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Child safety in policy: Who is being kept safe and from what?

1. Abstract

Keeping children safe from harm is a national policy priority in Australia. Extensive inquiries and reviews have highlighted institutions' persistent failures to respond ethically and appropriately to child abuse and its life-long impacts on survivors. Policy efforts now reflect considerable emphasis on safeguarding children, including through the development of 'child safe' organisations. The realisation of these policy aspirations requires close attention to how 'child safe' is conceptualised and operationalised in different organisational contexts. Drawing on an analysis of policy in Australia and other international jurisdictions, namely New Zealand, the United Kingdom and Ireland, this paper engages critically with the notion of 'child safe' in policy, to explore *who* is to be safe, from *what* and *how*, in organisational settings. The findings suggest emergent discourses of 'child safe' are bound up with particular constructions of both children and safety, reflect current social and political understandings and agendas, and have implications for organisations' approaches to safety. Ensuring the safety of children in Australia and other jurisdictions requires continuing scrutiny of policy implementation to make sure current policy efforts are not reduced to compliance-based imperatives that protect organisations, but fail to create the cultural conditions that enhance children's wellbeing and safety.

Keywords: child safe; safeguarding; children; policy; rights; protection

2. Introduction

Child safety is a national policy priority in Australia (Commonwealth of Australia, 2009, 2011; Higgins, Kaufman & Erooga, 2016). Extensive inquiries, culminating in the recent Royal Commission into Institutional Responses to Child Sexual Abuse (hereafter 'Royal Commission'), have highlighted institutions' persistent failures to prevent and respond ethically and appropriately to child abuse, resulting in life-long impacts on survivors (Swain, 2014). Emerging from the plethora of inquiries, reviews and related policy developments is an emphasis on 'safeguarding' and the emergence of 'child safe' organisations. Despite a burgeoning literature on how to create and maintain these (for example, Australian Human Rights' Commission, 2018; Australian Children's Commissioners and Guardians, 2013; Child Wise, 2004; Community and Disability Services Ministers' Conference, 2005; valentine et al., 2016), this remains a complex challenge. This article proposes that the realisation of related policy aspirations requires greater understanding of how 'child safety' is conceptualised and represented within contemporary policy, and how it is operationalised in different organisational contexts. It seeks to progress such understanding by reporting on a recent analysis of relevant policy in Australia, New Zealand, the United Kingdom (UK) and Ireland.

3. Background

Perceptions of what constitutes safety are subjective and hence vary considerably, but are generally related to perceptions of the nature and probability of the risk. The current focus on child safety in Australia was catalysed by inquiries such as the Royal Commission, but the concerns emerged within a broader social context of anxiety about risks to children. While safety is generally perceived as inversely related to risk, there is limited definition and evidence on what constitutes 'safety' and 'risk' in relation to children (Smith, 2014).

The anxiety about risks to children is not unique to Australia, with other countries also focused on this, particularly in relation to child abuse and neglect. In Canada, for example, the direction of reforms suggest that child welfare work has become more oriented toward managing risk, to protect children from abuse and neglect (Collings & Davies, 2008). Concerns about the risk of child abuse are such that several authors have argued the response across countries is akin to a 'moral panic' (Lang, 2015; Piper, Garratt & Taylor, 2013).

In response, children's interactions with other people and their world are becoming increasingly governed by adults (Smith, 2014). Hood (2016) suggests that "over the last three decades, the rhetorical impact of public enquiries and case reviews has been to try and negate the tragic reality of child abuse with an imaginary world of stability, predictability and control" (p. 133). The key responses to concerns about child abuse are illustrative of this, namely attempts to safeguard children with measures including statutory child protection investigations and interventions, collaboration and agency partnerships (Collins-Camargo & McBeath, 2017; Crawford & L'Hoiry, 2017; Hood, 2016; Whiting, Scammell & Bifulco, 2008). More recently, organisations are required to meet standards and have policies in place to prevent and respond to instances of abuse within institutional contexts.

Discourses around safeguarding and protecting children are shaped by legal, bureaucratised, and neoliberal discourses (Ney, Stoltz & Maloney, 2013). As such, the focus of the safeguarding gaze rests more readily on the individual child, parent or family, rather than on the broader social context in which children's lives are lived. Arguably though, attention is also increasingly focusing on structural changes to prevent abuse and neglect, and increase children's safety. In addition, the emergence of a risk averse society has meant professional discretion has been progressively replaced by a preoccupation with procedures and the need for an audit trail of all actions (Hood, 2016). By way of example, Rogowski (2015) argues that current UK statutory social work practice aimed at safeguarding children considered at risk of significant harm, is based on a 'procedural model' rather than a

professional one, with 'risk' now largely replacing 'need' as the principle around which health and social work/care services are organised: "The impact of managerialism, bureaucratisation and de-professionalisation had led to the emphasis on defensive practice and risk. Defensive practice involves the overriding priority being able to defend the organisation's reputation if things go wrong, this being easier to do if the 'rules' have been followed" (pp. 105-106). Similar tendencies have emerged in the management of risks in education and disability services (Frawley & Wilson, 2016; Piper, Garratt, & Taylor, 2013).

