "gold standard" for out-of-home care, has come under some criticism for reinforcing the "care bad/ adoption good" dichotomy and stigmatising of children in care (Boddy, 2013). There has been a call for clear policy and practice guidance on permanence planning within foster care and ensuring that children in long-term foster placements do have a sense of permanence (Schofield, Beek, & Ward, 2012; Sinclair, Baker, Lee, & Gibbs, 2007). The Care Inquiry (2013b, p. 2) concluded that:

"Permanence" for children means 'security, stability, love and a strong sense of identity and belonging'. This is not connected to legal status, and one route to permanence is not necessarily better than others; each option is the right one for some children and young people. Adoption, although right for some children, will only ever provide permanence for a small number of children in care".

In many other European countries, including Sweden, Denmark, France, Germany, placement away from home is seen as a necessary part of their family support systems, not as a last resort as it is in England. Adoption from care without parental consent is far less common, and there is a greater reluctance to break family ties (Boddy, Statham, McQuail, Petrie, & Owen, 2009). With the free movement of people within the European Union, there has been an increase in the number of migrants from former Eastern European countries, and there have been instances of governments becoming involved in court proceedings in England, where a non-consensual adoption of a national of their country is being considered (Bowcott, 2015). A recent Borzova (2015) report highlights the "uniqueness" of the large numbers of children being placed for adoption without parental consent relative to other countries, and singles out the UK for criticism for the removal of children from women who have been subject to domestic abuse, or who are suffering from depression.

Each year, hundreds of children arrive in the UK alone seeking asylum. They come from countries such as Afghanistan, Eritrea and, more recently, Syria. Unaccompanied children seeking asylum, including some who will have been trafficked, face significant uncertainty and harm not just during their journeys from their countries of origin, but in their experiences within the care and immigration systems in the UK. The UNCRC and domestic child welfare legislation, such as the Children Act 1989, provide a framework for the provision of state services; however, chil-

dren's experiences of care and support services vary greatly (Franklin & Doyle, 2013). Many are treated with suspicion, for example through the age assessment process, with immigration concerns taking precedence over concern for the safety of the child (Pearce, 2011).

Many unaccompanied children are accommodated in foster care, whilst others are placed in residential homes or semi-independent housing. Once they turn 18, their legal protection is reduced and most face possible forced return to their countries of origin (Wright, 2014). Anxieties and fears caused by the uncertainty of their immigration status, the prospect of forced return to a country where they may face dangers and have limited or no links and connections, and rejection by the society that had offered, variable, but some degree of care can have a profound and detrimental impact on young people's mental and physical health (Chase & Allsop, 2013; Gladwell & Elwyn, 2012). Some don't return to their countries of origin. They "disappear", living as undocumented migrants, and being at great and enduring risk of poverty and social exclusion (Bloch, Sigona, & Zetter, 2014).

Neoliberal ideology and policies promoting a reduced state and encouraging privatisation of services are changing the provision of services for children looked after. For example, despite legislative change, many local authorities are struggling to finance adequate "staying put" arrangements for young people leaving care who want to remain with their foster families, and serious concerns have been expressed about the lack of support for kinship carers. In a speech in September 2015 outlining how the government plans to make further significant budget cuts, the prime minister, David Cameron, singled out services for children in care as an area in need of reform that would benefit from greater privatisation of services. Already, there are many foster and residential care provision provided by private companies, including the multinational corporations G4S and Serco. However, significant concerns have been expressed about the political dogma and ideologically driven nature of these policy changes. Jones (2015) argues that this undermines local democratic accountability, could lead to cost and profit rather than children's welfare driving service delivery and "adds complexity and fragmentation, within the arrangements to secure children's wellbeing and safety" (p. 463).

The Future

What will the future be like for children in out-of-home care in the next few decades? It is impossible to say. As has been argued throughout this paper, the services offered to children in care are strongly influenced by the prevailing political and social contexts of the country at the time. At least for the next five years in the UK, it is very likely that neoliberal "austerity" policies will continue and budget cuts as well as privatisation policies will continue to frame services for children and their families before they come into local authority care and once they are looked after. How-

ever, on a wider political level there have been challenges to "austerity" Europe, with the rise of left-wing parties in Greece and Spain, as well as the election of a left-wing leader of the opposition Labour party in Britain. These developments could see the ideological position of private sector "good"/public sector "bad" challenged and greater attention paid to the funding of welfare services for societies' most vulnerable, including children on the edge of or in out-of-home care.

Global concerns are also going to continue to influence the children coming into the care system in the UK. For example, recent court cases have resulted in children being taken into care because of fears of Islamic radicalization. In addition, the number of unaccompanied asylum-seeking children in care rose 29% in 2014 (Stevenson, 2015) and may well continue to do so with the recent increase of refugees arriving into Europe from conflict in Syria and other countries in the Middle East. The prevailing political and public discourses about refugees and migration will impact on these young people's reception and experiences in the UK.

Attention to forms of child abuse outside of the home and how children in care are affected will continue and be responsive to changing contexts. The vulnerability of children in care to sexual exploitation has been raised by a number of recent research studies and enquiries in places such as Rotherham and Oxford (Pearce, 2011; 2014), and internet/online abuse is another example of how safeguarding policies and practice for children in care and in families need to adapt.

Conclusions

This article has provided a brief review, with personal reflections, on themes relating to children in care and the influence of changing historical, political and social contexts. A key finding of the Care Inquiry (2013b, p. 2) and, one which will not change, is that "the **relationships** with people who care for and about children are the golden thread in children's lives, and that the quality of a child's relationships is the lens through which we should view what we do and plan to do" (emphasis in original). These can be with family members, carers and professionals, as one young person explains:

A good social worker is calm ... someone who can sit and talk to you all day, not trying to throw you out and don't give you time slots. They let you know you're not just a case ... It's about them accepting your situation and you for who you are. (The Care Inquiry, 2013a, p. 5)

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