

Problematising separated children: a policy analysis of the UK 'Safeguarding Strategy: unaccompanied asylum seeking and refugee children

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3 **Title:** Problematizing separated children: a policy analysis of the UK ‘Safeguarding Strategy:
4 Unaccompanied asylum seeking and refugee children’
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10 Abstract

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12 While international and national policies, strategies and legislation have been designed to address the
13 problems of forced displacement they also form a vital role in the discursive construction, governance
14 and regulation of those who have been displaced. This paper critically interrogates the ‘UK
15 Safeguarding Strategy: Unaccompanied Asylum Seeking and Refugee Children’ to highlight the ways
16 in which unaccompanied asylum seeking children (UASC) are implicitly constructed as a policy
17 problem. Drawing on Foucault, and using Bacchi’s (2009) ‘What’s the problem represented to be’ -
18 ‘WPR’ - a novel analytic method for studying problematisation within policy, this paper moves beyond
19 the policy definition of an unaccompanied asylum seeking child to unearth characterisations that the
20 policy ascribes to this group of children, and in particular the conceptual boundaries established for the
21 way society thinks about UASC. These conceptual boundaries are divisive in nature, including
22 suspicion around routes of arrival to the UK; constructions of risk; and questions about the responsibility
23 of providing care and of being in need of care. The significance of the paper lies in its aim to use the
24 examination of the discursive practices of the UK’s Safeguarding Strategy as a starting point in order
25 to open a broader discussion around how UASC are constructed and governed, nationally and
26 internationally.
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57 **Introduction**

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3 The office of the United Nations High Commissioner for Refugees estimates there are 68.5 million
4 forcibly displaced peoples worldwide; 25.4 million are refugees; 3.1 million are asylum seekers, with
5 the majority of people being internally displaced (UNHCR, 2019). In terms of the support and
6 protection of displaced peoples the 1951 Refugee Convention, ratified by 145 State parties, is the key
7 legal document that forms the basis of work with refugees and asylum seekers. The Convention defines
8 the term 'refugee' as 'someone who is unable or unwilling to return to their country of origin owing to
9 a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a
10 particular social group, or political opinion' (UNHCR, 2010: 3) and outlines the rights of the individuals
11 as well as the legal obligations of States to protect them.

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13 Globally, the number of unaccompanied or separated children seeking asylum on an individual basis
14 has increased significantly over recent years, with over half of refugees under the age of 18. In 2015,
15 about 98,400 new individual asylum applications were submitted globally by unaccompanied or
16 separated children, with 78 countries reporting at least one such individual application (UNHCR, 2016).
17 The increasing number of unaccompanied and separated children moving to Europe has been a concern
18 to the UK and other European countries for a number of years (Mougne, 2010). Menjivar and Perreira
19 (2019) highlight that the number of unaccompanied minors entering the EU has seen a dramatic increase
20 in recent years, doubling between 2013-14, and then quadrupling by 2015. Within this context a House
21 of Lords (2016: 3) report identified the arrival of migrants as the 'greatest humanitarian challenge to
22 have faced the European Union since its foundation', recognising 'that children, many of them
23 unaccompanied by a parent, relative or guardian, are in the forefront of the crisis.'

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25 Within this context designing and implementing policies that are effective in establishing a balanced
26 response is a crucial element of governance for the countries that are host destinations for the world's
27 displaced peoples. This article contributes to an understanding of how 'refugeeness' is constructed as a
28 policy problem and consequently how refugees, as subjects of policy, are governed in the context of
29 contemporary Western democracies by focusing on the case of unaccompanied asylum seeking and
30 refugee children. As such, the paper offers an original and unique contribution to the international
31 dialogue on a policy issue of utmost importance. As a policy discussion paper we use UASC
32 (unaccompanied asylum seeking child) to reflect the language used in policy documents and by
33 professionals, whilst recognising the contested nature of the term. In the UK an unaccompanied asylum
34 seeking child is a person under 18 years old or, -in the absence of documentary evidence establishing
35 age, appears to be under 18, with no relative or guardian in the UK, who is applying for asylum in his
36 or her own right (Home Office, 2016). The more neutral term unaccompanied child is defined as "a
37 person who is under the age of eighteen, unless, under the law applicable to the child, majority is
38 attained earlier, and who is separated from both parents and is not being cared for by an adult who by
39 law or custom has responsibility to do so" (UNHCR, 1997: 1).