This shift has resulted in organisational efforts directed toward detection, prevention and responses to child abuse, and in establishing and improving governance, policy and procedural responses, such as reporting and responding to disclosures, staff selection and recruitment, staff education, training and supervision, risk management, and child empowerment initiatives. Alongside such actions, the *cultural conditions*, which include beliefs, values and assumptions, and the ways in which these are explicitly and implicitly enacted, are critical to the successful implementation of 'child safe' efforts (Palmer, 2016). While there is also a more general imperative to optimise children's wellbeing, along with the prevention of child abuse (Holland, 2014), guidance is generally ambiguous (beyond procedures) about how to build and sustain an organisational culture conducive to preventing, detecting and responding to poor treatment of children (Palmer, 2016).¹

There is now a growing body of evidence based on children's views that identifies 'keeping safe and feeling secure' as critical to their social and emotional wellbeing (Fattore & Mason, 2017; Powell, Graham, Fitzgerald, Thomas & White, 2018). It is also now well established that caring, respectful, appropriate relationships, especially with trusted staff, play a key role in fostering the safety and

¹ Please note, that references in this paper to 'culture' and 'cultural conditions' refer directly to organisational culture, which is conceptualised in terms of Palmer's (2016) definition, as consisting of cultural content, which includes assumptions, values, beliefs and norms (expectations regarding how people should think and behave) and cultural forms, such as artefacts and practices that symbolically convey cultural content. In this paper, culture is not related to a particular people or society.

wellbeing of children and young people and reducing the likelihood of them experiencing harm (Graham, Powell & Truscott, 2016; Moore, McArthur, Heerde, Roche & O’Leary, 2016; Moore, McArthur, Roche, Death & Tilbury, 2016; Robinson, 2016; Thomas, Graham, Powell & Fitzgerald, 2016). Nevertheless, institutional efforts tend to be more directed towards preventing inappropriate relationships from forming (Brown, Winter & Carr, 2018; Coady, 2014; Munro, 2011). The negative impact of discourses of risk and child abuse prevention on professional-child relationships can be seen in practice contexts, for example, the growing anxiety around physical contact between adults and students in educational settings (Andersson, Öhman & Garrison, 2018; McWilliam & Jones, 2005; Piper et al., 2013). The associated development of ‘no touch’ policies and a focus on teachers’ self-regulation (Öhman, 2017) has given rise to a ‘culture of fear’ among physical education teachers (Lang, 2015; Taylor, Piper & Garratt, 2016).

There is now a pressing need to explore the kinds of policies and practices that help create the cultural conditions within organisations to enhance children’s wellbeing and safety, alongside approaches aimed at ensuring compliance with regulations and procedures designed to avoid or eliminate risk. This includes navigating the kind of inherent tensions described above in promoting positive, appropriate relationships.

This article draws on findings from the first phase of a large mixed methods Australian study that is examining the role of ethical practice in improving children and young people’s safety and wellbeing in three institutional contexts: schools, out of home care (specifically residential care), and disability services. Ethical practice is concerned with actions and decision-making around ‘the right thing to do’ in often complex and challenging situations; at a basic level this includes compliance with ‘mandatory ethics’ processes, through to engagement with ‘aspirational ethics’ at the highest level (Corey, Schneider Corey & Callanan, 2007). However, surprisingly little is known about the dimensions of ethical practice or policy in relation to children and young people (Little, 2010). Describing early years

social policy in the UK, Powell (2012, p. 101) argued that an ethical dimension was missing from all of the documentation, “other than the ‘common sense’ assumptions that children should be protected and nurtured” and that in the absence of such an ethical dimension, workers were only able to act through their professional associations and related organisations.

While there is widespread ambiguity and little consensus about what constitutes ethical practice (Mannheim et al., 2002), there is an evolving body of literature which links ethical practice with relational constructs and contexts, including professionalism (Thomas, 2012) and advocacy for children’s human rights (Nastasi & Nader, 2014), along with practices such as communication and dialogue (Berkeley & Ludlow, 2007). Within this literature, theoretical conceptualisations such as *ethics of care* and, in particular, *relational ethics* explicitly situate ethics within relationships.

This provides the underpinnings for investigating ethical dimensions of practice and policy in our study, linked to further understanding the cultural conditions within organisations that promote children’s safety and wellbeing. Specifically, we focus here on the findings from an extensive analysis of policy from Australia and other jurisdictions, namely New Zealand, the UK and Ireland, that explored how child safety is constructed in policy and operationalised in these contexts.

4. Methods

Given the lack of consistency in definitions of ‘policy’ and approaches to policy analysis in the literature, we adopted a broad and inclusive definition of policy consistent with our previous work (Graham et al., 2019). Drawing on Jenkins (1978, p. 15), we define public policy as: “A set of interrelated decisions taken by a political actor or group of actors concerning the selection of goals and the means of achieving them within a specified situation where these decisions should, in principle, be within the power of these actors to achieve”.

