

## **Technology, power and inequalities: achieving a humane approach to the digital divide.**

Aboujaoude and Gega (2021), examine how the addiction paradigm has diverted attention from the lived experiences of children which manifests itself in behaviour that may be described as; impulsive, inattentive, angry and preoccupied in a virtual reality. The authors challenge a position that access to the internet and screen time enhances democracy and equal representation by giving everyone a voice and a platform.

In practice, digital exclusion for children with a range of complex vulnerabilities was brought into sharp focus during the global pandemic, when the use of digital technology became the only universal means of communication with children. Furthermore, during this period, there was an increased use of digital surveillance as a safeguarding strategy. The increased use of digital surveillance during a time of crisis only serves to reinforce and mirror the inequalities experienced by children and their families who are hard to reach, with pellucid clarity.

During the COVID-19 global pandemic, the 'virtual world' replaced human interactions; from education, to social care and access to legal services. The use of digital technology has increased over the last two decades; in respect of both the health and social care sector and the family justice system, the use of digital technology has transformed working practices. However, there must be a balance achieved, as adopting a humane approach to working with children and their families cannot be sacrificed on the altar of efficiency. During the global pandemic, the use of digital technology became the only mechanism by which to communicate.

The isolation experienced by all children increased during this period, and the usual safeguarding agencies, such as education, social care and health were left scrambling, until technology could be adapted to replace face-to-face contact across all agencies and professionals tasked with the responsibility for safeguarding children. Professionals were left navigating this uncertain terrain without the necessary toolkit and responding to an increased level of need without the necessary resources. (Holt & Kelly, 2020).

The challenges faced by a range of practitioners operating within the family justice system will resonate with an international academic, legal and social care community. During the pandemic, the family court became virtual overnight with the introduction of the Court Virtual Platform and telephone hearings, supported by a shift away from face-to-face contact amongst all professionals to virtual contact only. Parents left facing the prospect of losing their children were dialled into remote hearings alone, and children were left exposed to risk during these times. The experiences of children of being isolated, inattentive, preoccupied and angry due to an increased dependency on remote ways of communicating and from being in situations that felt unsafe, were mirrored by a range of professionals who similarly felt both isolated and unsafe, but who were also tasked with safeguarding children during this unprecedented period (Holt & Kelly, 2020). Professionals were operating remote silo working practices, with children and their families hard to reach, and risk increasing due to rising levels of poverty, domestic abuse, mental health and substance misuse (Featherstone, Gupta, Morris, & Warner, 2018). Services in many of these areas were withdrawn at a time when children and their families were turning to a system when they were most in need and at a time of crisis.

The use of digital technology in the English family justice system to replace court hearings, which are expensive and resource intensive, were planned before the pandemic. The global

pandemic merely ushered in these changes at a much earlier stage and without the necessary planning, training or equipment. Whilst there may be an important place for digital access to justice, there are both opportunities and challenges in respect of how and when it is used. The concern amongst the international community of academics and practitioners, is that this approach could become embedded within practice long after the pandemic has passed and without any effective challenge.

A study focusing upon parental engagement in child protection practice by Broadhurst et al. (2012: 521), focused on the importance of ‘real-time’ interaction where children were at risk and required safeguarding. The study was located in the social constructionist tradition, which assumes that reality is socially and discursively constructed in everyday practice (Gubrium & Holstein, 2000). Social constructionism draws upon a number of disciplines, including philosophy, sociology and linguistics, making it multidisciplinary in nature. Social constructionism argues that our ways of understanding the world do not come from objective reality but from other individuals, both past and present.

Individuals are born into a world where the conceptual frameworks and categories used by individuals within the culture already exist.

The approach is premised on an understanding that interaction displays special kinds of opportunities and constraints in regard to interactional rights and obligations and that these can be identified through, for example an analysis of talk.

The increased use of digital technology, particularly in health, social care and within the family justice system, has introduced a remote mechanism for important interaction. In respect of children and families who are digitally excluded, it may prevent them from being able to construct meanings and understandings at a time when they are in crisis.