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5 Legislative developments in the UK, mainly the Immigration Act 2016, and broader geopolitical events,
6 have resulted in changing policy imperatives in respect of unaccompanied asylum seeking children.
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8 Section 67 of the Immigration Act 2016 (the ‘Dubs Amendment’) required the Government to make
9 arrangements ‘as soon as possible’ to relocate and support unaccompanied refugee children from
10 Europe (Home Office, 2016), with Section 69 of the Act giving provision for unaccompanied children
11 to transfer to different local authorities across the UK.
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16 The paper also aims to explore how the purported forefront European and global humanitarian crisis is
17 discussed within the current UK strategy for safeguarding unaccompanied minors. National strategy
18 documents form a vital role in governance and regulation, influenced by international immigration
19 strategies, policies and legislation as well as national social and political contexts. National documents
20 discursively construct, produce and effectively reproduce the ‘problems’ they are designed to address
21 (Bacchi, 2009; 2012). As a consequence, strategies shape how we – as societies - view and potentially
22 justify responses to policy issues (Lancaster and Ritter, 2014). In this respect, ‘policies are constrained
23 by the ways in which they represent the problem’ (Bacchi, 2009: 13). The paper focuses on the key
24 concept of ‘unaccompanied asylum seeking children’ to explore how this population group is identified,
25 described, and responded to by the policies put in place to address their needs. We aim to move beyond
26 the policy definition of an unaccompanied asylum seeking child to unearth the constellation of
27 characterisations policy ascribes to this group of children, thus creating a distinct population category.
28 By highlighting such classifications and their potential effects, alternative ways of thinking about and
29 responding to unaccompanied minors can be conceived. From a standpoint in line with a Foucauldian
30 poststructuralist approach, we argue that the firming up of particular understandings involve political
31 representations that account for how the subjects – those targeted into policies - are governed, and we
32 highlight that such framing could be otherwise presented (Bacchi and Goodwin, 2016).
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44 **Representations of unaccompanied asylum seeking and refugee children**

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47 Studies on the construction of refugees predominantly focus on media representations and framings.
48 Within this body of work, adult asylum seekers are discursively constructed as deviant, untrustworthy
49 and at times, criminal (Mitsilegas and Holiday, 2018; Banks, 2008; Giner, 2007; Weber, 2002).
50 Dominant narratives of good and bad immigrants and the creation of a politics of fear establishes levels
51 of anxiety and moral panic that both contribute to, and legitimise, harsh internal and external border
52 controls and policies. Much of this fear emerges out of a ‘culture of disbelief’ (Crawley, 2007) whereby
53 the media play a central role in constructing images of both an ‘ideal asylum seeker’ (see Christie, 1986
54 in relation to an ‘ideal victim’) who is worthy of protection, as well as a ‘deviant other’ who must be
55 controlled and dealt with caution. Journalists are often torn on the one hand between sympathy for those
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3 fleeing from persecution and on the other being influenced and constrained by dominant anti-
4 immigration and anti-asylum discourses (Pantti and Ojala, 2018). Anti-asylum rhetoric prevails, and an
5 exclusionary politics shrouds the legal process and dominates public reactions to asylum seeking
6 (Squire, 2009). From the ‘persistent meta-messages of deterrence and disbelief’ (Jubany, 2017: 28) that
7 asylum seekers face at the border, to the denial and suspicion encountered during their substantive
8 interviews, being defined as deserving or undeserving is hindered by stereotypes and incorrect
9 categorisation of asylum seekers as illegal immigrants, economic migrants, criminals and abusers of the
10 UK’s social welfare system (Harrison, 2016). This notion of deserving and undeserving could be
11 considered as less problematic when it comes to children who are seeking asylum, particularly when
12 unaccompanied.
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20 Unlike less sympathetic media narratives of adult asylum seekers, children have often been viewed by
21 the media as children first and migrants second (Crawley, 2006). The categories of ‘forced migrant’
22 and being ‘unaccompanied’ emphasise their innocence, dependence and vulnerability (Archard and
23 Macleod, 2002). Sad, wide-eyed children are selected by media outlets to depict the realities of life for
24 young refugees (see Smith, 2009). It is these depictions that contribute to, and ignite, public sympathy
25 and empathy under a universality of childhood which, in turn, drive humanitarian action. Although
26 such humanitarian narratives are valued and important, they also become problematic when considering
27 the particular needs of unaccompanied asylum seeking children. When the experiences of childhood
28 and images of children are universalised, the particularities are erased. Normative idealisations of
29 childhood - and the universality of childhood itself (McLaughlin, 2018) - represents children’s
30 vulnerabilities in a particularly homogenised and Western manner that is unattuned to the complexities
31 of the trauma that asylum seeking children have likely faced and may continue to face (see Rosen,
32 2007). When asylum seeking children began arriving in the UK as part of the Dubs agreement, their
33 visual appearance was considered at odds with popular and ‘ideal’ expectations of who and what an
34 asylum seeking child should look like. As McLaughlin (2018) highlights, news stories depicting boys
35 with hoodies and facial hair emerging from buses were far removed from the representational practices
36 of government and media that had come before. Questions of the boys’ authenticity ‘as children’
37 emerged quickly, and concerns for security that are present in general discourses around immigration
38 and asylum resurfaced. This time the focus was on the physical bodies of the new arrivals whereby
39 ‘bodily markers of gender and race [detracted] from their perceived childness’, their innocence, their
40 vulnerability and their status as ‘deserving’ (McLaughlin, 2018: 1758). As stories emerged of ‘fake
41 children’ and ‘bogus asylum claims’, the ideal images of UASC were challenged across the UK and
42 they too were conceptualised in accordance with deeply ingrained anti-asylum narratives and a culture
43 of disbelief. Bhabha (2004) suggests that they have become even more threatening than adults. Such
44 anxieties are by no means limited to the UK; Hirvonen (2013: 82), conducting a netnography of Swedish
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3 online media, highlighted negative representations of unaccompanied children, especially so in what
4 she categorises as far-right websites:
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7 At the very least, unaccompanied minors are depicted as scroungers – opportunist fortune
8 hunters, social tourists, asylum-tourists in Sweden for an ‘all-inclusive trip’. But more often the
9 lens used is that of criminality. These are bandits and above all ‘rapists’, more explicitly
10 ‘hungry rapists’, ‘paedophile rapists’, ‘MENA rapists’– the ‘most rape-prone immigrant of
11 them all’ whose presence will ensure a ‘rape’ epidemic.
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16 Similarly, Antony and Thomas (2017: 17), focusing on separated child migrants, highlighted discursive
17 representations focusing on ‘child migrants as a drain on U.S. economic resources, disease-infested
18 parasites, and the offspring of irresponsible families’. Unaccompanied child migrants were also
19 constructed as potential threats to public safety through purported links to criminal and terrorist
20 networks (Antony and Thomas, 2017). The intersections of age, gender, race, and ethnicity provided
21 fruitful ground for multiple sources of suspicion within a culture of heightened anxiety, insecurity,
22 racism and oppressive policy structures.
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29 In this respect the ways in which children are represented and constructed have tangible and crucial
30 implications. Children who are perceived to be socially located at intersections outwith the boundaries
31 of prevalent ideas and constructions of childhood may indeed seem problematic for population
32 governance strategies aimed at transforming children into the ‘right kinds of adults’ (Wells, 2011: 22).
33 While multiculturalism may be a societal feature that could lessen such tensions, research has shown
34 despite rhetorical celebrations of difference, governance strategies are enacted within a context of
35 ‘normative standard[s] that compares to a ‘different’, somewhat problematic way of being and acting in
36 the world’ (Pacini-Ketchabaw, 2007: 223).
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43 The extant literature is well informed by studies of media representations of unaccompanied asylum
44 seeking children, as is the dissonance between policy and practice (see Poole and Rafanell, 2018).
45 Studies that aim to highlight how the issue is *discursively constructed* within the policies that have been
46 proposed to ‘address children’s needs’ are, however, scarce.
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50 **Theoretical framework**

