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Abstract

This paper belongs to an embryonic body of scholarship that documents the camouflaging of political, economic and commercial agendas under the rhetoric of Child Protection. The Trojan Horse theory of Child Protection, as this scholarship may broadly be termed, alleges the misuse of Child Protection powers for ulterior motives. Years of struggle against the Law and Order, Psychiatric and other discourses have won a raft of Civil and Human Rights protections. Bypassing these protections, Child Protection provides a rhetoric that disguises surveillance and disarms opposition, because a justifiable and apparently benign pretext has been found in the ostensible and entirely laudable, aim of protecting children. The paper collates widespread evidence of how the pretext of Child Protection has been used to extend surveillance and disarm populations. Through the discourse of Child Protection, children are propelled through various constructions from ‘child in need’, to ‘child at risk’, to ‘potentially delinquent’, to ‘delinquent’, but in each case, transgressions of ever more restrictive and constantly morphing laws, regulations and expectations are used to infiltrate techniques of information gathering deeper into more intimate parts of the social body. Child Protection is now used to penetrate where orthodox policing can no longer go. Throughout the process of criminalisation, whether children are constructed as victim or transgressor, pretexts for expanding power and increasing profit are developed. Transgression by, or against, children, is used to further the economic, political and commercial interests in surveillance. To fully understand the relationship between surveillance and Child Protection, it is necessary to interrogate the information-sharing model that is built into the major Child Protection frameworks. The paper explores the manner in which Child Protection has been structured by the information-sharing model, to benefit the sectional interests in surveillance and the detrimental consequences that this has for children and young people.

Introduction

A series of concerns has been raised about the Database State relevant to children and young people (Anderson *et al* 2009, Anderson *et al* 2004, Dowty 2004a, 2004b, 2007, 2008, Dowty and Korff 2009, Munro and Parton 2007, Parton 2008a and b, Tregeagle and Darcy 2008, Penna 2005) and there has been extensive questioning of the efficacy of various electronic informational systems, in the context of analysing the impact of IT on the work of Social Workers working with children, often emphasising local variations in implementation (Pithouse *et al* 2009, Pithouse and Broadhurst 2009, Peckover 2009, Shaw *et al* 2009). Garrett (2005) has queried the impact of the government’s ‘return’ on the Civil Liberties of services users and on the working conditions of Social Workers. Stayaert and Gould (2009) have examined the relevance of the digital divide to Social Work and Wong *et al* (2009) have proposed that community-based ICT user networks be developed as a response to digital exclusion. There has also been a broad raft of papers in this journal, analysing the relationship between surveillance and inequality. Broadhurst *et al* (2009) have elaborated the design problems around the IT systems focused on children, White *et al* (2008) have critiqued the tyranny of electronic documenting and Wastell *et al* (forthcoming) have outlined the irrational outcomes resulting from the overbearing managerialism that is associated with the introduction of the new technologies into Child Social Work.

This paper focuses on the relationship between the structuring of Child Protection around the information-sharing model and the expansion of dataveillance. The term dataveillance refers to the transformation of surveillance through “rapidly accumulating, technologically enabled techniques.” (Clark 1988, 2003 in Genosko and Thompson 2006: 124). The paper argues that to more fully understand the expansion of surveillance that has taken place under the rubric of Child Protection, it is necessary to interrogate the information-sharing model. Drawing on the Trojan Horse theory of Child Protection, the paper contests that the Child Protection discourse has been used as a pretext for the expansion of surveillance. The unquestionable need to protect children against abuse and neglect has been used to provide an ostensible rationale for other policies, practices and expenditure that further commercial, political, economic and other interests, rather than the interests of children. The discourse of Child Protection is only loosely targeted on preventing child abuse and rehabilitating errant families. The paper presents strong evidence that rather than addressing social problems that negatively impact on children, transgression is used to further the economic, political and commercial interests in surveillance. This surveillance is part of a general strategy of subjugation that is able to arbitrarily summon powers in a flexible but intensely aggressive expression of discipline. Big Brother is politically unpalatable but by linking the unacceptable, to the incontestable, surveillance achieves a state of reification.

The first part of the paper introduces the Trojan Horse theory of Child Protection, providing a range of examples of the use of Child Protection discourse to further agendas that are contrary to the interests of children and other citizens. The paper then moves on to an examination of the use of the Trojan Horse to extend the economic, political and commercial interests in dataveillance. Throughout the paper, the expansion of surveillance through the medium of Child Protection is contextualised in terms of the sectional interests and strategies of power that are served by the structuring of Child Protection around the information-sharing model, rather than around directly meeting the needs of children and their families. Much of the data cited in the paper derives from the UK Child Protection system, pertaining to general themes that arise in Anglophone Child Protection systems, rather than making comparisons between different national systems.

The Trojan Horse Theory of Child Protection

The Trojan Horse theory of Child Protection deployed in this paper draws on a broader intellectual heritage that includes Foucault’s own work (1977) and various Foucauldian scholars such as Cohen (1985), Dean (2009, 2002), Garland (1981, 2001), Penna (2005) and Parton (1985, 2008a and b). The theory is also situated in the context of several critiques of the transformation of Social Work from a potentially emancipatory discourse into a discourse of oppression (Lonne *et al* 2009, Carey, 2008, Petrie, 2009, Garrett, 2003, Jones, 2001, 2002, 2005, Jones and Novak, 1993, 1999, Davies, and Leonard, 2004, Jack, 1997, Jack and Stepney, 1995). Wexler (1995) specifically argued that Child Protection exploits the vulnerability of disadvantaged families, profiting from their misfortune, with tragic, and at times, fatal consequences for children.

A strong influence on the theory is Stanley Cohen’s (1985) application of the Orwellian realisation that oppressive tendencies are omnipresent in ostensibly democratic societies, though their presence is concealed by ‘Newspeak’, a form of Public Relations ‘spin’ in which social processes are heavily disguised. This perception shares an affinity with Dean’s concern with the authoritarian potential within liberalism (Dean, 2002, 2007, 2009). David Garland’s view (1981, 2001) of the welfare state as a form of penalty, a strategic disciplinary response to the constraints on penalty, imposed by liberalism, is also significant in suggesting a welfare system that acts in a manner that involves a certain deviousness as to purpose. As R. D. Laing realised, exploitation can only survive by masquerading as benevolence. (1990: 57).

The traces of awareness have been growing over an expanse of literature, that in nascent form, documents the perceptions that shape the Trojan Horse theory of Child Protection. This view of Child Protection

argues that the discourse of Child Protection is being mis-used for purposes that have little or nothing to do with enhancing the lives of children. The misuse of social welfare in all its forms, to take away rights, is now a well-known phenomenon (Garland 1981). This paper is addressed to the manner in which Child Protection is expanding surveillance and dismantling basic Human and Civil Rights. As Kociumbas 1997: 234) explained, “No matter what the justifying rhetoric- Dickensian fragility, biological ‘fitness’, or Freudian ‘liberation’, child rescue has never been without an economic or political agenda, rendering the objects of so much concern in danger of being considered less than human”. Davidson (in Wexler 2006) similarly lamented that, “there is a certain element within the child welfare industry that tends to look upon kids in the way that, say, Colonel Sanders looks upon chickens.”