Digital exclusion prevents children and their families who are most in need from enforcing their rights. It is important to note that in respect of child safeguarding the use of digital technology allows the institution to evidence that they have contacted the child, but it does not evidence the institutions ability to ‘reach’ children and their families or enable them to participate.

Eliciting an understanding of how this ‘fingerprint’ has changed with the development of digital usage, particularly in relation to children who experience a range of complex vulnerabilities supports the view of Aboujaoude and Gega (2021), that we may be paying the price for a previously narrow research lens that has focused upon addiction and screen time, as opposed to the associated issues of power and inequalities.

Screen time is far more complex; its use in child protection as a form of surveillance is linked to poverty, inequality and risk. There is a disproportionate focus on the investigation of abuse rather than upon the provision of help, support and services available, which raises concerns about how systems and practices operate. Whilst there appears to be endless reflection upon the consequences of system failures within research findings, with recommendations for change, there needs to be an urgent review as to how we can create an environment that supports innovative and humane practice with the very real potential to both radically improve services and outcomes for children and their families (Featherstone, Gupta, & Morris, 2021).

Children and their families who experience a range of complex vulnerabilities, and who turn to a system when they are in crisis and most in need, are more likely to be both digitally excluded, but who find themselves under digital surveillance by agencies who have performance targets for

response data for children who are at risk. The audit culture predominantly focuses on risk and ‘packages of care’ at the expense of individually assessed need and has been supported with standardised processes and protocols, resulting in professionals spending increased amounts of time behind a computer as opposed to face to face relational ways of working. The system is both shaming and punitive when need is assessed through a risk lens (Holt & Kelly, 2020). Significantly, practice needs to focus upon creating change within families with methodologies such as motivational interviewing and systemic family therapies.

The shift during the pandemic to the use of online ‘vis-its’ and meetings within child safeguarding agencies has ushered in the use of text messaging and What’s App videoing to undertake risk assessments. This has introduced a largely remedial procedure, that simply demands further procedural steps, as opposed to relational ways of working (Holt & Kelly, 2018), which has seen an increasing number of children being subsequently removed from their families. WhatsApp and Face Time messaging and videoing is increasingly being filed as evidence in child-care proceedings as a form of communication, which is challenging for the parties and the Court given that these are not secure platforms and the digital communication is not forensically examined before being filed as evidence. Importantly, it provides limited information inviting inferences to be made in respect of the recordings but without the important contextual information, which is largely absent from this form of communication. It is argued that draconian approaches to child protection practices go largely unfiltered when remote working practices are adopted by professionals (Featherstone et al., 2018). Virtual settings employ the same social actors, using the same tools (plans, agreements, meeting) but with very little space for the kind of epistemological negotiation that might engender higher levels of engagement (Broadhurst et al., 2012).

Aboujaoude and Gega (2021), explore the term ‘digital natives’. However, these digital natives are not merely confined to children; many professionals have never experienced a life beyond a screen, and the virtual world is familiar territory that avoids the messy complexities of human interaction (Pithouse et al., 2012). Of pivotal importance is that professionals across a range of institutions who are tasked with protecting children must take a wider perspective on how virtual technologies interface with psychology (Aboujaoude & Gega, 2021). The global pandemic has merely ushered in a digital world within both children’s social care and the family justice system that had been previously resisted, but is now embedded in practice, with no sign of reversal or appropriate adaptation. Importantly, research is needed to help us utilise aspects of technology that may be helpful and to discard areas that are potentially harmful.

The discourse amongst academics in respect of the term ‘hard to reach’ is placed into sharp focus: the ‘pingdemic’ approach to a crisis requires an immediate connection and response, but the terms of this ‘reach’ are both instrumental and target-driven. A draconian rather than a humane approach to safeguarding children is reflected in increased digital surveillance of hard to reach children and their families. The aim is to maximise ‘reach’ with digital use and to divert cases away from services/ proceedings. However, this has unintended consequences of a less tolerant approach towards individuals most at risk, and a resulting increase in vulnerability and state intervention (Cross, Bywaters, Brown, & Featherstone, 2021). Adopting an instrumental approach fails on both levels: the crisis shows no sign of abating and the numbers of children at risk in England continue to rise (Holt & Kelly, 2019). Significantly, this approach fails to appropriately meet the complex needs of hard to reach children and their families, who are the group most likely to be impacted by digital exclusion, but with increased use of digital surveillance – digital use for many children and their families is a marriage made in hell.