Our approach aimed to understand policy relevant to fostering child safety in organisations, by problematizing ‘child safety’ and “probing the unexamined and deep-seated conceptual logics within implicit problem representations” (Bacci, 2012, p. 22). This approach required reviewing related legislation (including statutes, statutory amendments, regulations, measures and bills) to gain a picture of the legal context likely informing policy developments in different jurisdictions, and to critically analyse relevant policy documents (such as procedural documents, practice guidelines and standards, codes of practice, action plans and strategies) from different Australian states, territories and Commonwealth governments, New Zealand, England, Wales, Scotland, Northern Ireland, and the Republic of Ireland. While the subsequent research fieldwork takes place in Australia, the other countries were selected for inclusion in the policy analysis on the basis that they have all initiated recent reforms in relation to children’s vulnerability, safety and wellbeing in institutional settings, which provides the opportunity for cross-country learnings.

The stages of this policy analysis are detailed below.

4.1. Stage 1: Collecting and mapping of policies

A two-pronged approach was taken to access relevant legislation and policy documents. First, website searches were performed, using Google for related key words such as ‘child safety’, ‘policy’ and ‘country/state name’, as well as key government websites. Second, key expert contacts in each international jurisdiction of interest were asked to identify important legislation/policies in their country. The search was carried out between May and June 2018. Three types of documents were collected: relevant international law, national legislation and policies from each jurisdiction pertaining

to all children and also each of the three sectors of interest (disability, out-of-home care, school).² The documents ($N = 349$) were collated in a comprehensive Excel database (see Table 1), which included information such as the ministerial/government department issuing the policy, document title, year, document type and key focus of the document.

4.2. Stage 2: Categorising and analysing

The 349 policy documents and legislation collected in Stage 1 were screened according to the following inclusion criteria:

- Overarching policies that pertain to all children and their safety.
- Policies specific to each of the three sectors of interest – disability, out-of-home care, school (notwithstanding that children’s lives may intersect with each of these areas).
- Policies relevant to practice involving children and/or the lived experiences of children in organisational contexts.

As flagged earlier, the national legislation and international law documents were analysed for contextual background to inform understanding of the policy landscape of the jurisdictions, but not progressed to Stage 2 analysis.

A total of 118 policy documents were progressed to Stage 2 analysis (Table 1). In order to address the overall aim of the broader study related to the role of ethical practice in improving children and young people’s safety and wellbeing in the three institutional contexts of interest, a summative content analysis approach was employed (Hsieh & Shannon, 2005). This involved searching for, counting and

² These three sectors of interest are the contexts in which the phase two fieldwork for the project is being undertaken to examine the operationalisation of ‘child safety’ in organisations.

comparing keywords and content in the selected policy documents, followed by interpretation of the underlying context to address the following questions:

- How is children’s safety constructed in policy?
- Is there an ethical emphasis/interest evident within the policy?
- Does the policy promote elements of relational ethics?
- Does the policy promote the organisational culture necessary to enhance children’s wellbeing and safety?
- Does the policy promote compliance?

This process provided a nuanced picture of how children’s safety is conceptualised in each country. The keywords that documents were screened against included: ‘child safe’, ‘safe/ty’, ‘safeguard’, ‘protect/ion’, ‘vulnerable’, ‘ethic/s/al’, ‘professional practice/conduct’, ‘relationship’, ‘rights’, ‘power/empower/ment’, ‘respect’, ‘trust’, ‘child-centred’ and ‘participation’.

[INSERT TABLE 1 HERE]

4.3. Stage 3: Statistical analysis of keywords

Stage 3 comprised statistical analyses of the frequency of keywords within demographic characteristics of the policy documents, such as country of origin, sector, document type, and date of publication. Before analysing the coded policy documents, keywords of a similar nature, or that described similar constructs, were clustered into five themes:

Cluster 1 – Safety comprised of three keywords:

- Child safe – related to attending to children’s safety in organisations and keeping them safe.

- Safe/ty – used in relation to children.
- Safeguard – in relation to safeguarding children and young people.

Cluster 2 – Protection comprised of two keywords:

- Protect/ion – in relation to protecting children or children needing protection (including from risk of potential harm in organisational contexts).
- Vulnerable – in relation to describing/conceptualising children and/or particular groups of children as vulnerable.

Cluster 3 – Ethical / (Un)Professional Practice comprised of two keywords:

- Ethic/s/al – use of the term ethics (or ethical) in relation to organisational or worker practice, activities, approaches involving children; organisation or worker ethics and values (excluded references solely to ethical codes and/or data storage and sharing).
- (Un)Professional conduct/practice/behaviour – in relation to adult's work/practice/behaviour in relationship with children (included inappropriate/unprofessional relationships).

Cluster 4 – Relationship comprised of three keywords:

- Relationship – used in reference to developing, maintaining and engaging in positive and appropriate relationships between children and adult workers/practitioners.
- Trust – used in the context of relationship between adult worker and child/ren.
- Respect – used in the relationship context between adult worker and child/ren (excluded reference to respect as an abstract concept e.g., respect for children's rights).

Cluster 5 – Rights and agency comprised of four key words:

- Rights – used in relation to and/or recognition of children's rights.

