



The vulnerable child in neoliberal contexts: the construction of children in the Aotearoa New Zealand child protection reforms

Childhood

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Abstract

Recent policy reforms have substantially changed state responses to child abuse in Aotearoa New Zealand (ANZ). These reforms draw on two related discourses: vulnerability and social investment. Shaped by a neoliberal political context, these discourses influence constructions of children and parents. Children are constituted in individualistic ways; as vulnerable victims requiring intervention to optimise future functioning, dichotomised against their irresponsible and invulnerable parents. This has different consequences for children in and outside of the permanent fostercare system.

Keywords

Aotearoa New Zealand, child abuse, children, policy, social investment, vulnerable

Children are constructed in the child protection policy context in ways that differ from more general social constructions of children. In this arena, more common constructions of children and childhood are shaped by the context of the policy and practice systems set up to respond to child abuse, and the political environment those systems are operating within. For example, children are often viewed as passive ‘becomings’ in many social contexts, and increasing their voice and participation is proposed as a key mechanism to remedy this (Graham, 2011; Prout, 2004). In the child protection field, the emotive nature of the issue of child abuse, and the positioning of children as victims heightens this more

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general construction of children as passive objects when compared to other ‘normal’ children. They are not just ‘becomings’ that must follow a normative trajectory in order to reach full adult personhood but are viewed as ‘damaged becomings’. For this reason, they are perceived as requiring more extensive inputs than other children, in the form of therapeutic and legal interventions, participation and rights, to reach a ‘healthy’ and productive adult state. Their relationship with the state is also more direct than for other children, as the state assumes heightened responsibility for them in what is assumed to be the absence of parental responsibility. This construction of ‘damaged becomings’ is aligned with the growing use of the term ‘vulnerable’ to define children in contact with child protection systems (see Expert Panel, 2015b). I argue that in the context of the recent child protection reforms in ANZ, this conception of the vulnerable child is further bifurcated in relation to different groups of children in contact with the child protection system. For those who are in permanent alternative care outside of their families of origin, the state’s increased attention to deliver voice, stability and therapeutic interventions is direct and relatively uncomplicated. It is based on a construction of child victimhood, lack of child culpability, children’s rights as individuals and in the context of a direct child–state relationship predicated on the concept of ‘social investment’. This combination of the vulnerability discourse and future outcomes emphasis allows increased resources and rights provision for this group of children.

For those children outside of permanent care, but who have other sorts of system contact (for example, are notified to child protection services but never removed, or removed for a short time), the ‘vulnerable’ discourse and its related concepts are refracted through a neoliberal responsibilisation agenda aimed at their parents, leading to a different result for this group of children (Wacquant, 2014). Their parents are viewed as primarily responsible for their children’s vulnerability, yet the state views its responsibility as only relating to children, so attempts to remedy this are stymied by attempts to increase parental responsibility. This deflects attention from the structural contributors to contact with the child protection system as well as the intensely vulnerable positions many parents are also in. In this way, vulnerability is deployed as a mechanism of governance that impacts differentially on different groups of children and their families in contact with the child protection system. This has particular implications for Māori children and children from socioeconomically deprived backgrounds, as they both figure disproportionately in contact with the child protection system (Bywaters, 2013; Cram, 2012). The reforms discussed are comprised of two waves: the vulnerable children’s reforms (comprised of the Vulnerable Children’s Act 2014 and the children’s action plan) and the child youth and family review. In both reforms, the main legislation in ANZ also had multiple amendments (the Children Young Persons and their Families Act 1989).

The context of reform

Like most Anglophone countries, ANZ has a mixed policy orientation when it comes to child welfare legislation, history, policy and practice (Gilbert et al., 2011). The 1989 legislation (Children, Young Persons and their Families Act – renamed the Oranga Tamariki Act in 2017) is often cited as evidence of a child welfare/family service orientation with its focus on support for families, family collaboration and emphasis on