The thesis that Child Protection operates as a Trojan Horse also draws upon Garland’s argument that the social work discourse has provided, “what liberalism could not supply,” namely a rationale for state agencies to restrict individual liberty. As Garland says, the “welfare sanction went further than all the rest in addressing and reformulating the whole question of individual liberty itself. It raised the classic question of liberal political discourse - under what conditions may the individual’s liberty be legitimately restricted - and gave a new answer.” (1981: 40). New bases for intervention were established in an ideology of the benefactor state, regardless of whether any breach of the criminal codes had been committed. Individuals were given welfare rather than rights (Garland, 1981: 43). Garland’s argument (1981) leads to the more contemporary argument that the Child Protection discourse has succeeded in bypassing the protections, limited though they are, in Civil Liberties and Human Rights which have been built into other discourses such as Law and Order, Psychiatry, Medicine, Nursing and so on.

Like Garland, Parton (1996, 1991) has focused on the articulations of Social Welfare imposed by the tensions between the liberal state and other competing agendas. Child Protection re-negotiates the liberal distinction between the state and civil society, between the private and the public, between the regulated and un-regulated. One of the most cherished views in liberal criminal law theory is that the state must not impinge on individuals or groups unless it is for the purpose of preventing harm (Alldrige 2001: 81). It is important to note that privacy is not so much about evading the paparazzi, it is about creating a space upon which the state must not tread (Alldrige 2001: 81). Child Protection, creates a rationale for imposing surveillance, invading intimate space, restricting freedoms and appropriating wealth, in the claim that the problem of harm to children is being addressed. Investigation and surveillance have been developed “under the guise” of a rhetoric of saving children (Lonne *et al* 2009: 72).

The Trojan horse theory of Child Protection also finds resonances in Penna’s argument that the Children Act, 2004, acts as a particular strategy of governance of the entire population, by means of electronic surveillance. The Act reconstitutes the object of governance in an attempt to depoliticise the contested issues (Penna 2005). Elaborating this argument, it can be observed that mystified processes conceal strategies of power by providing a noble cover story that disarms the usual defences that populations have developed to protect their liberties, dissensions and colourful diverse lifestyles against state intervention. Nevertheless, the deconstruction of the mystification of Child Protection is developing strongly among campaigners, as evidenced by the 80+ websites that are focused on Miscarriages of Justice in Child Protection. This paper seeks to give cogency to their awareness that the claim of Child Protection to protect children is an example of ‘Newspeak’.

Social Welfare has become social policing, and Child Protection has been centred on policing rather than on prevention (Lindsey 2004). The work of Donzelot (1979) was important in revealing that Social Welfare is social policing. However, the Trojan Horse theory of Child Protection goes beyond the social policing thesis. Donzelot’s thesis is open to critique on three broad fronts. First, Child Protection is far more punitive than envisaged by Donzelot. Evidence of widespread punitive, even draconian practice is provided by Lonne *et al* (2009), Marneffe (2002), Scourfield and Welsh, (2003) and Jones and Novak (1999). Second, the Trojan Horse may be regarded as furthering multiple commercial, economic,

professional, political and interpersonal agendas (Wrennall *et al* 2003, Wrennall 2007) and there is scant awareness of these other agendas in Donzelot's analysis. Third, Child Social Work interventions produce social exclusion and other harmful impacts (Lonne *et al* 2009, Lawrence, Carlson, and Egeland 2006, Doyle 2005, Richardson and Lelliott 2003, Wrennall *et al* 2003), rather than normalisation. Child Protection processes are far more destructive than Donzelot envisaged (Lonne *et al* 2009, Wexler 1995, Swift 1995) as Child Protection has come to embody the legally sanctioned abuse of power (Lonne *et al* 2009: 72). As a result of the punitive approach taken by Social Workers in Social Services Departments, "In many disadvantaged and marginalised working class places, social workers are seen as part of the problem and not as part of the solution." (Jones 2001: 558).

A significant role played by the Trojan Horse is in the managing of opposition or 'selling sin' as it has been called by Davidson (2005). Managing opposition is an essential part of contemporary Public Relations. Public Affairs consultancies develop the relevant marketing strategies, often employing experts to convince politicians of the saleability of policies that allocate expenditures in the desired direction (Kassirer 2005, Krimsky 2003, Greenberg 2007, Burton 2008, Rampton and Stauber 2002, McGarity and Wagner 2008) Grand scale legitimisation strategies that have previously lain in claims of protecting the public, society, the community and so on are increasingly being replaced with claims that laws, policies and expenditure are designed to protect vulnerable groups such as children. On occasion, policy orientations have been provably linked to financial contributions to politicians' electoral campaigns (Lenzer 2004) and Judges have been bribed to pursue sectional and private interests (Ford 2006, Monbiot 2009). There has also been concern over members of Local Authorities starting their own agency or service and ferrying children to the agency or service from which they acquire financial benefit (Roche *et al* 2006: 5, Josephs 2008: 263, Frost 2007).

Political economic and commercial interests are able to draw upon the strong protective urge towards children that arises, perhaps organically, in civil society. The need to protect children against abuse and neglect is incontestable. However, there is a growing awareness that there are vast opportunities for Child Protection powers and resources to be misused "in connection with commercial interest, political bias, inter-professional turf wars, concealment of malpractice, bullying, discrimination, repression of dissent, interpersonal manipulation, common scapegoating and the avoidance of financial responsibilities" (Wrennall *et al* 2003). Sectional agendas are able to surreptitiously penetrate the social body through a rationale in Child Protection whereas they would be more obvious and more bitterly fought, in more established discourses such as Law and Order and Psychiatry. Newer discourses such as Anti- Terrorism and Child Protection have only minimally responded to campaigns to secure Human Rights and Civil Rights protections. Fewer checks and balances have been built into these newer discourses. Hence, Anti-Terrorism powers have been widely mis-used against members of diverse widespread populations, who may, or may not, have engaged in minor transgressions of petty official requirements. The mis-use of Anti- Terrorism powers is now well known (Mostrous 2008) and there is an emerging, but less well-known, awareness of the misuse of Child Protection powers to control populations, undertaken for the benefit of sectional interests.