- Em/power/ment – used in relation to empowering children and/or recognising power differences between children and adults.
- Child-centred – used in reference to organisational or individual worker practices and/or approaches.
- Participation – used in reference to children’s participation in decision making, activities and/or influencing decisions.

Statistical analyses of keywords employed frequencies, percentages and Fisher’s exact tests. Fisher’s exact tests were used to investigate potential contingencies between categories, such as sectors or countries, with the frequencies of key word clusters in the documents. Fisher’s exact tests were used due to small frequencies in some categories which violated the assumptions of Chi square tests. Figure 1 shows the number and percent of documents including each theme in the total sample.

4.4. Stage 4: Content analysis

Consistent with analytic interests described in 4.2 (above), this stage utilised content analysis to ‘read, interpret, enact and reflect upon’ (Krippendorff, 2019, p.xii) the meaning of the policy text regarding child safety. Of particular interest was whether the language used to depict child safety in organisations working with children and young people encouraged the cultural conditions necessary for children’s wellbeing and safety, beyond the promotion of compliance with procedures. Comparisons were also made with the policy landscape in the other international jurisdictions with the purpose of informing child safe policy and practice in Australia.

4.5. Limitations

Whilst we have undertaken a thorough search and analysis using the methods outlined above, we also acknowledge several limitations. Although the collecting and mapping of policy documents followed a well-defined, structured search process, based on guidance from previous research (Graham et al., 2019), there may be relevant documents that have been missed or were not available in the period these were collected.

We also acknowledge our analysis is reliant on keywords as an indicator of policy emphases, which may not fully capture the framing or intent of some documents. While these keywords were chosen at the outset to align with our research questions and interests, a more grounded approach – as would be achieved with specific software such as Leximancer (Moyle, McLennan, Ruhanen & Weiler, 2014) – may have provided computer-generated semantic information including key concepts and their relationships.

[INSERT FIGURE 1]

5. Findings

5.1. Who is to be safe?

Policy discourses of child safety are bound up with particular understandings of children and safety. Broadly, children tended to be constructed in two key ways in policy; as vulnerable and needing protection from harm, and as social actors with agency, rights and capabilities. As shown in Figure 1, the majority of documents across all international jurisdictions made reference to protecting children (83.9%), children's vulnerability (58.5%) and rights and agency (68.6%). Importantly, such constructions reflect dominant social discourses around children's rights to protection *and* participation, as recognised in the United Nations Convention on the Rights of the Child (UNCRC) (United Nations, 1989).

Within the Australian policy context, a discrepancy was evident in how children were constructed, between national and state/territories policy documentation. As depicted in Figure 2, within the national policies, there was a tendency toward conceptualising children as having rights and agency (evident in 94.1% of documents), more than being vulnerable and needing protection from harm (76.5%). However, in the Australian states and territories documentation, children were constructed more closely in terms of both vulnerability and needing protection (87.2%), and with agency and rights (84.6%), although there was considerable variation between states. These national and state differences reflect the varying responsibilities of the different levels of government – with Commonwealth policies often promoting child abuse prevention and fostering conditions that enable children and young people to grow and develop (i.e. the National Framework) and reduce the likelihood of them being harmed within organisational settings (i.e. the Child Safe Principles). State and territory policies often articulate their aspirations for children and the responsibilities of government to children and young people who have been abused or neglected (i.e. statutory child protection) as well as creating the cultural conditions for preventing harm (i.e. the Child Safe Standards).

Particularly interesting in the current post-Royal Commission climate was the tendency of Australian national and state policy documents aimed at creating ‘child safe’ organisations to construct children and young people in terms of both needing protection and recognising their agency and rights. Children’s rights to protection, participation and provision of services, were foundational to these documents. The *National Principles for Child Safe Organisations* (Australian Human Rights Commission, 2018), for example, stated that children “have the right to special protection because of their vulnerability to exploitation and abuse” (p.3). It also specifically advocated (in Standard 2) that “children and young people are informed about their rights, participate in decisions affecting them and are taken seriously” (p. 5).

However, in some national Australian documents, not specifically focused on 'child safe' organisations, children were constructed more in terms of vulnerability. In the *National Plan to Reduce Violence against Women and their Children* (Council of Australian Governments, 2014) and the *Child Safeguarding Framework* (Department of Immigration and Border Protection, 2016), for example, children were conceptualised primarily as recipients of services, with the need for protection, but there was little recognition of their personhood beyond that. Other Australian national documents linked children's vulnerability with experience or circumstances, either explicitly or in more nuanced terms. The *Guidelines for Building the Capacity of Child Safe Organisations* (Australian Government Department of Social Services, n.d.), for example, recognised that children are vulnerable in different ways, and that this is potentially compounded for children who are Aboriginal or Torres Strait Islander, have a disability, or have experienced homelessness or abuse. However, vulnerability was largely vested in the child, without recognition of organisational or social conditions or factors that serve to increase or mitigate vulnerability. Such individualistic framing and tendency to ignore socio-political realities potentially marginalises systemic factors, even in contexts in which such factors, for example, poverty and community violence are in the foreground (Schmid, 2015).