including Māori extended families and tribal groups in decision-making processes. Persistent claims of lack of resourcing, prominent child death reviews and critical media reports combined to lead some commentators to claim a generally risk-averse system developed despite this legislation (Hyslop, 2016). Other social policy changes over the time period of 1991 – present included the scaling back of social protections such as income protection, increasingly unaffordable housing, and the reduction of funding to non-governmental organisations (NGOs) contracted to provide preventive child welfare services (adjustments for inflation based on the consumer price index has not been paid, for example, on these contracts since 2008) (Dale et al., 2014). In general, this has led to high child poverty rates and limited prevention services that are required to enable the implementation of a child welfare orientation, that is, one that provides family support services as a matter of course combined with income and housing adequacy (Simpson et al., 2016). In conjunction with this, rates of notifications to child protection services climbed steeply through the 2000s, slightly reducing since 2012 (Child, Youth and Family Service, 2016). Multiple reports noted the poor experiences of children in the fostercare system, showing that their experiences were variable and included multiple moves and for some, further abuse in care (Expert Panel, 2015a; Office of the Children's Commissioner, 2015). High rates of re-notifications and poor educational, welfare and criminal justice outcomes for children in care were further evidence of a struggling system, with consistently poorer outcomes noted for Māori children (Ball et al., 2016; Templeton et al., 2016). Against this background, the recent child protection reforms took the form of the introduction of new legislation and policy: the Vulnerable Children's Act 2014, the Children's Action Plan, and a review of the Child Youth and Family Service. All three reforms have also resulted in amendments to the existing Children, Young Persons and their Families Act 1989 (renamed the Oranga Tamariki Act in 2017). This article describes these major policy changes, then analyses how they construct children, before stating the implications for children and families.

The Vulnerable Children's Act 2014, the Children's Action Plan and the Child Youth and Family review

The legislation that was enacted in 2014 is entitled the Vulnerable Children's Act 2014 (VCA) (New Zealand Government, 2014). Framed as part of 'tough new laws' on child abuse, it set out to respond to ongoing high-profile child deaths, high rates of child protection notifications, and poor outcomes of the fostercare system (Ministry of Social Development, 2012a, 2012b). Based on a Green Paper on Vulnerable children, the many submissions pointing to the problems of high child poverty and deprivation were not translated into the White Paper or subsequent legislation, with the Minister declaring instead that "Poverty is no excuse for child abuse" (Ministry of Social Development, 2011: 11).

The VCA 2014 covers two main issues: safety checking of the children's workforce and the implementation of child protection policies for all agencies that have contact with children. The safety checking includes a police check, an interview, a referee and identity check for everyone working with children, including those in contact with children in incidental roles. The second main section directs all agencies working with

children to have robust child protection policies that inform staff as to what they must do if they are aware that a child they are in contact with is abused. A large proportion of the VCA 2014 is taken up with increasing these safety checking and reporting procedures, however, most professional associations and organisations already had child protection policies and complete police and safety checks routinely. These changes generally constructed the problem of child abuse as one of a failure of surveillance, identification and referral problems, despite the extremely high rate of referral to the child protection system (18% of children will be notified at some point in their life) (Ball et al., 2016; Keddell, 2014).

The existing child protection legislation, the Children, Young Persons & their Families Act 1989, was also amended as part of these reforms. The 1989 Act was ground-breaking legislation that attempted to re-orient the policy direction of A/NZ towards a child welfare approach that emphasised the rights and responsibilities of families to, where possible, retain the care of their children, and created a statutory imperative to respect and support this objective (Connolly, 2004; Gilbert et al., 2011). This was strongly supported by the influence of Puao-te-ata-tu, a report examining the influence of institutional racism then evident in the policies and practices of the Department of Social Welfare (Ministerial Advisory Committee, 1988). Amendments to the Children Young persons and their Families Act as part of the Vulnerable Children reforms includes a strengthening of the paramount consideration to consider the ‘welfare and interests of the child’ above all else, and heightened requirements for parents who have ‘subsequent children’ after earlier ones have been removed, killed or seriously injured. The onus is now on them to prove they are now ‘safe to parent’ the new child, rather than the state having to prove they remain unsafe. Increased attention to the home for life (permanent fostercare programme) led to the strengthening of guardianship rights available to ‘home for life’ fostercarers. For the first time, guardianship rights of birth parents can, in exceptional cases, be fully extinguished in order to stop the ‘vexatious behaviour’ of birth parents (Ministry of Social Development, 2012a; 2012b).