The growing awareness that Child Protection acts as a Trojan Horse for other agendas is also informed by Foucault's insight that delinquency acts as a "political observatory" (1977: 281), but it is worth noting that delinquency is one end of a process and surveillance operates throughout the entire process through which children are criminalised. As Penna (2004: 156) points out, "social welfare and criminal justice form part of the same project of surveillance." The process through which 'delinquency' is socially constructed, is one in which children pass through various constructions from 'child in need', to 'child at risk', to 'potentially delinquent', to 'delinquent' and each transformation in this process is mediated by child Social Work (Cohen 1985). Early intervention as Broadhurst, Grover, and Jamieson (2009: 5) point out "may be neither positive nor benign." Private prisons at the juvenile and adult level draw the bulk of their inmates from children who have been processed through the 'Care' system (Social Exclusion Unit 2002,

Richardson and Lelliott 2003, Joint Chief Inspectors 2002: 70). Almost half of the children in UK Young Offenders Institutions are either subject to a 'Care Order', or were subject to a 'Care Order' (Joint Chief Inspectors 2002: 70). Evidently, the 'Care' system plays a significant role in the criminalization of children and young people. Perverse financial incentives operate to convey children from the "Care" system into the prison system, rather than into Further, or Higher, Education (Sergeant 2006: 3). 'Delinquency' is used to authorize generalized policing, "a perpetual surveillance of the entire population" (Foucault 1977: 281). It is not only delinquency that functions as a 'political observatory,' as a Trojan Horse, the discourse of Child Protection is also implicated through a two-fold interchange, "whereby the judicial administration has incorporated the other disciplines of psychology, medicine, education and social welfare work and the disciplines have taken on more judicial roles" and the new disciplines e.g. psychology and social work have extended penitentiary techniques beyond the walls of the prison (Foucault 1977: 306). The two-fold interchange thesis also acknowledges significant commercial interests in Child Protection work. Foucault (1977: 175) was fully aware that "Surveillance thus becomes a decisive economic operator both as an internal part of the production machinery and as a specific mechanism in the disciplinary power." The intention of punishments in general, is to distinguish offenses, "to use them", to "assimilate the transgressions of the laws in general tactics of subjection" (Foucault 1977: 272). The laws and the way they are applied, serve not only the interests of a class, but also the transgressions of the laws are rendered profitable from within the mechanisms of domination (Foucault 1977: 272).

Garland significantly deviated from Foucault is his argument that the "welfare sanction" is "not punitive but normalising" (1981:40) whereas Foucault was clearly documenting the emergence of the punitive society. Ours is a "punitive society" Foucault argued (1977: 255). "We are in the society of the teacher-judge, the doctor-judge, the educator-judge, the social worker-judge... and each individual wherever he may find himself, subjects to it his body, his gestures, his behaviour, his aptitudes, his achievements." (1977: 304). The punitive mechanisms are applied not only through a central law, not only in and for commerce and industry (1977:308) but are also established throughout the "new disciplines" of medicine, psychology, education, public assistance and 'social work' (1977: 306). Now we might add, through Child Protection Social Workers.

Social Work with Families is Reduced to Surveillance and Child Removal

Social work with families has been reduced to no more than Child Protection work (Mellon and Clapton 1991 in Jones and Novak 1993: 208) and Child Protection engages in investigation, assessment and surveillance, but does very little in the way of providing actual assistance to those in need (Lonne *et al* 2009: 72). 'Technocratic managerialism,' (Davies and Leonard 2004, p. x) linked to profit appropriation by the welfare industries consisting of IT, Adoption and Foster Care companies and Care Home companies, has created a 'white collar sweatshop' (Fraser 2001 in Carey, 2008:930) involving the intense deskilling of Social Workers, and the "virtual removal of therapeutic interventions and service provision," to children and families (Carey, 2008: 919). The potential of Social Work to play an emancipatory role is now seriously disputed (Scourfield, and Welsh 2003). Garrett's view (2003: 148) is that, "it is misguided to view social work as an entirely benign and emancipatory activity". For the vulnerable groups in society, particularly those who are economically disadvantaged, "Social work now contributes to their problems and difficulties rather than offering respite or help" (Jones and Novak 1993: 210). The politics of surveillance, as Gilliom (2001: 2-3) discerned, "necessarily include the dynamics of power and domination." The word "surveillance roughly translated as *watching from above*- implies that the observer is in a position of dominance over the observed." (Gilliom 2001: 2-3). Jones and Novak (1993: 196) explain that "While Social workers feel and act like besieged gatekeepers to an inadequate and crumbling system of support, they have been pushed remorselessly towards practices of surveillance, monitoring and control". Most of the populations who experience Social Work interventions are poverty-stricken, yet as the profession admits, "Our solution to poverty seems to be to take their kids away" (Jones 2001: 558)

Child Protection surveillance generally results in no action, more surveillance, Foster Care, Residential ‘Care’, or adoption of the children. The allocation of financial, and other resources, in these directions is highly contentious (Ritchie 2005, Wrennall 2008, Wrennall 2004) and has been subject to considerable resistance (Parton *et al* 1997). The number of Child Protection investigations, or ‘Needs Assessments’, as euphemism would have it, increased from around 200,000 in the year ending in March, 2007 to 319,900 in the year ending in March, 2008 (Department for Children, Schools and Families, 2008a) and the average cost of each assessment is £900 (Cleaver *et al* 2004). Applications for Child Protection ‘Care’ Orders cost £25,000 (DfES and DCA, 2006:13) and rise considerably on appeal. In the UK “Total gross expenditure on children in care in 2007-08 was £2.19 billion, 51% of which was spent on fostering services and 41% on children's homes. The average cost per looked-after child per week across all placements was £774. For children in residential homes the average was £2,428, and for foster care £489.” (Children, Schools and Families Committee 2009). In the US, the Child Protection expenditure is estimated to be \$11.2 billion (Courtney 1998:88).