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54 The theoretical foundations of our work can be traced to Foucault’s discussions on processes of
55 knowledge production and governance (Foucault, 1977: 1988) as well as Hacking’s dynamic
56 nominalism (Hacking, 2004). Hacking’s dynamic nominalism focuses on two notions: firstly, processes
57 of ‘making up people’, which aims to illustrate new ways of classifying population groups that may
58 affect and change those so classified and secondly, the notion of ‘looping effects’ which aim to highlight
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3 how such changes may influence the classifications themselves (Hacking, 2004). Hacking's (2004;
4 2007) 'making up' people, is a process referring to the ways in which classifications give rise to new
5 kinds of people, and influence the perceived possibilities of those people's actions, thus forming an
6 ontological register for the population group in question. In Hacking's work the focus is on
7 categorisations and labels taking on a life of their own, creating a 'reality' and 'truth' about the people
8 to which they have become attached. Inspired by Foucault's work on the production of 'truth',
9 knowledge, and the role that discourse plays in such processes, Hacking's work (2007) considers
10 'knowledge' as the knowledge of professionals and popular knowledge, also shared by members of the
11 population group in question. In Foucault's work, discourse is an institutionalised way of delineating
12 reality, essentially setting limits on the ways the world can or cannot be thought of. He spoke about
13 each society having a:

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22 'regime of truth, its 'general politics' of truth: that is, the types of discourse it harbours and
23 causes to function as true; the mechanisms and instances which enable one to distinguish true
24 from false statements, the way in which each is sanctioned; the techniques and procedures
25 which are valorised for obtaining truth; the status of those who are charged with saying what
26 counts as true.' (Foucault, 1976:13).

31 Foucault's notion of governmentality as the organised practices, mentalities, rationalities, and
32 techniques through which subjects are identified, classified and thus governed is also central to our
33 analysis (Foucault, 1997), as well as his work on problematisations as a mode of critical enquiry (1977;
34 1988). In "The Concern for Truth: an interview by Francois Ewald", Foucault (1988: 257) states:

39 "Problematization doesn't mean representation of a pre existing object, nor the creation by
40 discourse of an object that doesn't exist. It is the totality of discursive or non-discursive
41 practices that introduces something into the play of true and false and constitutes it as an object
42 for thought (whether in the form of moral reflection, scientific knowledge, political analysis,
43 etc.)."