While claimed to be a series of reforms that would ‘get tough’ on child abuse, the resulting changes focussed most on methods of surveillance and checking of both parents and professionals who work with children, and increasing professional collaboration, rather than addressing the causes of child abuse across the population. This resulted in changes that, as Hackell (2016) describes it, “narrow the operational focus of child protection agencies away from recognition of the multiple and complex causes of child abuse towards a more singular focus on policing welfare populations” (p. 2), while another commentator contended,

The system gets caught up in surveillance to catch out the high end perpetrators without attending to the vast array of social factors that contribute to the bulk of less serious abuse that can be a prelude to the slide into more abusive behaviour. (Keddell, 2015b)

It is clear that the overall framing of the VC and related CYP&tF Act reforms equated child abuse prevention with the increase of surveillance, investigation, and accountability measures; heightened an individualistic concept of the ‘best interests of the child’; and reduced the rights of birth families (Keddell, 2015b).

In addition to the VCA 2014 and changes to the CYP &tF Act, further reforms were also enacted through the 'Children's Action Plan' (CAP). This is a set of policies designed to further the intent of the VCA legislation. The Children's Action Plan changes include the creation of Children's Teams: multi-disciplinary teams outside of the child protection system to respond to the group of children notified repeatedly to the child protection service. These are supported by the 'Vulnerable Kids Information System' (VIKI), a shared database that professionals can all access. These teams were collaborations of existing positions with very limited extra resourcing for increasing face-to-face work with families: their effectiveness was assumed to come from increasing information sharing and lack of duplication (see Cann, 2016). Again, the assumption was that better information sharing would help 'catch' abusers, rather than efforts to address known contributors to contact with the child protection system via either more therapeutic or material supports to families.

Increasing information sharing and data linking have been another prominent theme in both these VCA reforms and the following Child Youth and Family review. They are viewed as key to preventing serious harm and establishing the evidence base (through linked datasets) for the effectiveness or otherwise of services (see Office of the Minister of Social Development, 2016). Children's Teams and the VIKI utilised legal mechanisms such as Approved Information Sharing Agreements (AISA) to lower the ordinary Privacy Act criteria. This enables the sharing of information about parents and children between professionals outside of the statutory child protection system (Ministry of Social Development, 2014). The list of information that can be shared about families in this context is now extensive, and includes items such as parental mental health histories, and police and child protection histories (Ministry of Social Development, 2014). Using this data, predictive risk modelling was developed to attempt to predict those at highest risk of abuse, a move subject to intense political and academic debate, and currently on hold (Keddell, 2015a; Oak, 2016; Vaithianathan et al., 2013). The position of children and their vulnerability has been used to justify this, with the reduction in privacy rights and possible stigma attached to risk scores and false positives framed as 'what would you give up to help a child?' (Bennett, 2011).

The Child Youth and Family Review

The Child Youth and Family Review followed on from the VC reforms and Children's Action Plan reforms, and was announced first in March 2015. This reform has restructured the entire child welfare domain, with ramifications for both the statutory child protection service, and the NGO services contracted for prevention of child abuse. A new ministry, called the Ministry for Vulnerable children | Oranga Tamariki, has been created (1 April 2017) that focusses on five different areas: prevention, intensive intervention, care services, transition and youth justice. It contains a raft of legislative and structural organisational changes, informed by a focus on the trauma children experience and the interventions and services they need to recover from trauma once in fostercare. While it does espouse a systems approach that includes some attention to preventive services, the main focus is on the fostercare population. The approach is designed to create a 'child centred' system predicated on a social investment model that aims to reduce the

costs – both financial and social – of vulnerable children, as well as make services more effective (see, for example New Zealand Treasury, 2017). This has been translated into policies that will offer some preventive services to families outside the fostercare system, but if these are deemed to be failing, removal to permanent care arrangements and ‘loving families’ should be made at the ‘earliest opportunity’ (Expert Panel, 2015a).

This emphasis on early removal is presented as a primary solution to reducing the ‘forward liability’ within the social investment policy framework. Social investment is a key term used in this context to refer to policies that lessen the future costs to the state of young people leaving fostercare with few qualifications, high benefit use, high rates of early pregnancy and high contact with the criminal justice sector (Morel et al., 2012; O’Brien, 2016; Templeton et al., 2016). The earlier emphasis in the CYP&tF Act 1989 on families retaining the care of their children, and of children’s basic right to family life and to retain cultural connections have been downplayed. For example, there has been a long battle over the removal of the legal clause requiring the state to first consider placements for children removed with *whānau hapū* or *iwi* (kinship groups related to the child). This clause was eventually retained, but it was framed as a reluctant move, with the relevant minister stating that despite this, she “...won’t budge on ensuring child safety is the single most important priority” implying that the *whānau* first provision was incompatible with child safety (Kirk, 2017).