More importantly, there is extensive evidence of harm to families resulting from Child Protection interventions. Families who have been through Child Protection ‘assessments’ are left traumatized, bewildered, betrayed and powerless (Jack 1997: 665, Cleaver and Freeman, 1995, Farmer and Owen, 1995). Cooper, Katz, and Hetherington 2003: 18) state that “children and families drawn into the child protection process frequently find the whole experience traumatic, and sometimes more traumatic than the abuse itself.” So destructive is the process, that a study by Farmer and Owen found that older children who are separated from their families tend to regret having disclosed their situation (in Jack 1997: 665) and Cooper, Katz, and Hetherington (2003: 18) report that a high proportion of children who were abused, regret ever having disclosed the abuse. There are also financial costs involved in defending themselves, even if Legal Aid is provided (San Diego Grand Jury 1991-2a and b). In one case a child’s entire college fund was consumed in protecting her against child removal. The system has a central focus on adoption (Garrett, 2003:1), though forced adoption is widely regarded as the Family Law equivalent of the Death Penalty. Indeed it can be argued that adoption is the tail that wags the Child Welfare dog (San Diego Grand Jury, 1991-2a and b). The evidence is that adoptions are more likely than ever before, to be contested by families of origin (Garrett 2003: 98), that child removal is experienced as “excruciating” by parents (Kennedy, 2005: 208) and that Mothers who undergo adoption of their children are likely to experience lifelong sorrow and regret (Brodzinsky 1993: 209). Yet the evidence of harm to families is countermanded by the argument that the child’s interests are paramount. However, the paramountcy argument does not stand up to the evidence that children are mostly depressed while in ‘Care’ and have very poor outcomes from their time in the system (DfES 2006, Richardson, and Lelliott 2003, Sergeant 2006). Children’s lives are devastated when child removal is substituted for family support (Lonne *et al* 2009: 104, San Diego County Grand Jury 1991-2a and b). One child described foster care as “distressing”, crying for his Mother and Father. Assessment was a “horrible and frightening experience” and he says he is “very angry” with social services “and will never forgive them” (*X Council v B (Emergency Protection Orders)*[2005] 1 FLR 341 s92). Setting the findings of a small case study of children’s views in the context of a broad base of evidence, Leeson (2007) found that in being raised by the state, children’s experience of ‘corporate parenting’ was that it was disempowering, psychologically damaging and that it did not meet their needs. Similarly, McLeod’s study found that “The view of these young people about being looked after was that it was not, in the main, a happy experience, that the quality of care was often inadequate,” (2008: 4). In addition, Wexler (1995) has documented the extreme harm that children suffer in Foster Care, pointing out the irony that children suffer the most from a system that claims to operate in their interests. In the main, children who have been taken into the system, want to return to their families, but their views are largely ignored (Lonne *et al* 2009: 104). Even when they have been adopted, children describe the loss of their families, as the worst thing about being adopted (Commission for Social Care Inspection, 2006: 8). Damning the system on all fronts, Carey (2008: 918) argues that “the current organization of social care is highly bureaucratic, exploits labour and is deeply ineffective at responding to the needs of vulnerable adults and children.”

Child Protection as Limitless Surveillance

Child Protection surveillance operates on two main levels that extend into infinity in the requirements that they may impose on vulnerable populations. The threat of child removal and the promise that removed children may be returned, are used to demand compliance from families to the varied agendas imposed by the state. Research among service users for *the Service User Joint Statement* (Wrennall *et al* 2003), legal judgements and cases that have found their way into the public domain, reveal claims that people have been instructed to leave jobs, to get jobs, to leave intimate partners, to resume relationships with intimate partners, to not complain about child removal, [or they will lose their other children], to not claim to be innocent, to not have a water birth, and so on. In one extraordinary case an adoptive mother who was being investigated was told by the Social Worker that she should not put Hearing Aids on a child, countermanding the advice of the child's Audiologist. In another case, a young woman's alleged 'promiscuity' was part of the rationale for removing her child. A promised return home, Foster Care, or a 'forever family', can be used to secure the child's compliance. On the other hand, the child can be threatened with being sent to a Children's 'Care' Home. The totalitarian gaze, as Los (2006: 76) points out, "which is arbitrary and predicated on fear, aims not at normalisation but at an infinite malleability and obedience."

Moreover, the ambit of the Child Protection discourse is ever-increasing. Because Child Protection does not pertain to a singular offense, the definitions of abuse and Child Protection 'concern' are infinitely expandable. The statutory guidance covering Child Protection conceptualises stress as the major factor predisposing child abuse (Department of Health, Home office, Department for Education and Employment: 1999: 8) and since almost everyone experiences stress at one time or another, then the discourse has extended its remit to take in the entire population. "As a result of this conceptualisation, the imputation of the negative label of potential child abuser can be applied to almost everyone. Almost every child can be labelled as "at risk." (Wrennall *et al* 2003). Almost any narrative event can be construed as a Child Protection 'concern'. There are no clear constraints on the construction of what constitutes transgression or what justifies investigation. Increasing surveillance is permitted as, "the boundaries of official investigation and intervention become almost limitless...definitions of what constitutes 'abuse' are inconsistent, contested and increasingly widely cast" (Jack 1997: 661). Yet only about a quarter of children who have been made the subject of a Child Protection plan, were deemed to have suffered, or to be likely to suffer, physical or sexual abuse (DCSF 2008a: 11). The boundaries between Child Protection and the far broader term, 'safeguarding children' and the delinquency early intervention agenda, are permeable (Office of the Information Commissioner (ICO) 2006: 6, Penna 2005, Munro and Parton 2007). Redefining of terms is implicit in Child Protection empire-building. The term 'Child at risk' used to mean, at risk of abuse or neglect, but it has now been redefined to mean, a child at risk of not meeting the government's objectives for children (Munro and Parton 2007, Parton, 2008a, Penna 2005), thus providing another example of what Nelkin and Andrews (2003) have called 'surveillance creep.'

Child Protection discourse is not closely targeted on child abuse and neglect, though abuse and neglect provide the rationale for the discourse (Parton 2008a: 177-8). In the UK, Child Protection dataveillance aims to cover all children. The UK government announced the development of a database to cover all children in response to the Laming Inquiry into the murder of Victoria Climbié. The Joint Committee on Human Rights expressed concern that as a result of this measure, "there is no meaningful content left to a child's Article 8 right to privacy and confidentiality in their personal information." (Section 113). The committee explained that the database is a serious derogation of children's Human Rights because without the right to privacy and confidentiality, "those in need of medical assistance may be deterred from revealing such personal information as may be necessary to receive appropriate treatment, and even from seeking such assistance in the first place." (section 103). It is worth noting though, that this concern applies to all services that children and their families may need to access (Liberty 2004, Wrennall *et al* 2003). There have also been concerns about cultural impacts (Furedi and Bristow 2008) and Human Rights problems raised around the plethora of databases that cover adults who encounter children. Due to

the violations of Human Rights resulting from UK government databases, many of which rest on a rationale in Child Protection, a report prepared for the Joseph Rowntree Foundation found that of the 46 databases assessed,

only six are found to have a proper legal basis for any privacy intrusions and are proportionate and necessary in a democratic society. Nearly twice as many are almost certainly illegal under human rights or data protection law and should be scrapped or substantially redesigned, while the remaining 29 databases have significant problems and should be subject to an independent review (Shutt in Anderson *et al* 2009: 2).