The perception of children as being vulnerable and needing protection, was evident in documentation from all the countries included in this analysis, namely, Australia, New Zealand, England, Wales, Scotland, Northern Ireland and Ireland. In the comparative analysis between jurisdictions, the Fisher's exact test ($p = .025$) showed that only New Zealand documents (which included both child protection and other types of policies) were significantly less likely to include the protection theme keywords (protect* and vulnerab*). Indeed, protection was one of the two most frequently mentioned themes across all the countries (see Figure 2), the other most frequently mentioned theme being 'safety'. Fisher's exact test showed a significant relationship between country and 'protection' ($p = .012$). In England and Wales, protection was emphasised to a greater extent than constructions of children in

terms of rights and agency, and the reviewed policies were more likely to frame children as 'vulnerable' and 'in need of protection'. In Scotland, Northern Ireland and the Republic of Ireland the documents contained equal references to both constructions. At odds with most of the jurisdictions, New Zealand and Australian national documents constructed children in ways that emphasised their rights and agency (in 91.7% of NZ and 94.1% of Australian national documents), rather than their vulnerability and need for protection (58.3% of NZ and 76.5% of Australian national documents) (see Figure 2). This may be due to the fact that national policy documents have less of a focus on statutory child protection.

[INSERT FIGURE 2]

5.2. Safe from what?

Given the emphasis on protecting children evident across the policies, a key concern is *what* children are to be protected from. As shown in Figure 1, safety was directly referred to in the majority of documents analysed from all jurisdictions, including Australia. Safety tended to be conceptualised in two key ways; as protection from the risk of harm from abuse and neglect, or coupled with wellbeing. In the latter conceptualisation, documents often referred to 'safety and wellbeing', without defining either term.

As portrayed in Figure 2, the majority of Australian national documents (88.2%) and state and territory documents (94.9%) made direct reference to children's safety. Just over half ($n = 20$, 51.3%) of the 39 state and territory documents conceptualised safety predominantly in terms of protection from the risk of harm and abuse. Six of these documents conceptualised safety in terms of risk from harm other than child abuse, such as harm from bullying ($n = 4$) or from potentially injurious (to self, or other) behaviour ($n = 2$). The remaining documents conceptualised safety more broadly, frequently in relation to wellbeing, or in other terms, such as behaviour.

The locus of harm also differed across the documents. The 'child safe' organisation policies primarily focused on *reducing risks* to children within organisations (with less focus on concerns about children outside of organisations), while child protection documents tended to focus on *responding to and reducing harm* experienced by children in families and the broader community (with less concern about risks within organisations).

The conceptualisation of safety in conjunction with 'wellbeing' was a more recent phenomenon in Australian national policy. The *National Framework for Protecting Australia's Children* (Commonwealth of Australia, 2009), for example, specifically advocated a "move from seeing 'protecting children' merely as a response to abuse and neglect to one of promoting the safety and wellbeing of children" (p. 7). This was resonant with documents from Scotland, Northern Ireland and Ireland, which conceived of safety in broader terms connected to wellbeing and growing up in an environment in which children are listened to and a sense of belonging is created. In Scotland, for example, children's wellbeing, along with children's rights, has gained prominence as an organising framework for children's policy (Tisdall, 2015). By way of example, wellbeing was at the heart of the overarching national document for Scotland's children, *Getting it Right for Every Child* (GIRFEC, Scottish Government, 2017), with 'safe' being one of eight wellbeing indicators.

Documents from England and Wales, on the other hand, tended to conceptualise safety in conjunction with abuse and neglect, along with constructing children primarily in terms of vulnerability and needing protection. Thus, child safety in those countries was predominantly conceptualised as protecting vulnerable children from the risk of and responding to those who had experienced harm and abuse. A contributing factor in such policy constructions is likely to be the public and political response to highly publicised abuse of children by adults in each of the jurisdictions examined. The current conceptualisation of children as vulnerable and in need of protection in England, for example,

is embedded in the legislative context and the reforms that resulted from the abuse perpetrated by high profile offenders (McAlinden et al., 2018) .

Within Australia, multiple inquiries have been conducted related to child safety after similar high profile scandals. The Betrayal of Trust Inquiry focused on how Catholic organisations failed to prevent abuse of children in their care and how these abuses were covered up (McPhillips, 2018) and multiple inquiries into the abuse of children and young people in State care (Nyland, 2016). The increasingly publicised abuse of children and young people in institutions has contributed to growing awareness and concern for children's safety, with subsequent inquiries and legislative changes occurring within a broader societal context that is increasingly litigious and risk averse. In the current socio-political environment, policy and practice concerned with children's safety and wellbeing generally tends to prioritise risk aversion (Powell & Graham, 2017; Robinson, 2015; Smith, 2016; Tapp & Taylor, 2013).