The Child Youth and Family review has resulted in specific outcomes in relation to children in the fostercare system permanently. The response to them is framed as a enabling them to recover from the trauma they have suffered, as well as be able to participate more in decisions about their care and the design of services. Specific changes include increases to therapeutic supports, raising the age of leaving care to 18 (with options to remain until 21), better screening, financial supports and training for foster carers, the introduction of fostercare standards, and the formation of an independent advocacy group for children in care, as well as some legislative changes to ensure children in care have more input into decision-making (Expert Panel, 2015b). But the bulk of these changes are directed at those in the fostercare population (which remains stable at around 5000 children each year – see Child Youth and Family key statistics). For the much larger group of children who are notified but never removed, or temporarily, the provision of prevention services and social supports is key. The prevention services suggested include increasing children’s teams, enhancing access to universal services, and some new services are provided – as long as they can prove effectiveness over time in relation to the key criteria of reducing the costs of welfare, criminal justice contact and notifications to the child protection service (Expert Panel, 2015a; Keddell, 2017). The balance of resourcing shows the extent of emphasis on children in care as opposed to those outside the care system. In the 2017 budget, a total of 434m has been budgeted for vulnerable children over the next 4 years. Of this, 37.8 will go on preventive service aspects (28.1m to expand family start and 9.7 m to Children’s teams). The remainder goes on increasing cost pressures, the costs of more children in care, and supports for fostercare (Tolley, 2017). There is some limited attention to improving family incomes, but no systematic plan for child poverty reduction. Pertinent for this article is understanding how these reforms – as wide ranging and diverse as they are – draw on ‘vulnerability’ and other related discourses to shape policy responses to children in contact with child protection systems.

The vulnerable child

This article now turns to critically analyse the key themes within these wide ranging reforms in terms of how they construct children, and by implication, how they construct parents and the state–family–child relationship. I argue that the construction of the vulnerable child in these reforms positions the needs of children and parents as separate, reinforces the ‘becoming instead of beings’ trope through a strong focus on future outcomes for all children deemed ‘vulnerable’, constitutes some children as more deserving of support than others, and diminishes the relational nature of children within their families, cultures and communities. It reinforces the instrumental role of parents instead of their position as citizens also worthy of support, and lowers attention to the social determinants of contact with child protection systems (Bywaters et al., 2016). I argue that while the rights of children in the permanent care system may be more protected in this context, that the rights of children outside the care system are less protected, due to the view of their parents as self-responsible and less deserving of support. I argue the response to this should not be only to ensure equal rights for all children, but reiterate the rights of both parents and children as equal citizens, related to a more universal conceptualisation of vulnerability. A more holistic construction of children as existing within a network of family and community relationships is also required, and is in line with both various theories of human development, and best evidence into the causes of child abuse (Sethi et al., 2015; Wolfe, 2011).

Vulnerability, as a term, is deployed in various social policy settings around the world, in multiple ways. ‘Vulnerability’ can be used to justify access to targeted services, to warrant state intrusion or intervention, or to stigmatise certain populations, yet critical interrogations of how it operates remain scarce (Brown, 2011, 2015). O’Brien (2016) points out that in the ANZ context, the term vulnerability is not simply a “neutral descriptor. [It] is shaped in critical ways by the neoliberal framework that informs [it]” (p. 9). In the ANZ context, vulnerability as applied to children within the child protection reforms has constructed vulnerability as vulnerability to the abuse of parents, who are solely responsible for their own behaviour. For example, “while many risk factors, or confluence of factors, play an important role in vulnerability and resilience, the most important factors are parental behavior, action and failure to act” (Bennett, 2012: 3). Little consideration is given to the vulnerabilities of parents that may have lead to abusive behaviour, or to the structural, relational, community or personal causes of those vulnerabilities. This pits children and adults against one another, as parents are viewed as less legitimate recipients of support and as sources of risk.