The Structuring of Child Protection around the Economic, Political and Commercial Interests in Surveillance

There is a clear breach between what clients perceive as their needs and the ‘services’ that Social Services managers provide (Connolly and Seden 2003: 27-48). Rather than providing the services that clients value, Anglophone Child Protection “has become obsessed with reporting, investigating and monitoring.” (Lonne *et al* 2009: 107). “The role of the social worker as one who engages with the client in a supportive, nurturing encounter appears, at least officially, to be dying.” (Davies and Leonard 2004: x). Jones (2002: 8) puts the matter more starkly, “Social work has failed the poor and achieved rather little in terms of ameliorating the consequences of poverty on some of the most vulnerable in society.” All social workers, including those who work from a critical perspective, “are confronted daily with their complicity in structures of domination.” (Davies and Leonard 2004: x). The panoptican strategies of power that permeate Social Work, “represent a belief that the poor and the excluded can only be assisted and supported if such help is accompanied by surveillance and monitoring,” (Davies and Leonard 2004: x). Surveillance of welfare populations is far from benign. One ‘welfare mother’ described the intense experience of oppression. “You have to watch every step like you are in prison. All the time you are on welfare you are in prison. Someone is watching like a guard.” (Gilliom 2001: 1). ‘Welfare mothers’ “are monitored and assessed through a vast network of supercomputers, caseworkers, fraud control agents, and even grocers and neighbors.” (Gilliom 2001: xiii). The structuring of Child Protection along the lines of gender bias (Hooper 1992, D’Cruz 2002, Armstrong 1995) and racial bias (Roberts 2002, Turner and Watson 2007) compounds the class bias that is directed against the poor. Even more culturally sensitive forms of Social Work practice may be no less oppressive in their impacts (Brown and Bloom 2009). The claim that surveillance and control are in the interests of the people who are subjected to these processes is a distinctive feature of welfare ideology (Davies and Leonard, 2004: x). In other words, disempowerment is ideologically constructed as being in the interests of the disempowered.

Poor disadvantaged populations have been historically conceptualised as ‘dangerous’ and subjected to greater policing. That the perception is not rationally based, but is a feature of class bias is almost a truism in critical criminology (Carrabine *et al* 2009: 25). Increasingly though, the control of disadvantaged populations is linking penal and welfare strategies into a carceral continuum. The role of Social Workers in the lives of subordinate populations has been a management role, involving control, rather than ameliorating the causes of their suffering (Davies and Leonard 2004: x). Drawing on Haney’s (2004) analysis of the convergence between the welfare and penal systems, Brown and Bloom (2009: 151) provide empirical detail from Hawaii to trace several vectors of vulnerability involving gender, race and poverty, that render populations vulnerable to welfare interventions that “shift the responsibility for structural disadvantage onto individuals in marginalized populations, while extending the state’s power to police families”. Brown and Bloom outline the interlocking strategies of subjugation that contribute to criminalisation. The interaction of criminal law and welfare creates a dual criminalisation as both systems “converge to create an ever-expanding carceral population made up of poor families whose lives are subject to these dual state controls.” (2009: 152). Dean (2007, 2009) has suggested that this type of political formation might well be described as “authoritarian-liberalism”. The use of Child Protection against Indigenous Australians provides an apt example (Dean 2009: 178). In what is clear evidence of

Child Protection being deployed as a Trojan Horse, allegations of child sexual assault were used as a pretext to institute militaristic policing, involving the deployment of the Army, compulsory leasing of Aboriginal land, the requisitioning of half of welfare payments for captive consumption, the banning of pornography and alcohol, (Dean 2009: 178) and the dismantling of Indigenous collective structures of governance and of the structures supporting Indigenous self-determination (Hunt 2007: 38-40). There was, as Hunt *et al* (2008:39) point out, a general scepticism as to the motives. It is likely that the measures were motivated by a desire to undermine Indigenous Land Rights and to impoverish the population, to weaken their bargaining strength in negotiations over mineral rights (Martiniello 2007).

Indigenous Peoples were not fooled. There is a long history of child stealing from indigenous communities by white welfare agencies (Human Rights and Equal Opportunity Commission 1996). Kevin Annett's multi-award winning documentary, *Unrepentant*, deconstructs the ideological rationale that was spun around the widespread removal of Indigenous children in Canada, exposing the economic motives for what has been regarded as a holocaust. Watts, Bessant & Hil (2008: 217) have argued that the large-scale removal of working class and indigenous children from their families by welfare agencies, on the pretext that it is 'for their own good', constitutes a serious form of state crime. White accusations of rampant sexual abuse are a contemporary example of a longstanding history of attributing moral inferiority to Indigenous peoples as a significant tactic in the strategy of dispossession that continues to colonise the lives of Indigenous peoples. As Martin (2007) explains, dispossession is an integral part of capital accumulation. By dispossessing Indigenous peoples of their lands, the land and the mineral resources are accumulated and also the populations are made available to the labour process. When martial law was declared in the Northern Territory and the army was deployed, ostensibly to back up the policing of sexual abuse in Aboriginal communities, Pat Turner, CEO of the [now abolished] Aboriginal and Torres Strait Islander Commission, declared, "We believe that this Government is using child sexual abuse as the Trojan Horse to resume control of our land." (in West 2007). This application of the theory of the Trojan horse to the analysis of white Child Protection interventions into Indigenous communities was further developed in Turner and Watson (2007). Senior Traditional Owner of Larrakia Nation, NAIDOC patron and Senior Territorian of the Year, Auntie Kathy Mills (in Ahni 2007) similarly asserted, "This is not about the social welfare of Aboriginal people in the Northern Territory, this is about getting rid of land rights." Owen Cole (in Ahni 2007) from the Central Australian Aboriginal Media Association (CAAMA) revealed, "we all know that this intervention is part of an insidious plan to strip apart the hard-fought rights of Australia's Indigenous people." Lhere Arthepe Native Title Holders chief executive officer Kenny Laughton (in Ahni 2007) said, "It's about taking away more rights and making more rules so Government can keep us under control more, and keep us poor...That's the name of the game. We're to remain the third-class citizens for ever in white Australia rule..." In his speech to the NSW Parliament, West (2007) has drawn the links between the mining companies that are seeking to overthrow Indigenous land ownership, the Public Relations lobbyists acting on the companies' behalf and the military invasion that was presented as a Child Protection intervention.

Other examples of the Child Protection Trojan Horse can be found in mental health surveillance. President Bush's 'New Freedom' programme aimed to introduce mental health surveillance of the entire population (Lenzer 2004). However, the 'salami' technique has been used, in which the policy is introduced slice by slice, so that sub-populations have been targeted, thereby dis-uniting potential opposition. 'Teenscreen' was one of the early programmes. It involved semi-voluntary mental health testing, as young people were expected to complete the questionnaires as part of their health classes in school. Teenscreen was linked to the prescribing of pharmaceuticals through the Texas Medication Algorithm Project (TMAP) providing obvious financial gain by pharmaceutical companies. Breggin (2007: 276) describes Teenscreen as a "pharmaceutical marketing program aimed at compelling unlimited numbers of children and youth to take psychiatric drugs." The screening is guilty of massive over diagnosis of mental health problems (Pringle 2006: 82). This generation of large numbers of false positive diagnoses has serious consequences as Horwitz and Wakefield (2007: 161) have outlined. The diagnosis is linked to medication that may produce

suicidal and murderous behaviour. Yet there are allegations that Child Protection powers have been used to enforce medication compliance (Lenzer 2005, Lehrman 2007: 80).