49 Foucault and Hacking have influenced our thinking around policy discourses that 'make up'
50 unaccompanied asylum seeking children as objects of thought. We specifically focus on processes of
51 articulation -that is, meaning making- which may turn subjects of policy discussion, produced by
52 experts, into objects of thought and even, control. In this sense, the paper aims to highlight the
53 discursive reality of unaccompanied asylum seeking children that is produced within and by our
54 society's regime of truth. Specifically, we focus on the discursive reality produced by policy and the
55 ways this reality creates the conceptual boundaries within which we- as a society- are led to think about
56 this group of children. Although we do not adopt a historical approach to trace the origin of such
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discursive practices and labels in this paper, we privilege an exploration of the discursively produced categorisations and ‘truths’ within policy, ultimately used to manage and govern population groups. To do so, we follow Bacchi in positing that ‘policy is not the government’s best effort to *solve* ‘problems’; rather, policies *produce* ‘problems’ with particular meanings that affect what gets done or not done, and how people live their lives’ (Bacchi, 2012: 22). This is not to negate the existence of any ‘issues’ related to UASC, as the preceding sections have highlighted the pressing social conditions that need to be addressed. However, following the WPR approach, we argue that as soon as these conditions are problematised within policies they are produced as particular sorts of problems with profound effects on how we are governed and how we are turned from subjects of discussion to objects of discursive construction and control. By focusing then on the ways in which policy issues are problematised- how they are discursively produced- we highlight how policy subjects are ultimately governed, as ‘in effect we are governed through problematisations, that is, through the ways in which issues are problematised, rather than through policies’ (Bacchi, 2015: 132). Starting from this premise, the paper turns to contemporary policy to look for the ways in which unaccompanied asylum seeking children are constructed and consequentially governed.

Methods

To explore the ways unaccompanied asylum seeking children are represented in policy, specifically UK policy, we focused on the ‘UK Safeguarding Strategy: Unaccompanied asylum seeking and refugee children’ (Home Office, 2017). This policy document guides practice across UK nations because immigration is a reserved matter falling within the jurisdiction of the Westminster government. The method of analysis employed is the ‘What’s the problem represented to be’ - ‘WPR’ – as formulated by Bacchi (2009).

The first step of analysis involved familiarisation of team members with the policy document. We then used inductive coding to identify statement-events (Keller, 2013), which were discussed and agreed upon as instances of expert discourse that involve processes of meaning making around unaccompanied asylum seeking refugee children. Finally, we utilised the WPR approach to investigate and analyse meaning making processes that had emerged from the first stages of analysis with the aim of exploring power relations within the document, unearthing normative perspectives on unaccompanied minors as a social policy problem and finally critiquing these while considering possibilities for social change. As an analytic approach, the ‘WPR’ involves critical interrogation of public policies and starts from the premise that ‘what one proposes to do about something reveals what one thinks is problematic (what needs to change). Following this thinking, policies and policy proposals contain *implicit* representations of what is considered to be the ‘problem’ (‘problem representations’)’ (Bacchi, 2012: 21). The task then is to identify the ways in which problems are represented within policy documents and to critically

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3 examine such representations along with the impact they have on the ways ‘problems’ are framed and
4 produced.
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7 To achieve this goal the approach involved a critical reading of the selected policy document guided by
8 a set of six questions which can then be applied reflectively to the representation:
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11 1. What’s the ‘problem’ (for example, of ‘problem gamblers’, ‘drug use/abuse’, ‘gender
12 inequality’, ‘domestic violence’, ‘global warming’, ‘sexual harassment’, etc.) represented to be
13 in a specific policy or policy proposal?
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- 15 2. What presuppositions or assumptions underpin this representation of the ‘problem’?
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- 17 3. How has this representation of the ‘problem’ come about?
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- 19 4. What is left unproblematic in this problem representation? Where are the silences? Can the
20 ‘problem’ be thought about differently?
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- 22 5. What effects are produced by this representation of the ‘problem’?
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- 24 6. How/where has this representation of the ‘problem’ been produced, disseminated and
25 defended? How has it been (or could it be) questioned, disrupted and replaced? (Bacchi 2012:
26 21)
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30 Although structured around specific questions this method of analysis is not a formula *per se*, but Bacchi
31 suggests that ‘specific questions can be applied where the analysis occasions their use’ (Bacchi, 2015:
32 133). Indeed, several other studies have chosen to selectively focus on specific questions of the method
33 to inform their analyses of policy problems (see Fraser and Moore, 2011; Lancaster and Ritter, 2014;
34 Seear and Fraser, 2014).
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37 For the purposes of our work, we focus on questions 1 and 4 of the WPR approach. These two questions
38 were used as tools to identify some of the ways in which children are portrayed and represented within
39 the strategy as well as to critically consider the silences and reflect on how representations could be
40 thought about differently. Essentially, these two questions acted as a conceptual checklist for our critical
41 reading of the policy document and helped us identify the meaning-making processes involved by
42 working backwards from the concrete policy proposal to the ‘problem’ (Bacchi, 2009). Nevertheless,
43 in the natural course of the analysis, some issues that touch upon other Bacchian questions, such as a
44 focus on dividing practices or binaries, also emerged.
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47 We adopted the WPR approach because it offers both an original methodology and scholarly paradigm
48 by providing the social sciences with a mode of critical enquiry which at the same time engages
49 contemporary post-structuralist accounts of power, subjects, and social change (Bletsas and Beasley,
50 2012). More specifically, the method was selected because of its usefulness in highlighting the framing
51 of specific policy concerns and the representations of the groups whose needs specific policies have
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3 been introduced to address, i.e. framings of the arrival of unaccompanied child refugees and
4 representations of them. As a method of analysis WPR has a clearer policy analysis, with the specific
5 aim to scrutinise policy proposals and problem representations within policies (Bacchi, 2009; 2015).
6 Most pertinent to this study, the WPR approach provides a framework to engage critically in
7 'problematizations', at a time when the conventional 'problem-solving' and 'evidence-based'
8 approaches are ubiquitous (Newman, 2016). The analysis discussed in this paper was carried out as part
9 of a larger study funded by the Carnegie Trust looking into the ways Scottish Local Authorities respond
10 to unaccompanied asylum seeking children. Ethical approval for the study was provided by the General
11 University Ethics Panel (GUEP) of the University of Stirling.
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18 **Findings**