In Australian policy documents focused specifically on 'child safe' organisations, safety tended to be conceptualised in broader terms than abuse and neglect, with only one (of four state documents) explicitly defining safety in those terms. The other three documents, focused on child safety in care, education and organisational contexts, conceptualised safety in more meaningful ways than merely linking it with wellbeing. The South Australian *Child Safe Environments: Principles of good practice* (Government of South Australia Department for Education, 2018), for example, stated that "the focus of a child safe organisation is not simply to create an environment that minimises risk or danger, but rather, it is about building an environment which is both child safe and child-friendly, where children feel respected, valued and encouraged to reach their full potential" (p. 5). This aligns with key national Australian policy documents focused on child safety.

The *National Safe Schools Framework* (Standing Council on School Education and Early Childhood, 2010), for example, described a safe and supportive school: "the risk from all types of harm is

minimised, diversity is valued and all members of the school community feel respected and included and can be confident that they will receive support in the face of any threats to their safety or wellbeing” (p. 2). In three Australian documents focused on ‘child safe’ standards, conceptualisations of safety included ‘cultural safety’ for Indigenous children and children from culturally and linguistically diverse backgrounds.

Generally, across the jurisdictions including Australia, there was a policy presumption that safety was the domain of adults, rather than something children are capable of enacting themselves or in partnership with adults. Essentially, safety was about adults protecting children from the threat of harm posed by adults. Thus, children’s agency was not generally recognised or included in children’s safety discourses. However, there were exceptions to this. Australian state policies that were specifically focused on ‘child safe’ organisations included strategies to promote the participation and empowerment of children, such as equipping children and young people with the skills and knowledge to keep themselves and others safe. Similarly, several English and Welsh policies included a focus on how children themselves conceptualise safety, and teaching them and their parents to understand and manage risks (see for example, the *Staying Safe Action Plan in England*, HM Government, Department for Children, Schools and Families, 2008; and the *Safeguarding children: Working together under the Children Act 2004*, Welsh Government, 2007).

5.3. How are children to be kept safe?

The ways in which children were constructed in policy intersect with how safety was conceptualised, generating particular understandings of ‘child safety’ and how it can be promoted. Constructions of children as vulnerable lean heavily toward approaches which focus on an obligation to remove and mitigate risk, thereby emphasising protection through adult intervention, with limited recognition of the agency and participation of children. Such an approach is particularly potent in relation to safety

from the risk of child abuse. Conversely, broader conceptualisations of safety and constructions of children as having rights and agency arguably require that adults engage children, introducing an obligation to build and implement conditions for safety in the context of wellbeing and empowerment.

Policy initiatives directed toward keeping children safe, in Australia and internationally, were characterised by two key approaches. One approach was exemplified by procedural or compliance-driven imperatives, for example, monitoring, measuring and reporting. The other emphasised the cultural conditions within organisations which enhance wellbeing and safety. The *National Statement of Principles for Child Safe Organisations* (Australian Human Rights Commission, 2018), for example, stated that “a child safe organisation consciously and systematically: Creates an environment where children’s safety and wellbeing is the centre of thought, values and actions [and] places emphasis on genuine engagement with and valuing of children” (p. 3).

Key elements that contribute to promoting organisational cultural conditions to enhance children’s wellbeing and safety included the use of language that recognises children’s rights and agency (keywords: rights, em/power/ment, child-centred and participat*) and relationships between children and adult workers (keywords: relationship, trust* and respect*). This finding resonated with other research showing children feel safe when their needs and aspirations are independent of their families; they have rights, agency and some influence over decisions that affect their lives; and the organisational culture in which they find themselves fosters positive relationships (Higgins & Moore, 2019; Moore, McArthur, Death, Tilbury & Roche, 2018; Moore et al., 2016; Robinson, 2016).

Children’s rights, as asserted in the UNCRC, are a “legal articulation of a broader philosophical perspective” (Lundy & McEvoy, 2012, p. 77), which require and underline respect towards children as people (Tisdall, 2015). As shown in Figure 3, recognition of children’s rights (indicated through direct use of the term ‘rights’) was evident in the majority of policy documents from Australia (64.7% of

national and 66.7% of state and territories' documents) and the other jurisdictions. Furthermore, the term 'participation' was evident in approximately half of Australian national (58.8%) and state and territories' documents (53.8%); a greater percentage than the other jurisdictions, except Wales (62.5%) and Ireland (66.7%). However, the aspirational language pertaining to children's rights in the majority of these policy documents was generally accompanied by information of a procedural or compliance-orientated nature that foregrounded organisational safety and children's vulnerability, rather than the voice and agency of the child as fundamental in enacting policy.

Other terms related to recognition of children's rights and agency as social actors appeared less frequently in Australian and international policy. Although Australian policy used language that constructs children in terms of rights and participation, it referred to 'empowerment' of children and 'child centred' less often than most other countries. As illustrated in Figure 3, the term 'em/power' appeared in fewer Australian (17.6% of national and 25.6% of state and territories' documents) and New Zealand (25%) documents, compared to other jurisdictions (England 44.4%; Wales 75%; Scotland 60%; Northern Ireland 50%; Ireland 53.3%).