Under ‘the Mom Act’, there is now an attempt to introduce mandatory mental health surveillance of all women who give birth to a child, mandatory, in the sense that they will not be permitted to take their child home from the hospital unless they pass the test. (Norris and Getty 2009). Given the massive overdiagnosing that was demonstrated in ‘Teenscreen,’ the coerced drugging of large numbers of new mothers is the likely outcome of ‘the Mom Act’. There are also indications that the strategy is being extended to take in ‘Sad Dads’. Emphasising the role of Public Relations firms in marshalling experts to support the companies’ marketing strategies, Moynihan *et al* (2002: 886) argue that “Inappropriate medicalisation carries the dangers of unnecessary labelling, poor treatment decisions, iatrogenic illness, and economic waste”. The pharmaceutical industry also benefits from the Foster industry, in that children in ‘Care’ are used as medical guinea pigs (Stolley and Bullough 2006: 398) and are subjected to mass drugging. In Massachusetts in 2003, two-thirds of the children in the ‘Care’ system were taking prescription psychotropics and in Texas in 2004, the State Comptroller found that it was not unusual for children to be simultaneously prescribed 14 different psychotropics (Szasz 2007:203).

Dataveillance provides another clear example of the process in which Child Protection is deployed to sell commercial products. Indirectly, the data can be compiled into narratives that support the selling of ‘Care’, pharmaceuticals, further surveillance and other products. Directly, computer systems and IT training are obvious beneficiaries. Dataveillance operates as a compulsory commodification of information that previously resided in the realm of the private. (Mosco and Wasko 1988: 4). Profit is generated and accumulated through state imposed compulsory consumption, through the sale of the technology that stores and processes the information, through the sale of the information and through the sale of goods and services that the information appears to justify. The numerous industries that build and supply prisons that have been responsible for mass incarceration (Dyer 2000), are also significant beneficiaries.

The Trojan Horse Theory and Dataveillance

The surveillance that applies to children and young people involves an extensive array of databases. In the UK these currently include ContactPoint, the Integrated Children's System, the Information Sharing Index, RYOGENS, the National Childhood Obesity Database, the National Pupil Database, the Child Benefits Database, The Electronic Prescription Service, the Tax Credits Database, the NHS central data ‘Spine’, ONSET, Connexions, the DNA database and ASSET. There is also a large range of police and Criminal Justice databases, such as MERLIN and the National DNA Database. Children are even being fingerprinted and their fingerprints archived, as a pre-requisite to their borrowing school library books. The Common Assessment Framework, will also be established on a database, known as eCAF. The sharing of information that was planned in the UK government White Paper: ‘Modernising Government’ (Cabinet Office 1999 in Dowty 2004a: 5) aimed at joining-up public services through the application of the same format for all of the databases. This plan is now coming to fruition so that, “A wide variety of case-management and assessment systems now exists at local authority or police force level within education, youth justice, health and social care, all of them built to a single, mandatory specification, the ‘eGIF’ (eGovernment Interoperability Framework), in order to facilitate the flow of information between agencies.” (Dowty 2008: 395). In the name of Child Protection, all children are losing their rights to privacy as their information is ‘shared’ across the board through Information Tracking Systems (ITS) (Penna 2004). As well as the Children Act 2004, the legislative basis for information-sharing is in the Coroners and Justice Bill. As Webber (2009) points out, “Clause 152 of the Bill seeks to remove all limits on the use of personal information- including medical, financial and employment records, communications data, by officials.” Webber also points out that the clause has been condemned by the British Medical Association, “which say that the data-sharing provisions could deter patients from seeing doctors.”

The development of the Database State provides clear evidence supporting the Trojan Horse theory of Child Protection. Lyon (2007: 4) points out that, “Garnering and processing personal data is both an industry - the ‘personal information economy’- and a means of governance.’ The interests of the corporations that supply surveillance technology are not the same as the interests of the citizens, and they are not even identical with state interests. (Longstaff and Graham 2009). However, the interests of the dataveillance industry are furthered, by being conflated with the interests of children.

Evidence supporting the Trojan Horse theory of Child Protection, pertaining to dataveillance is provided by Dowty (2004a and b 2008) and Penna (2005). Analysing the history of the 2004 Children Act, that established stronger information- sharing provisions than the 1989 Act, through the development of a national database to cover all British children, Dowty (2008: 395) demonstrates that the origins of joined up dataveillance are in the UK Government White Paper: ‘Modernising Government’ (Cabinet Office 1999 in Dowty 2004a) and are developed by the Cabinet Office’s Performance and Innovation Unit in 2002 into a report ‘*Privacy and data-sharing: The way forward for public services*’. More detail on the policy development process, is provided in Anderson *et al* (2004). The National Children Database, now termed ‘ContactPoint’ was announced as a response to the Laming Inquiry into the murder of Victoria Climbié. However, the report by the Performance and Innovation Unit, “was published in April 2002, a month before the Laming Inquiry opened, and a full year before the Laming report.” (Dowty 2004a: 2). In other words, the development of the ‘Every Child Matters’ information- sharing policy framework and its controversial database was not a result of the Laming Inquiry as claimed by the government, rather it was “a pre-existing Government policy that was waiting for the right cover-story.” (Dowty 2004b: 5). Dowty explains further:

It would seem that the policy already existed within the cabinet office, and was merely waiting for the right vehicle, when along came a bus marked ‘child protection’. Those of us who cried when we read about Victoria Climbié are appalled that she should become the mandate for advancing a pre-existing e-government policy, and that ‘child protection’ should be invoked to silence legitimate concerns (Dowty 2004a: 2).

Children and the Database State

The emergence of dataveillance as a major feature of Child Protection rests on the shaping of Child Protection around the information- sharing model. This model places surveillance and intelligence gathering by multi-agency teams at the centre of Child Protection. Almost all UK government Inquiries into Child Protection have urged more surveillance and ‘information-sharing.’ Lonnie *et al* (2009: 72) observe that Child Protection has come to act as a surveillance system on those sections of society “perceived to be dangerous, troublesome or dependant,” groups such as the poor, single-parent families, Indigenous people, minority ethnic groups and people with disabilities. Social work has been concretized as “one part of the unambiguous regulatory mechanism of the state” (Jones and Novak 1993: 208) in which “the priority given to the accumulation, monitoring and exchange of electronic information has taken on a central significance” (Parton 2008a:166). Citing Frances Rickford, Jones (2002: 15) has lamented the extent to which poor families receive Child Protection surveillance rather than the practical help that could eliminate any risks that they may pose. Families were assessed as often as six times in fourteen months (Jones, 2001:558) and much government literature encourages ‘continuous assessment’ despite the unassailable evidence of its destructive impacts on families (Wrennall *et al* 2003, Department of Health *et al* 1999: 10, Parton 1996, Dowty 2004a).