Positioned within a ‘social investment’ paradigm, the assumption is that children are ‘high cost’ in the future because they are either being left in abusive families for too long, or experiencing too many moves in care, and the trauma resulting from this is the reason they then become costly to the state in the future. The solution is construed as earlier removal into permanent placement, and therapeutic supports for trauma. This policy narrative contains several implicit claims about the nature of children, child abuse, and outcomes. First, these claims are justified by data that compare children in care with all other children, and in doing so obscures the multiple other factors influencing children in the care system, who come predominantly from more deprived backgrounds than the

general population (Biehal et al., 2015). By not comparing those in care with others from similarly deprived backgrounds, several things are achieved. The poverty and poor social conditions experienced by many in contact with the child protection system are made invisible, and the full weight of the poor outcomes is thus ascribed to the child's abusive own family, psychological trauma, and instability while within the care system (see Expert Panel, 2015a). Children are portrayed as passive victims within this discourse and in need of saving from their parents, so the needs of children for relational ties with parents and their cultures of origin are subsumed, as are children's own views and perspectives. While the disproportionality of Māori children in the child protection system is acknowledged in the reforms, the main solution proposed is earlier removal to a more 'diverse' group of fostercarers (in light of the current foster parent population being 42% beneficiaries) (Expert panel, 2015a). This suggests that more, not less, Māori children will be removed into more middle class (and therefore Pakeha) families. It is assumed this will reduce their future costs to the benefit and criminal justice system.

This has limited evidence. Outcomes of foster care are at best, mixed, and often exacerbate, rather than ameliorate existing problems (Doyle, 2007). Removal in itself causes harm in most cases, and this must be part of the weighing up of alternatives (Burns et al., 2017; Davies, 2012; Dudgeon et al., 2015). The likely increase in removals raises questions about families' rights to parent children, and children's right to family life that may be breached not to ensure the protection of children from violence, but by the assumption this will result in cost reductions to the state in some future time. This raises important human rights issues, for all people but particularly indigenous children who are over-represented in the child protection system (Cram, 2012).

The relationship between inequalities and contact with the child protection system is persistent. Bywaters (2013) found that there was a clear social gradient between deprivation and contact with the child protection system, and other research in ANZ shows a strong correlation between long periods of times on a benefit and contact with the child protection system, as well as living in high deprivation areas (Expert Panel, 2015a; Wilson et al., 2015). Both suggest, as does international research into the role of poverty in child abuse, that inequalities are expressed in contact with child protection services, caused in three possible ways. First, by increasing actual incidence (poverty causes stress), and second, influencing the dynamics of bias within the system (Bradt et al., 2015). Thirdly, the relationship between supply aspects of services and the demands on them may also shape inequalities in system contact (Bywaters et al., 2015). In terms of the relational vulnerability of parents in community contexts, issues such as social isolation, poor informal supports, or domestic violence can all impact on parental abilities to provide adequate care for children (Connell et al., 2007). Community research into child abuse further suggests that child abuse is related to several community factors, such as access to services, levels of transience, child:adult ratio and poverty. These contribute to the vulnerability of both parents and children (Cameron et al., 2013; Fluke et al., 2010). Finally, personal issues such as histories of trauma and poor mental health can also impact on parenting, and the cumulative nature of adverse events can result in poor outcomes of many kinds for both parents and children (Riggs, 2010; Spratt, 2012). Yet 'vulnerability' as used in the reforms does not recognise these broader patterns of structural, community or parental vulnerabilities – only that of the child.

Constructing the causes of child abuse in individualistic ways belies these interconnected causes and also plays to popular perceptions of child abuse fuelled by media that the ‘typical’ person referred to child protection services is an extremely violent and cruel pathological abuser whose abuse is constant and extreme (Beddoe, 2013). In this formulation, the child is an exposed victim in need of rescuing. By far the majority of families in contact with child protection systems do not fit this stereotype – instead having a number of chronic, needs related issues that contribute to cumulative stresses such as poverty, poor housing, poor mental health, substance abuse, intimate partner violence and high child needs, that make providing adequate environments very difficult (Corby et al., 2012; Daro, 2009; Expert Panel, 2015a; Gupta et al., 2016; McConnell et al., 2006; Melton, 2005; Pelton, 2015; Trocmé et al., 2014). Furthermore, children themselves report diverse responses to having been removed, even in cases of quite serious abuse, as the ties that bind families together are complex and not easily reduced to the fixed oppositional categories of abusive/non-abusive (Lonne et al., 2008). Constructing children’s vulnerability in this way is in contradiction with an array of research into the causes of child abuse which suggests that abuse is caused by multiple interlocking factors across the ecological spectrum. It also may not align with children’s own views and perspectives, despite the heavy emphasis on children’s own views and ‘voice’ once in the permanent care system.