Also, as shown in Figure 3, an even larger discrepancy was apparent in the use of the term 'child centred', the meaning of which was not clearly articulated in the documents reviewed, but generally connected to the notion of "giving priority to the interests and needs of children" (Oxford Dictionary, 2013). A review of related literature identified four themes relevant to 'child centred' practice in the field of child protection:

Recognising critical time frames in childhood and adolescence; taking into account the developmental needs of children and young people in all interventions; providing children and young people with appropriate opportunities to participate in all aspects of child protection interventions which

affect them; and promoting a collaborative approach to the care and protection of children, including the strengthening of networks that are critical to their wellbeing. (Winkworth & McArthur, 2006, p. 1)

The UK Munro review (2011) links child-centred practice with children's rights, identifying the UNCRC as providing "a child-centred framework within which services to children are located" (p. 16). In the present study, the term 'child-centred' was used in only one-tenth (10.3%) of the Australian state documents, whereas it appeared in approximately a third of English (38.9%) and New Zealand (33.3%) documents, and in half or more documents from Wales (50%), Ireland (53.3%), Northern Ireland (75%) and Scotland (80%).

Scotland, Northern Ireland and Ireland employed a policy language that firmly framed children as active participants and promoted children's rights, participation and empowerment. Ireland was particularly noteworthy in its strong focus on incorporating the principles of the UNCRC in its policies and strategies. In Ireland, the themes 'rights and agency' (100%) and 'relationships' (80%) were referred to more often than in the Australian national (rights – 94.1%, relationships – 58.8%) and states and territories (rights – 84.6%, relationships – 46.2%) policy documents (see Figure 2). This is particularly interesting given that the majority of Irish policy documents analysed were published following the 2009 report from the Commission to Inquire into Child Abuse, established by the Irish government in 1999, whose remit was to investigate all forms of child abuse in Irish institutions for children.

While the Australian national documents tended toward promoting the cultural conditions within organisations to enhance children's wellbeing and safety, at least in aspirational terms, there was considerable variation between the states and territories, as shown in Figure 4. Despite the tendency to use rights-related terms, states and territories varyingly framed children in terms of vulnerability

and needing protection *more* frequently (Queensland and Northern Australia), to an *equal* extent (ACT, Victoria, South Australia, Western Australia) or *less* frequently (New South Wales) than terms that recognised their rights and agency.

Despite research evidence pointing to the importance of relationships between children and adult workers, terms pertaining to this (keywords: relationship, trust* and respect*) were not a strong feature in Australian policy. As shown in Figure 2, although evident in over half of the national Australian documents (58.8%), the theme of relationships was included less often in the Australian state and territories' policies (46.2%) than in most other countries, except Scotland (40%) and New Zealand (33.3%). Furthermore, a strong focus on promoting and building respectful and constructive relationships between practitioners and children, and appropriate supervision and management of staff working with children, was evident in the Ireland (80%) and England (77.8%) policy documentation.

Approaches that promoted the cultural conditions to enhance children's wellbeing alongside compliance-based elements were particularly evident in the policy documents focused on 'child safe' organisations and environments. However, in many of the documents, both Australian and internationally, the aspirational promotion of cultural conditions to enhance safety and wellbeing, appeared only in the preamble and were not integrated throughout the text. Rather, these documents focused predominantly on procedures and standards, which promote compliance and foster the safety of organisations rather than the safety of children.

Key elements in the international policies that promoted the cultural conditions to enhance children's wellbeing included constructing children as having rights and agency, focusing on the whole child and on wellbeing indicators, and promoting the learning and development of staff working with children. In particular, documents from Ireland, the *National Children's Strategy 2000-2010* and the *Better*

Outcomes, Brighter Futures strategy (Department of Children and Youth Affairs, 2000, 2014) promoted the cultural conditions for thriving as they focus on the rights of the child, on their human dignity and right to a good quality of life. The strategies were inclusive, action-oriented and focused on the 'whole child' perspective. Key policy documents from New Zealand and Scotland placed importance on wellbeing indicators and principles designed to assist practitioners in their engagement with children and young people, and on the learning and development of staff working with children. In contrast, statutory guidance documents from England and Wales tended to focus on the procedures and processes that need to be in place to safeguard children.

[INSERT FIGURE 3&4]

6. Discussion and Conclusion

The findings reported here provide a firm foundation for understanding how child safety is viewed in policy terms across Australia compared to other jurisdictions (New Zealand, England, Wales, Scotland, Northern Ireland and Ireland), offering insights and highlighting gaps. Emergent discourses of 'child safe' appear to reflect current social and political priorities and imperatives, and support approaches that emphasise to different extents children's vulnerability and/or their capabilities. Hence, these discourses are bound up with particular constructions of both children and safety. Children tend to be constructed in two key ways across the policy-related documentation - as vulnerable and needing protection from harm, and as having rights and agency, with the associated entitlements and capabilities.

While the majority of policy-related documents reflected both, the emergence of two clearly differentiated constructions may also suggest a leaning in some documents toward a dichotomous representation (presenting children as agentic *or* vulnerable), which is not adequately reflective of the

diversity and complexity of children and childhood experiences. A more helpful construct may be that of a spectrum, which recognises varying degrees of vulnerability and capacity to enact agency for children, in accordance with individual children's age, abilities, circumstances and experiences. So too might be an approach that recognises that children's participation may increase their protection and overall feelings of safety (Higgins & Moore, 2019; Warrington & Larkins, 2019).