We are witnessing the development of “the preventative- surveillance state” in which the “role of the state is becoming broader, more interventive and more regulatory” (Parton 2008a: 166). Munro and Parton (2007: 5) have observed that most countries have introduced systems that involve mandatory reporting of child abuse and neglect, but that due to the problems with these systems, Britain has abstained. However,

with the passing of the Children's Act, 2004, Britain has introduced a far broader mandatory reporting system that requires the reporting of *any* concerns pertaining to a child's welfare.

Presenting surveillance as Child Protection is an example of 'Newspeak' that relies on euphemism (Wrennall *et al* 2003) and dataveillance in Child Protection tends to be hidden under a range of euphemisms. Surveillance of children occurs through the 'ContactPoint' database. Children who may be 'In Need' or 'At Risk' are subjected to Child Protection investigations which are termed 'Needs Assessments'. These investigations consist of an 'Initial Assessment' that may be followed by a 'Core Assessment'. Children who are labelled as 'At Risk' were placed on the 'At Risk Register' and subjected to some degree of monitoring. The 'At Risk Register' is now being replaced by the Integrated Children's System (ICS). Children thought to be 'In Need' of extra services are to be processed through the Common Assessment Framework (CAF). Yet the power expressed through surveillance is in the forms of pathologisation, categorisation and codification and the potential for coercion is implicit in surveillance (Norris 2003: 50). Dataveillance in "contemporary child welfare practice reflects dominant managerial interests rather than those of the profession, and, importantly, of service users." (Tregeagle and Darcy 2008: 1481).

Electronic surveillance accounts for one of the largest items of expenditure that is undertaken under the rubric of Child Protection. It is difficult to estimate the proportionate expenditure on Child Protection related IT, but overall, "The UK public sector spends over £16 billion a year on IT. Over £100 billion in spending is planned for the next five years," (Anderson, *et al* 2009:4) and overall the UK Database State is predicted to cost £36,500 billion (Convention on Modern Liberty, 2009). Funding for the Integrated Children's System (ICS) consisted of 30 million that was allocated between 2004-7, followed by a further £5 million (DfES 2007: 3). £13,838,788 was paid in 2007-8 (DfCSFb 2008) and in 2009-10 a capital improvement grant of £6.4 million was allocated for the ICS (DfCSF 2009). The contract for construction of the ContactPoint children's database provides for set-up costs of an estimated £224m and the estimated annual costs of running ContactPoint are set at £41m. (Dowty 2007). These figures are likely to be an underestimation of the ultimate costs, given the frequent tendency for government IT projects to experience major cost overruns (Dowty 2007). This vast expenditure on dataveillance contrasts starkly with Social Workers' reports of grossly inadequate provision for the basic needs of children and families, confirming an earlier observation by Jones and Novak (1999:162) that surveillance has been prioritised over support for children and families. In terms of actual support to clients, one Social worker, representative of the general status quo, told Jones (2001: 554) "We don't give anything. We have nothing to give." Generous financial support does however become available to the usually middle- class fostering or adoptive family, once the child has been removed from his or her usually impoverished, family of origin (Jones 2001: 558).

The information-sharing model has been promoted on the assumption that sharing information will lead to "improvement of services, including the prevention of people falling 'through the gaps', provision of 'best quality and most effective care for people who require multiple services' and 'reducing overlap and duplication of services'" (Van Eyk and Baum 2002: 262 in Richardson and Asthana 2005: 1-2). Pithouse *et al* 2009: 600) argue that the primary aim of databases such as the (eCAF) "is to promote better outcomes for children through the development of a culture of assessment, information sharing and earlier intervention amongst child welfare practitioners." However, "current attempts to increase safety, through the formalization of organizational procedures and their enactment by IT systems, may have had the contrary effect... analysis of errors in organizational settings should focus on immanent systemic weaknesses" (Broadhurst *et al* 2009: 1). Dowty (2004a) has shown that government claims that observing people will link children into the services that they need is an absurdity, since this could have been achieved by advertising, if appropriate services actually existed! Anderson *et al* (2006: 2) have also argued that it makes little sense to force ever more children into social care when there is a "scarcity of effective social interventions."

There is a need to question what drives the trajectory of expenditure on dataveillance and its linking into child removal rather than service provision. The assumption that better outcomes for children would arise from billion-dollar databases and the ‘Care’ system, rather than from poverty reduction, housing provision, better schools, safer medical services, better before and after school care, holiday clubs, children’s hotels, recreational and leisure services, conflict resolution and mediation services, mentoring, parenting education and Family therapy, is highly questionable. These genuine services would benefit middle class professionals, but as collateral gain, with the focus on assisting vulnerable disadvantaged groups, achieving a win-win outcome, contrary to the existing system that benefits the rich and middle classes at such a tragic cost to the poor, that even their children are taken from them. Yet it is the unwritten law in Child Protection, that money must be spent on middle class professionals and private businesses rather than being given to people who actually need help. It is this tenacious class bias, that insists that poverty can’t be reduced by money, but can be attacked through punishment, that ought to be challenged.

Harm Displacing Help: The Impacts of Technologically Enabled Information-Sharing

As well as constituting an onslaught on all children’s rights, there are several ways in which the information-sharing model of Child Protection is counter-productive to the task of protecting children who are at risk of serious harm. Collecting more and more information leads to an information overload in which significant information about children who are actually in danger, is lost (Munro and Parton 2007: 10, Dowty 2004a). In the USA, a study by Glisson and Hemmelgarn (1998), that compared, “12 counties with child welfare coordination teams with 12 counties without found that coordination was negatively associated with service quality, a finding that the authors attributed to decreased individual accountability for care (cited in Munro and Parton, 2007:12). There is a negative correlation between assessment and service-provision. The more resources that are diverted into surveillance and investigation, the less resources that are available for genuine services to needy families (Munro and Parton 2007: 13). Monitoring a bad situation to see if it will turn worse, is a poor substitute to preventing harm. Dowty (2008: 398) argues that, “It is ironic that uncritical faith has been placed in technology that is marketed as fulfilling some kind of child protection function, when in reality it is capable of increasing the threats to children’s safety and privacy.” Electronic profiles of vulnerable children provide a menu for perusal by pedophiles, placing children in significant danger. Yet the problems of accidental loss of data and deliberate sale of data can only be managed, not eliminated (Lovell, 2008). Dataveillance is a cure worse than the disease, because, “Large, central databases with many thousands of users are inherently insecure because they are operated by ordinary human beings who can be distracted, careless — and sometimes even corrupt.” (Dowty 2008: 398).

Another issue is the accuracy of information. One of the principle instruments in Child Protection investigations, the ‘Core Assessment’ runs to thirty pages of information on each individual family. Yet there are considerable doubts about the worth of Child Protection information. There is mounting evidence of hearsay, rumour, superstition and downright fabrication in Social Work assessments, court reports and testimony (Baldwin 2005, Ahmed 2009, Frost 2007, Dyer 2003, *Re X: Emergency Protection Orders [2006] EWHC 510 (Fam)*, *Bath and North East Somerset Council v A Mother and Ors [2009] EWHC B11 (Fam)* (28)).