Furthermore, whilst a digital system may superficially appear to operate effectively and efficiently, it fails to capture in any detail the lived experiences of children, who may often be living with a high level of poverty and deprivation and with parents with a complex range of vulnerabilities, which are difficult to assess remotely. Significantly, in the author's experience of over 250 court cases during the pandemic, once removed from the care of their parents, contact with the child's own birth family has largely been virtual contact, facilitated through the use of 'Facetime'. The arrangements for children implemented during a global pandemic are likely to become embedded within practice, as they will be considered to be both efficient and cost-effective, replacing the need to deploy expensive resources, but this will have a significant impact on children as it effectively severs any meaningful relationship between children and their parents, especially for very young children.

The experiences of children 'lost' within a digital system that is designed to safeguard them cannot be underestimated and will undoubtedly impact upon their life chances and opportunities in the long-term (Featherstone et al., 2021).

Academics and policy makers as Aboujaoude and Gega suggest, are missing the forest by focusing on the trees, in respect of adopting a myopic focus of research upon digital addiction without an examination of the wider adverse effects of digital use. Importantly, the focus of international research must explore both digital exclusion and how this can be managed, and the increased use of digital surveillance, to provide an important lens in respect of power and inequalities in society.

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#### References

Aboujaoude, E., & Gega, L. (2021). Editorial Perspective: Missing the forest for the trees—how the focus on digital addiction and gaming diverted attention away from wider online risks. *Child and Adolescent Mental Health*. <https://doi.org/10.1111/camh.12503>

Broadhurst, K., Holt, K., & Doherty, P. (2012). Accomplishing parental engagement in child protection practice? A qualitative analysis of parent-professional interaction in pre-proceedings work under the Public Law Outline. *Qualitative Social Work*, 11, 517–534. <https://doi.org/10.1177/1473325011401471>

Cross, S., Bywaters, P., Brown, P., & Featherstone, B. (2021). Housing, homelessness and children's social care: Towards an urgent research agenda. *British Journal of Social Work*. <https://doi.org/10.1093/bjsw/bcab130>

Featherstone, B., Gupta, A., & Morris, K. (2021). Post- pandemic: moving on from 'child protection'. *Critical and Radical Social Work*. <https://doi.org/10.1332/204986021X16177977296051>

Featherstone, B., Gupta, A., Morris, K., & Warner, J. (2018). Let's stop feeding the risk monster: Towards a social model of 'child protection'. *Families, Relationships and Societies*, 7, 7– 22.

Gubrium, J., & Holstein, J. (2000). Analysing interpretive practice. In N. Denzin & Y. Lincoln (Eds.), *Handbook of qualitative research* (pp. 487–508). London: Sage.

Holt, K., & Kelly, N. (2018). Limits to Partnership Working: developing relationship based approaches with children and their families. *Journal of Social Welfare and Family Law*, 40, 147–163.

Holt, K., & Kelly, N. (2019). Care in Crisis – is there a solution: reflections on the care crisis review 2018. *Journal of Child and Family Social Work*. <https://doi.org/10.1111/cfs.12644>

Holt, K., & Kelly, N. (2020). Children not trophies: Findings from an ethnographic study of private family law proceedings in England. *Qualitative Social Work Journal*. <https://doi.org/10.1177/1473325019900956>

Pithouse, A., Broadhurst, K., Hall, C., Peckover, S., Wastell, D., & White, S. (2012). Trust, risk and the (mis)management of contingency and discretion through new information technologies in children's services. *Journal of Social Work*, 12, 158–178.

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