21 With the 'refugee crisis' continuing to evolve, the WPR approach provides a way to open up the
22 knowledges surrounding it and the effects of knowledge production by considering how UASC are
23 constructed and represented in a key policy document. We begin by identifying various problem
24 representations, overt or implied within the strategy. Following this, we explore how these
25 representations privilege a specific way of understanding the 'problem' while silencing other possible
26 'problematizations' and other ways to view the 'problem'. By analysing how UASC are produced as a
27 problem, we trace in the policy ways of thinking which reflect specific beliefs and assumptions. A
28 number of dividing practices set the scene for how issues are being 'problematized': legal and
29 clandestine routes of arrival to the UK; being risky and being at risk upon arrival to the UK; and
30 providing care and being in need of care.
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39 Legality and clandestine routes of arrival

42 Throughout the strategy, terms such as 'clandestine' and 'dangerous' routes of arrival, as opposed to
43 'legal' and 'safe' routes, are used. This terminology contributes to the construction of subjects and
44 objects in four interconnected ways:
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- 48 1. Making up a right and a wrong way to arrive in the UK
 - 49 2. Making up categories of children with potential implications for their deservingness
 - 50 3. Producing children as responsabilised subjects with agency
 - 51 4. Leaving governmental practices unquestioned
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56 Firstly, routes of arrival to the UK are problematized within the policy document, producing a
57 dichotomy between what should be avoided and what should be pursued. It is clearly implied that there
58 is a right and a wrong way to arrive in the UK, the legal pathway and the clandestine way. The other-
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3 than-legal route of arrival is labelled as ‘clandestine’ although the stronger and more straightforward
4 word ‘illegal’ is avoided, but nevertheless implied. The word ‘clandestine’ has the effect of obfuscating
5 the illegal route of arrival, and thus discarding it simply as a counter advised practice. Children’s
6 movements come to be categorised under notions of overtness or covertness, with the later conjuring
7 feelings of distrust.
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12 *This strategy sets out the additional actions that the Government will take to*
13 *safeguard and promote the welfare of these children, in recognition of the*
14 *increasing numbers and specific needs of unaccompanied children in the UK,*
15 *unaccompanied children arriving through a legal pathway and unaccompanied*
16 *children arriving clandestinely (Introduction, p.6)*
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22 Furthermore, under this construction, ‘legal’ conflates with ‘safe’ and ‘clandestine’ with ‘risky and
23 dangerous’. By portraying children’s movements as a particularly risky venture it is implied that they
24 are unnecessary and therefore irrational. The question emerging between the policy document lines is:
25 if everything is in place for them to travel safely, why do they indulge in dangerous, clandestine
26 journeys?
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31 *There are safe, legal routes by which people, including children, in need of*
32 *international protection can be resettled in the UK, thereby avoiding people risking*
33 *their lives by making dangerous journeys to Europe (Background, p.6)*
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38 In addition, the starting point of these movements remains unquestioned. The social, political and
39 economic drivers of refugees’ journeys that lead to forced migration in the first instance become
40 neutralised and silenced. So do the diversities and nuances of children’s lived experiences, aggregated
41 under the blanket terms legal or clandestine that characterise their route of arrival to the UK.
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46 Consequently, the route via which children arrive in the UK creates from the outset two distinct
47 categories of UASC, legal and clandestine / illegal. The classification of their route or journey as
48 risky/dangerous/clandestine may primarily refer to their route of arrival, but expands to the children
49 themselves with potential implications for how they are governed. Arguing that they have been
50 endangered with ‘dangerous’ journeys could justify a greater effort to protect them, although such an
51 explanation is absent. Children who are represented as being ‘risky’, can be understood as less worthy
52 and less entitled to protection by virtue of compromising their own safety by travelling clandestinely.
53 Furthermore, the characterisation of their route of arrival as ‘clandestine’ might well imply portrayal of
54 the children themselves as being deviant and deserving punishment rather than protection. Pointing out
55 that they chose the ‘wrong’ way rather than the legal safe journey may also imply they are illicit,
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3 incapable of complying with the rules and unable to assimilate to 'our' norms. This problematisation
4 can be seen as a test of integration ability, with implications for the ones failing to pass it for their
5 legitimacy or for their claims to protection and asylum.
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9 In addition, the binary clandestine / non-clandestine label frames the children's route of arrival as a
10 conscious choice and, thus, children are constructed as responsabilised subjects with unfettered agency.
11 However, this silences two things; that having limited feasible options/choices is quintessentially what
12 being a refugee means; and that in every justice system, minors are not considered fully responsible
13 adults with agency and options. This representation takes minors into adults' court, despite the joint
14 ministerial foreword in the policy document stating, "[w]e must remember that they are children" (p.4).
15 By adopting within the document the distinction of the arrival pathway, the nature of their childhood
16 comes second, *after* the legal status of their arrival. Nevertheless, unaccompanied asylum seeking and
17 refugee minors are children no matter via which route they arrive. Rather than adjusting to children's
18 needs, this policy document imposes on the UASC predefined rules, which they need to adhere to as
19 fully responsible agents. It is worth remembering, though, that while children's nature is independent
20 of the route of arrival, the nature of laws and the laws themselves are not, and therefore it can be opened
21 up to challenge and change, depending on the social context of the moment, which leads us to the
22 following point.
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33 Finally, by shifting the locus of the 'problem' to children's choices, the governmental practices such as
34 legislative inflexibility are silenced and as such remain unchallenged. Instead of making changes in
35 order to accommodate UASC's special conditions, policies and practices demand change from children.
36 The humanitarian rationale that clandestine travelling is dangerous silences the dominant concern of
37 migration deterrence and the reluctance to accommodate the needs of conflict- and persecution-fleeing
38 children, which arguably is why these routes emerged in the first place. It also masks knowledges and
39 taken for granted truths that support this rationale. For example, leaving the pragmatic situation faced
40 at the time of this decision in oblivion, with the expectations to follow the legal route when fleeing from
41 a crisis such as a war or a conflict zone, may imply its normality and that the war itself follows legal
42 processes, or that it is just unavoidable. Is it realistic to expect people to follow the 'legal route' when
43 trying to escape from war? The suggestion to follow the safe, legal route can be seen as representing
44 war as a manageable crisis.
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52 53 Being risky and being at risk upon arrival

