The invisibility of children and young people in current policy

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1. Everyone has the right to respect for his private and family life, his home and his correspondence.

2. There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.
Parental Responsibility

- **Section 2(4)** The rule of law that a father is the natural guardian of his legitimate child is abolished.

- **Section 2(9)** A person who has parental responsibility for a child may not surrender or transfer any part of that responsibility to another but may arrange for some or all of it to be met by one or more persons acting on his behalf.
Parental Responsibility

All the rights, duties, powers, responsibilities and authority which by law a parent of a child has in relation to the child and his property.
Children Act 1989

- Strong focus on principle of ‘partnership between local authorities, other key services and families
- The State was seen *(required)* to be supportive in its approach to families when they found themselves in difficulty
Section 17, Children in Need

*Children Act 1989*

a child who is unlikely to achieve or maintain a *reasonable* level of health or development, or whose health and development is likely to be significantly or further impaired, without the provision of services; or a child who is disabled.
Before determining what (if any) services to provide for a particular child in need, the local authority shall...

Ascertain the child’s wishes and feelings regarding the provision of those services.
Section 20

(1) Every local authority shall provide accommodation for any child in need within their area who appears to them to require accommodation.
Section 20

Section 20(6) Before providing accommodation under this section, a local authority shall, so far as is reasonably practicable and consistent with the child’s welfare—

(a) ascertain the child’s wishes and feelings regarding the provision of accommodation; and

(b) give due consideration (having regard to his age and understanding) to such wishes and feelings of the child as they have been able to ascertain.
Children Act 1989

- Parents duties and responsibilities to their children
- Child Focused and Centred – What do children think, feel and want?
- The State’s role is to support, work with and provide help
EVACUATION
OF
WOMEN AND CHILDREN
FROM LONDON, Etc.

FRIDAY, 1st SEPTEMBER.
Up and Down business trains as usual, with few exceptions.
Main Line and Suburban services will be curtailed while evacuation is in progress during the day.

SATURDAY & SUNDAY,
SEPTEMBER 2nd & 3rd.
The train service will be exactly the same as on Friday.
Remember that there will be very few Down Mid-day business trains on Saturday.

SOUTHERN RAILWAY
1940’s

- Child Evacuees from the Blitz
- Largest number of children placed in what we would now define as Private Fostering
- Over the course of three days 1.5 million evacuees were sent to rural locations considered to be safe.
- By January 1940 almost half of the evacuees returned home.
DON'T do it, Mother—
LEAVE THE CHILDREN WHERE THEY ARE

ISSUED BY THE MINISTRY OF HEALTH
In 1938 and 1939, 9354 children fleeing the persecution of Jews in Greater Germany were brought to Britain on the Kindertransport.

The 1938 International Evian Conference attempted to find countries willing to accept these children. Britain was reluctant to permit the entry of such refugees.
On 9 November 1938, the Nazis staged 'spontaneous' violence against the Jews throughout Greater Germany. Public opinion was shocked and after a parliamentary debate on refugees on 21 November 1938, Britain agreed to take in Jewish children, *provided they would not be a burden on the state.*
About half of the children who came to Britain were placed with families - both Jewish and non-Jewish - in foster homes. Other children lived in hostels or on farms. The children’s experiences varied - many found support and affection from their carers; others were very unhappy. **Most of these children never saw their parents again.**
Dennis O'Neill a 12-year-old boy placed with his brother in foster care by Newport Council in May 1944 - ‘in need of care and attention’

In January 1945 Dennis died at the hands of his foster parents, Reginald and Esther Gough at their farm as a result of multiple injuries and serious neglect.
Terence, his brother, testified that they were fed three slices of bread and butter a day plus tea - their only food.

They stole whatever they could from the pantry.

Dennis would suck milk from the teats of the cows.

Every night both boys were thrashed on their hands and/or legs - up to 100 blows each.
An official was required to visit every foster child within a month of their being placed and at least once every six weeks. They were required to submit a written report, taking into account any complaint made by the child.

A doctor was to be appointed for every foster child and was to examine the child within one month of their being placed and at least once a year.
No child was to be fostered or remain fostered by a person with any criminal conviction rendering them unsuitable to be a foster parent or in any environment likely to be detrimental to them.
Emergence of abuse and neglect

- Maria Colewell 1973
- Jasmine Beckford 1984
- Tyra Henry 1984
- Victoria Climbié 2003
- Baby Peter Connelly 2007
- Child Sexual Exploitation
- Sexual Abuse Inquiry(s)
Parent’s rights and responsibilities,

State’s role to support and protect

Child’s needs, welfare and protection

Child wishes and feelings
From a child’s perspective, it is their “psychological parent” that is key to their development, not their biological parent (unless the two were the same person/people).
Whenever a court was deciding on the future custody or placement of a child, the decision should be driven by the significance of the psychological parent, not the biological parent, to the child. It is the child’s subjective experience within their own timeframe that should be the dominant factor in the court’s decision about the future of the child.
Current Challenge – those we know about

- Profile of Children who fall with the legal definition of ‘Private Fostering’
  - Parents who choose to place their child with unrelated carers – parent/s from overseas countries
  - Children cared for in “Boarding School arrangements
  - Parent/s in a crisis
Current Challenge – those we don’t know about

- Modern Slavery
- Migrant Children
- Adolescents who ‘sofa surf’
- Placements where notification is not something that is known about