Separating out children’s vulnerability, and then further differentiating between groups of children, is at odds with more universal conceptions of vulnerability. Fineman (2008) argues that a universal concept of vulnerability, rather than a highly targeted one, (“discrimination-based”, p. 8) is that which is most acceptable for legal and regulatory systems, as the rational, independent actor expected by traditional legal systems belies the interconnected nature of all humans and their ultimate vulnerability. She argues that vulnerability “should be understood to be universal and constant, inherent in the human condition” (p. 8). This version of vulnerability has more potential for humane responses to children and their families, as it emphasises both all children’s equal rights for support, while also recognising the membership of parents in the human family who all have vulnerabilities to some extent. In ANZ, however, the new ‘Ministry of Vulnerable Children’ created by the reforms has clearly set its parameters as providing only for children in contact with the child protection system, with a particular focus on those in care permanently, instead of setting out an agenda to ensure the universal needs of all children are met in the contexts of their families. This would require attention to the range of conditions that affect parents as well as children. Poverty reduction is a particularly pronounced omission. The attempt to incentivise parental employment and retain a market-based approach to housing has led to ‘neoliberal ambivalence’ in income and housing policy that is not focussed on the needs of children, but on incentivising parents into the workforce, and protecting the market-based provision of housing (Dale et al., 2014; Keddell, 2016b). The ANZ government was recently criticised for this in a recent UN evaluation of ANZ’s meeting of its UNCROC commitments (Office of the Children’s Commissioner, 2016).

Social investment – A future return

The child protection reforms occurred in a context of a wider focus driven by a ‘social investment’ policy logic that imbued the earlier welfare reforms of 2011 (Welfare

Working Group, 2011). Within this view, children are seen as potential citizens of the future, and investment is positioned as required in order to equip them for an economically productive future. Schiettecat et al. (2014) note that within a social investment state, the impetus in child and family social work can be to intervene on what is assumed to be the 'cultural transmission' of poverty between parents and children, rather than a focus on the structural causes of poverty. In a social investment state, children are seen as fundamental to any social investment strategy success, as the projected costs over a lifetime are assumed to be avoidable if investment is early enough in the lifespan. Children become the valuable, yet vulnerable vessels of future savings (Schiettecat et al., 2014).

This perspective has conceptual overlaps with a 'child focussed' policy orientation. As noted by Gilbert et al. (2011), social investment can be one aspect of an emerging 'child focussed' policy orientation springing up in various national contexts, the other main aspect of that orientation being that of the individualisation of children and an emphasis on children's rights. Featherstone (2006) tracks the use of social investment as a social policy logic in the United Kingdom in the early 2000s. She argues that the fundamental aim of the policy there was to invest in children and create 'responsible parents' (Featherstone, 2006: 5). She proposes that this policy was used to sever the needs of children from their parents and focus on an instrumental and punitive response to parents that obscures their own rights and the fact that parents are in most cases, intrinsic to realising the rights of children (also see Featherstone et al., 2014a, 2014b). Within a social investment paradigm, parents are positioned as the instrumental subjects through which children will be raised in ways that avoid future costs to the state. This positioning assumes both a standardised manner of parenting and implicit is that the ideal childhood is obvious and obtainable by all parents regardless of their resources (Hollekim et al., 2016). If parents do not guarantee this idealised childhood, they are not viewed as requiring more resources to do so, they are positioned as deficient for being unable to provide it, and punished by child removal. They may receive some targeted family level services, (as they do in these reforms) but not intervention on their wider social context. Their own vulnerabilities are viewed as non legitimate. Children are viewed as vulnerable victims and 'damaged becomings', as the emphasis is on their future productivity.

Once children are removed from their families, however, the reforms respond to them in a different way. The narrowed discourse of child vulnerability may operate in favour of children in the care system: it asserts their lack of culpability and therefore entitlement to resources (Brown, 2012). In this instance, this group of children may benefit from this construction as it highlights their powerlessness, and their reliance on the state. Increasingly, their voice and participation is encouraged.