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55 From their very route of arrival, UASC are constituted as risky and at-risk subjects; however, such
56 representation invoking the notion of risk extends far beyond arrival routes. While binaries and dividing
57 practices are identifiable within the strategy, at the same time, certain differences that could be
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3 emphasised are not discussed, such as the specificity of the situation in which UASC are found when
4 discussed in relation to other 'looked after' children.
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8 Key points:

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10 1. A nesting of problem representations, by linking risks faced by the children and risks embodied
11 by the children.
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13 2. The dualistic UASC: children create two poles of a binary or two categories of subjects. This
14 is a dividing practice with profound implications for how children are governed. When they
15 face risks, they are just children, but when they embody risk, they are UASC.
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17 3. Children and their foster carers are responsabilised for these risks
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19 4. Unnuanced proposals as 'solutions' to the problem
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24 *[w]e know that one of the risk factors associated with unaccompanied children going*
25 *missing is having carers who are not able to develop trusting relationships and who are*
26 *not adequately trained to understand the experiences and risks they face including the*
27 *child's vulnerability to exploitation or radicalization. (p.10-11)*
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34 Notions of risk and risk implications can be seen as playing out prominently within the policy document;
35 risks faced by the children, but crucially, risks embodied by the children. They are at the same time
36 'clandestine', hence, potentially risky, and 'children', hence vulnerable and at risk; capable of invoking
37 both fear and compassion. Apart from being located firmly in risk, those children also embody risk,
38 with concerns for peace and security being implied on a broader argumentation. The articulated risk of
39 children being 'radicalised' points towards the terrorism spectre and implies risks posed to the rest of
40 the country and its citizens, with the representation of UASC as potentially intrinsically dangerous in
41 essentialist terms, and as carrying the seeds planted inside them by a foreign force.
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48 The aforementioned risk embodiment implication is due to the fact that they are UASC –not children.
49 Hence, another binary that plays out prominently is that they are children on the one side and refugee
50 children on the other, intrinsic innocence versus intrinsic culpability. The risks these children face are
51 arguably risks that can be faced by children in general when they find themselves alone in another
52 country. However, the risks they embody cannot be perceived as risks due to their specific identity as
53 UASC. When they face risks, they are just children, but when they embody risk, they are UASC. The
54 binary UASC creates two poles and two categories of subjects; a dividing practice with implications
55 for how UASC are governed. Even more so, this linking of exploitation and radicalisation of these
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3 children is indicative of a nesting of problem representations (Bacchi, 2009). This nesting, then, may
4 render impossible the consideration of the risks faced by children, outside of considering the risks they
5 embody, thus leading to a population group that requires regulation and control.
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9 One of the risk factors the policy document identifies is the inability and lack of training on behalf of
10 the carers to develop trusting relationships with the children and to understand their experiences; which
11 may result in children disappearing, or being exploited or radicalised. The strategy therefore
12 responsabilises both carers and the children themselves. Furthermore, children's worry that they will
13 not be granted leave to stay in the UK is also problematised as a possible reason to potentially go
14 missing
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20 *Local authorities told us that unaccompanied children sometimes go missing*
21 *because they are worried that they will not be granted leave to stay in the UK and*
22 *will be sent back to their country of origin. (p.18)*
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27 Often in the document, the success or failure of the policy is represented as being contingent on the
28 ability of foster carers to 'develop trusting relationships' with the children (p.11) and to deal with their
29 ethnic and cultural 'otherness', and with the implications of that otherness. The proposed 'solutions' to
30 the articulated risks are a training course for carers and social workers; a downloadable training guide
31 for local authorities; and giving information to the children concerning the meaning of being 'looked
32 after', which are arguably unnuanced given the complexity and severity of the situation.
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38 *An unaccompanied child is entitled to the same local authority support as any other looked*
39 *after child, and our ambitions for these children are the same: to have a safe and stable*
40 *placement, to receive the care that they need to thrive, and the support they need to fulfil their*
41 *educational and other outcomes" (p.9)*
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46 By equating unaccompanied children with looked-after children, the policy document can be seen as
47 ensuring the former group of children are entitled to the same level of support as the latter. However,
48 the potential complexity of unaccompanied minors' needs and the uniqueness of their experiences is at
49 the same time silenced. Perhaps indicative of this is that there is only one reference of trauma relating
50 to children's journeys in the whole document.
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55 *They are alone and in an unfamiliar country, at the end of what could have been a long,*
56 *perilous and traumatic journey. (p.4)*
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3 This portrayal can be seen as promoting the neoliberal, individualised approach of conceptualising
4 'problems' and their 'solutions'. However, as Bacchi (2016) posits, the *solution* is part of defining *the*
5 *problem*. The policy, thus, attempts to define the problem as something manageable by bureaucracy
6 and the adherence to laws, policies and training. The invocation of laws, policies and other resources
7 attempts to give a sense that the situation is manageable and under control. This attempt, however, is at
8 odds with children are at risk of going '*missing once they arrive at the UK*' (p4) or falling victims of
9 trafficking, and other forms of exploitation, which perhaps implies –yet does not clearly state- a policy
10 failure and the ineffectiveness of this bureaucratic approach.
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17 Providing care and being in need of care