These issues are expressed in a lack of support for dataveillance among key stakeholders. ContactPoint does not have the support of children and young people (Hilton, and Mills 2007) and extensive evidence establishes that children’s help-seeking behaviour is significantly reduced by information-sharing (Munro and Parton, 2007:15-16). The Children’s Rights Alliance for England reported a very serious research finding, “that if children thought adults were going to share information with other people, they would stop confiding in adults altogether.” (cited in Dowty 2007). Another very ominous finding was that “74% of under-16s would be less likely to use sexual health services if information was shared with social

workers” (Brook Clients, in Dowty 2007). The UK Education and Skills Committee has also expressed doubts about IT-based child indexes. The committee had concerns about whether dataveillance would “represent the best use of resources and very significant concerns about critical issues such as security, confidentiality and access arrangements.” (Education and Skills Committee, 2004-05). In particular, the committee stated that “the current research evidence does not conclusively demonstrate that expenditure in this area is the best way of improving outcomes for children.” (Education and Skills Committee 2004-05). The Local Government Association (2008:9) has expressed the view that Child Protection IT systems have “increased the management and administration overhead without delivering any of the anticipated gains”. Moreover,

new IT based approaches undermine existing effective or good practice. For example local authority staff believe that the Integrated Children’s System (ICS) moves the focus of activity towards compliance with the expectations and needs of a standardized system, which appear to be chiefly related to data capture, and away from using effective professional approaches and analysis related to meeting the needs of the client family and child (Local Government Association 2008: 9).

Obviously, the database state furthers the economic interests of the dataveillance industry. It is debatable though, whether children and other citizens in their milieux derive significant benefits. The individual casework approach that is implicit in the information-sharing model can only act arbitrarily towards the great swathes of disadvantaged populations, even if, those selected to receive casework were helped rather than harmed by the process. The terms Social Services and Social Workers are misnomers, since they mainly focus on individuals and as Rose explained “It makes little sense to expect individuals to behave differently from their peers; it is more appropriate to seek a general change in behavioural norms and in the circumstances which facilitate their adoption.” (in Anderson et al 2006: 6). Moreover, information-sharing can inflict considerable harm by misleading analysis, by displacing more therapeutic approaches and by failing to respect service users, “it risks deepening rather than ameliorating social exclusion.” (Anderson *et al* 2006: 3). The massive system of vague and inaccurate ‘tagging’ is likely to harm families by provoking destructive interventions and to cause massive wastage of resources (ICO 2005: 7). Anderson, *et al* (2009: 4) provide important warnings that, “The benefits claimed for data sharing are often illusory. Sharing can harm the vulnerable, not least by leading to discrimination and stigmatisation.” The Information Commissioner’s Office (ICO 2006: 11) has also expressed concern that, “where a child is placed in a risk category, it becomes very difficult for them to ever be viewed in any other way by those who come into contact with them in the future however they conduct themselves.” Explaining a widely recognised sociological phenomena, the ICO (2006: 11) reiterates that, “This form of stigmatising runs the risk of becoming a self fulfilling prophecy for those affected”.

Double Trouble Multiples through Data Enabled Surveillance

Another significant emerging concern is the realization that the ‘data double’, the virtual self created by dataveillance, is open to greater manipulation than the flesh and blood referent. As Los (2006: 69-74) points out, dataveillance tends towards the totalitarian because it is de-individualising and de-socialising, aiming at the negation of subjectivity and agency. The virtual self, emptied of real content, becomes a mirror for surveillance, filled with whatever conjectural information surveillance has placed there. This identity theft is far more profound than the theft of papers, this steals who I am. I cease to exist and in my place is what is written about me by people who do not know me, who have created a false me to justify profiting from selling products and services to control the threat that I am supposed to pose. The data double can be made to evidence needs and threats that provide a rationale for the economic interests in surveillance. The production of the criminal, that justifies profitable industries such as the prison, in all its various forms, is rendered immensely easier when the self who is being criminalised is a virtual self on a database that is already owned, but it is the flesh and blood self that goes to prison, not the digitised parody. Thus, inaccurate information becomes more profitable than that which is accurate. The virtual self

can be made to justify totalitarian control even if the flesh and blood self behaves impeccably.

Through fragmentation, the process of manufacturing the data double can occur in multiples. Endless virtual selves can be produced to serve whatever purposes their creators require. Parton (2008b) has analysed how this process is transforming Social Work. He explains how, “Rather than be concerned with presenting a picture of the subject, as, previously, social work increasingly acts to take subjects apart and then reassembles them according to the requirements of the database.” Dataveillance becomes dataproduct as “Practitioners are required to produce dispersed and fragmented identities made up of a series of characteristics and pieces of information which are easy to input/output and compare...While such doubles ostensibly refer to a particular individual, they always have the potential to transcend a pure representational form and take on a reality of their own.” (Parton 2008b: 263).

Conclusion: What if we did it differently?

The paper has demonstrated that through the absorption of the information- sharing model, Child Protection discourse has come to serve the economic, commercial and political interests that benefit from dataveillance, while producing destructive outcomes for vulnerable populations. Ample evidence has been presented, proving that the trajectory of the vast expenditure of resources in this manner is punitive, harmful, wasteful and inefficient. The Trojan Horse theory of Child Protection has been enunciated to explain how a discourse that espouses benevolent even emancipatory rhetoric, has been complicit in the enactment of social harm against children and their families while simultaneously furthering the economic, commercial and political interests in dataveillance. The theory explains how agendas that are not in the best interests of children are able to gain camouflage through the discourse of Child Protection, managing opposition and disarming dissent. The evidence establishes that children and their families are processed by a system that is patently manifesting the effects of class bias, compounded by gender bias and racial bias, undertaking investment decisions that further exacerbate inequality. The system is especially ferocious in regard to Indigenous Peoples as part of a strategy of dispossession that leaves Indigenous People bereft of what they value most, their children, their land, their connection to the earth.

The vast resources that are poured into Child Protection are accompanied by a promise that children and their families will be helped, yet these resources have been diverted from their intended recipients and squandered on far more advantaged interest groups who have the power to influence the discourse. The paper invites future analysis to consider what the world might look like if the industries that benefit from the current distortions of the discourse were constructively redeployed. Future work might start to envisage the outcomes that could be achieved, if instead of investing in dataveillance that through the route of child removal, culminates in the criminalisation of children and young people, the money was re-allocated to directly assist children and families. More positive and justifiable outcomes are clearly expected of the discourse, but to achieve them, the sectional interests that benefit from the current regime must be compelled to redesign their products and services with an emphasis on generating beneficial outcomes and minimising destructive impacts.

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