The construction of those needing social investment are related to the risk of cost to the state across the lifespan. Such a construction of risk can be seen in several key aspects of the ANZ reforms. In the Treasury's recent analysis of high-risk populations, for example, the four 'key indicators' of high risk of poor outcomes were having a Child Youth and Family finding of abuse or neglect, having spent more than three quarters of childhood with parents on a benefit, a parent with a corrections sentence and low maternal education (Ball et al., 2016). The poor outcomes these were linked to were poor educational achievement, mental illness, a corrections sentence and

long-term benefit dependency (Ball et al., 2016). Likewise, the interim report of the review of CYF found that children with contact with CYF have much worse outcomes as adults, for example, of all children born in 1990–1991, by age 22 those with CYF contact were more likely to have

left school with few qualifications, been in receipt of a main benefit; been in receipt of a benefit with a child; been referred to CYF for youth justice reasons, and received a community or custodial sentence within the adult corrections systems. (Expert Panel, 2015b: 36)

How these facts are translated into the child protection policy proposals are framed by an unbalanced weighting towards removal and resourcing care post-removal, rather than improving the broader social landscape and thus reducing the known poverty-related risk factors for child abuse pre-care (Hyslop, 2015). This policy response is limited by the neoliberal framing of social investment as a mechanism for identifying high cost individuals and offering limited individualised responses to address the behaviour that is assumed to cause it, or child removal (O'Brien, 2016).

Social investment and vulnerability in a neoliberal context

In the Aotearoa New Zealand context, understanding how notions of vulnerability and the social investment approach play out can only be understood if the broader neoliberal context is understood (Gray et al., 2015; Harvey, 2005; Keddell et al., 2016). In ANZ, neoliberalism is expressed through an active manipulation of markets to meet social needs (such as privatising social housing and the use of contracted third parties for social services to families and children), while reinforcing the cultural tropes of individualisation and ensuring self-responsible citizens over time, if not immediately (Garrett, 2010; Reimagining Social Work Collective, 2016; Wacquant, 2009). The twinned themes across child protection and welfare reforms that occurred between 2011 and 2013 show the influence of these significant neoliberal concepts that led one author to conclude they are 'two sides of the same coin', because both draw on individualistic understandings of complex social problems, and rely on the responsibilisation of the citizen and the 'third sector' in order to justify state withdrawal (Keddell, 2016a).

These concepts intersect with constructions of children in particular ways. The confluence of children's rights perspectives and neoliberal individualism reinforces the acceptance by the state of responsibility for children in the permanent care system: these children are considered legitimate recipients of state support for the future purpose of responsible adult citizens. This can be directly delivered to them as the state has a direct, parent-like relationship with them. It still treats them as 'damaged becomings' with the focus on future outcomes, but ameliorates this with a focus on support and participation as young people in the present. For those in the care of their families, the neoliberal social investment approach identifies risks to them as related to those outcomes that the self-responsible neoliberal (adult) citizen should avoid: welfare receipt, crime, poor education and referral to child protection systems (Culpitt, 1999). The policy responses to such risks interpret them as reflecting parental fault, rather than the expression of profound structural inequalities across society. This complicates the state–child relationship

for children in families deemed to be somehow 'irresponsible', offering them less support in terms of material conditions and access to services.

Conclusion

The extensive reforms of the child welfare system in Aotearoa New Zealand are wide ranging, and rely heavily on the interrelated concepts of vulnerability and social investment within a neoliberal political context. This conglomeration of discourses leads to differing consequences for two groups of children. For those inside the permanent care system, more resources are made available to them, while for those outside, very limited assistance to parents is provided, despite the many ways that preventive protections and services can reduce child harm while simultaneously respecting rights to family. In a context of colonisation, this is particularly important for the disproportionally represented Māori children and whanau in contact with the child protection system. This policy landscape has the propensity to heighten the site of child protection as one at which the reproduction of social inequalities occurs, rather than as one at which they are addressed (Bywaters, 2013). This pattern may be similar to other countries where neoliberalism, in a context of colonisation, may draw on vulnerability discourses to delimit the role of the state carefully in a way that accepts limited responsibility for a narrow group of children 'defamilialised' from their family contexts (Gilbert et al., 2011). The concept of social investment in this context heightens this dynamic, as children are perceived as the 'valuable yet vulnerable' future citizens whose economic and social outcomes should be protected, yet they are viewed as unconnected to their parental life chances (Schiettecat et al., 2014). These ways of translating vulnerability into policy do not recognise the interrelated nature of children and adults, the present needs and rights of children, nor our shared vulnerabilities.

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