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20 Children and foster carers are both problematised for the risks both faced and posed by children. Within
21 this context of embodied risk, care is arguably constituted *inter alia* as charity and generosity provided
22 by benevolent British individuals.
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26 Key points:

- 27 1. UASC are represented as the *moral responsibility* of the Government
- 28 2. The concept of citizenship plays out prominently, creating the benefitted refugee-generous
29 citizen dipole
- 30 3. Care is framed as a charity, provided through the generous offer of volunteers
- 31 4. Hierarchical power formations between the carer and the beneficiary are shaped
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39 Safeguarding and promoting the welfare of UASC is the overarching aim of the policy document, and
40 to assist those suffering from conflict in the world, a moral responsibility of the Government. This call
41 to morality ascribes it to voluntary moral norms, rather than to its formal and legal obligations.
42 Representing the Government's responsibility on the grounds of morality, rather than on the grounds
43 of human rights and international conventions delimits the question of the obligations towards
44 unaccompanied asylum seeking and refugee children to resettlement. It also silences what happens to
45 the refugees who will remain unsettled; the government's moral responsibility disappears as soon as
46 the unsettled children are beyond the UK border.
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53 *The Government is clear about our moral responsibility to assist those who are*
54 *suffering as a result of world conflict (Background, p.6).*
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3 Vague references to the *world conflict* and vague descriptions of people *fleeing war* simply mystify the
4 situation. War, the world conflict, are represented as fixed, although complex and mysterious entities
5 that ‘happen’ rather than being produced by a significant aggregation of political, financial, economic
6 and military forces. While this in itself is complex, it involves politics more than anything else. This
7 mystification helps avoid discussion around more tangible practices, such as the involvement of the UK
8 and other European countries in at least some of the wars that have led populations, including children,
9 to become forcibly displaced. In effect, moral responsibility helps eschew responsibility.
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16 The concept of citizenship can be seen as occupying a prominent role in the governmental response to
17 unaccompanied minors with the policy document assigning care duties to third parties. The emphasis
18 is placed on one-to-one caring relationships, on micro levels, rather than on care as a macro social
19 practice with institutional and governing implications (Bacchi, 2009). This creates binaries, categories
20 and governable subjects, such as the refugees and the citizens; the British and the others; the UASC and
21 the foster carers. British carers are presented as a single, unitary category, as a vision of what the
22 national psyche should be and what attributes and sensitivities the citizen should carry (Wodak et al.,
23 1999).
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30 In this way, the framing of the notion of ‘care’ within the strategy de-emphasises the need for care as a
31 macro social practice with institutional and governance practices. Any notion of a central provision of
32 care is not discussed within the document because the delivery of welfare responsibilities for children
33 is a devolved matter for UK nations. Caring for UASC is made a charity, a generous offer by volunteers.
34 The discursive emphasis is placed on the ‘generosity’ of citizens-carers while the policy document
35 praises them for their moral attributes.
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40 *In addition to the Government’s own commitments, we will continue to bring*
41 *together the voluntary sector, community groups and individuals to galvanise the*
42 *huge generosity and will of the British people to help the most vulnerable*
43 *unaccompanied asylum seeking and refugee children (p.4)*
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49 With these practices, asymmetrical and hierarchical power relationships are discursively formed
50 between the carer and the beneficiary, the ‘needy’ and those attending to their needs, who are depicted
51 as generous and beneficent. The ‘privileged’ are encouraged to become more compassionate towards
52 the ‘less fortunate’. Care is provided because of generosity, depending upon cognitive functioning and
53 decision-making. The neo-liberal understandings of sociality, together with individual virtues are
54 represented as the basis of socio-political change.
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Discussion and conclusions

Our analysis of the UK wide “Safeguarding Strategy: Unaccompanied Asylum Seeking and Refugee Children” has highlighted specific ways of understanding the ‘problem’ that the policy document privileges, while simultaneously silencing, other possible ‘problematizations’.