The documents included in the analysis were those relevant to child safety in organisational contexts, hence the emphasis in these documents across jurisdictions is on protecting children. Predominantly positioned as protection from harm and abuse, the conceptualisations of safety intersect with constructions of children to generate particular understandings of 'child safety' and how it can be promoted. The dominant construction is that of vulnerable children needing protection from the harm of abuse. Thus, the 'problem' that child safe policy sets out to solve is how to protect vulnerable children from the risk of harm. What is of particular interest is the ways in which policy attempts to solve this problem – primarily through compliance with procedural mechanisms. What is perhaps less evident is recognition of the role children might play themselves in their own protection, and that of others, and how organisational cultures can work to support and promote this (Moore, McArthur, & Death, 2020).

Broader conceptualisations incorporating children's agency and rights were evident in some documents, particularly in more recent ones focused on promoting 'child safe' organisations and environments. In these, the importance of organisational procedures and mechanisms to protect children sits alongside recognition of their rights, agency and capabilities, and safety is conceptualised in the context of wellbeing. Australia and New Zealand, in particular, placed greater emphasis on children's rights and capabilities than on their vulnerability and protection as in other jurisdictions. Across the jurisdictions there has been a strong preoccupation with keeping children safe and avoiding risk, driven at least in part by political responses to cases over many years in which agencies and

workers were perceived to have missed the signs of abuse or failed to take appropriate action. In New Zealand, for example, this resulted in an ambitious overhaul of the care and protection system, which has led to a long-term transformation program that aims to create a child-centred system prioritising children and young people's voices and needs. The approach now in place has been driven by commitment to the UNCRC, along with concern about the detrimental impact of state care on children and young people, and the over-representation of Māori in welfare, out-of-home care and youth justice services (Fernandez & Atwool, 2013).

Different approaches to child safety in organisational contexts were evident in the analysis. The policy landscape in Australia and internationally was characterised by procedural or compliance-driven imperatives, *as well as* an emphasis on the cultural conditions necessary to enhance children's wellbeing and safety. This includes constructing children as having rights and agency, focusing on the whole child and on wellbeing indicators, and promoting the learning and development of staff working with children. While both approaches (promoting cultural conditions and compliance with procedural mechanisms) were evident in the documents, it seems critically important in the current environment that these both stay firmly in view and in balance, so that endeavours to promote child safety are not reduced to a largely compliance driven exercise, nor blind to organisational cultures that can contribute to child sexual abuse (Palmer & Feldman, 2017).

The UNCRC has likely contributed to this gradual shift in how children are conceptualised. Nevertheless, recognition of children's rights in the policy documents analysed in this study was often aspirational, transitory and tokenistic, rather than embedded. It is also clear that some documents, for example some Australian state and territory government department child protection policies, included recognition of children's right to be protected from harm, but have little, if any, reference to children's right to participate in matters that affect them.

Previous research suggests that for children to be safe and feel safe, they must be respected and empowered and provided with opportunities for some autonomy and influence over decisions that affect their lives, necessitating organisational cultures that foster positive relationships between adult practitioners and children (Moore et al., 2018; Moore et al., 2016; Robinson, 2016). This policy analysis also suggests that countries with a policy landscape which privileges children's rights, their participation and empowerment, are more likely to promote the cultural conditions for children's wellbeing and safety, which include the necessary procedural mechanisms, but are not reduced to compliance imperatives only.

Importantly, the Australian documents which focused on creating 'child safe' organisations, environments and standards, incorporated constructions of children as both needing protection *and* as rights bearers, and tended to conceptualise safety in broader and more meaningful ways than other documents. The approaches within these documents incorporated procedural mechanisms alongside strategies and actions to protect children and promote their safety. As such, they offer direction for policy makers, as well as for organisations in developing and sustaining cultural conditions to promote safety. However, in other policies, there was an obvious priority given to mechanisms that promote children's safety through following procedures that aimed at avoiding and minimising risk. While these are critically important, there may be costs and consequences for organisational culture in approaching child safety through compliance mechanisms alone.

The findings have clear implications for policy makers. These include highlighting the importance of conceptualising children as rights bearers, with recognition of their rights, including rights to participation as well as protection and provision of services; incorporating mechanisms and procedures that respect children's autonomy and capabilities, as well as being designed to protect them from harm; and providing direction with fostering conditions in which relationships between children and workers can be recognised and strengthened. Such policy directions would more strongly

signal to organisations the importance of implementing practices and procedures that place children at the centre, recognise and respect their rights, support meaningful and effective relationships, and contribute to an organisational culture that supports their safety and wellbeing. Given the current pace and complexity of current policy efforts aimed at promoting the safety and wellbeing of children and young people in organisational contexts, closer attention will need to be given to the kinds of practices that support this.

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CONFLICT OF INTEREST

The authors have no conflict of interest to declare.

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7. References

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