We have brought to the fore discursive representations that are born out of route of arrival of children- clandestine or legal- a dichotomy that constructs further boundaries and categories for children to be classed under, thought about and understood and, ultimately, controlled and governed. ‘Legal’ and ‘clandestine’, ‘safe’ and ‘dangerous’ are false dichotomies creating artificially fixed states that impede alternative understandings for meanings that are historically, socially, and politically shaped. The use of such dichotomies, therefore, is controversial and not sufficiently mitigated by the reference to refugees as *fleeing persecution and war* (p.4), and in fact, they can also be seen as fuelling the deep-seated discourse within the immigration agenda of legal and illegal immigration. By emphasising the different routes of arrival, the policy effectively creates an ontological register for the children who are portrayed as exercising their agency in ‘choosing’ to either enter the country legally or illegally. In this way the policy document discursively delineates the truth about unaccompanied asylum seeking children by ‘making up’ two distinct categories; the one inhabited by children who choose the right way of arrival and the one made up by those who choose to enter the country illegally. At the same time, the social and political context within which these supposedly ‘free choices’ are made are silenced.

In Foucauldian terms, the discursive reality created by the policy document limits our possibilities of thinking about this social problem by precluding consideration of anything other than individual factors determining children’s actions; structural forces are thus set outwith the boundaries the institutionalised way of describing the problem sets. By representing children in such a light, as covert migrants, the policy document reinforces notions of deserving and undeserving children. This finding resonates with Holmes and Castenada’s (2016: 12) discussion of the discursive representations of refugees and migrants in Germany, where they pose that ‘[t]hese representations shift blame from historical, political-economic structures to the displaced people themselves. In this paper we unearthed representations of deservingness ascribed to unaccompanied asylum- seeking children and highlighted potential implications such representations may have for their lives’. Our findings are expected to invite further reflection on the meaning making processes of policy and the tangible effects such processes can have on the populations whose needs the policies are designed to serve.

This initial analysis has highlighted that, on a discursive level, policy constitutes unaccompanied asylum seeking and refugee children as objects of thought that pertain the notion of risk; both to themselves and to the rest of the country and its citizens. As Moore (2004: 1548) aptly stated ‘the notion of ‘risk’ and its avoidance has become a key technology of social control’. Risk discourse or risk

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3 thinking is a standard feature of neo-liberal modes of governing which propose that wellbeing is best
4 achieved through individual freedom but also responsibility while, at the same time, ‘reducing the size
5 and influence of the state, increasing deregulation and promoting private enterprise, with the belief that,
6 as the state has less responsibility, its financial requirements diminish, resulting in lower taxation rates
7 which is considered good for economic growth and that resulting economic benefits would trickle down
8 to the poor and reduce inequality’ (Spolander et al., 2014: 303). According to Rose, risk discourse has
9 ‘become central to the management of exclusion in post-welfare strategies of control’ (Rose, 2000: 332)
10 and has been traced across welfare systems as a method of regulating marginalised people (Pollack,
11 2010). Rose (2000) refers to marginalised populations such as those experiencing homelessness, mental
12 illness, drug addiction, criminalisation or poverty as occupying ‘zones of exclusion’. He argues that
13 contemporary risk management strategies are directed at those who are thought ‘unable or unwilling to
14 enterprise their lives or manage their own risk, incapable of exercising responsible self-government’
15 (Rose, 2000: 331).

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25 We propose that the “UK Safeguarding Strategy: Unaccompanied Asylum Seeking and Refugee
26 Children” (Home Office, 2017) frames children in ways that construct them both as unable to manage
27 their own risk or even unwilling to do so by going missing, because they are worried that they will be
28 refused leave to stay in the UK. Such a finding resonates with the phenomenon of ‘disappearing’,
29 evident in the UK but also other European countries (Allsopp and Chase, 2019). However, our analysis
30 has also shown that unaccompanied asylum seeking and refugee children are not only constructed as
31 being at risk but also as embodying risk. In this respect, our findings resonate with Dean’s discussion
32 of the Foucauldian concept of governmentality where he proposes that

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41 “political discourse and vocabulary often rely on imagery and mythology with a strong
42 emotional resonance particularly in terms of crisis, war or attack to define the ‘enemy’, to
43 characterize the task ahead, and so on” (Dean, 2010: 25)

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46 However, our finding also resonates with media studies in different cultural contexts which highlighted
47 depictions of lone minors as a threat to public safety (Hirvonen, 2103; Antony and Thomas, 2017).
48 Following both Dean but also Lupton, we pose that, to be labelled ‘at high risk’ compared with others
49 ‘is to be singled out as requiring expert advice, surveillance and self-regulation’ (Lupton, 1999: 61).
50 The paper then draws attention to processes of articulation which essentially turn subjects of discussion
51 into objects of control through the use of risk discourse. Acknowledging that ‘truth isn’t outside power
52 or deprived of power’ (Foucault, 1976: 13), the role of policy in the production of truth is herein
53 discussed. Ultimately, we wish to bring to the fore the potential role of discursive constructions of
54 population groups in leading societies to justify and accept policy responses towards those groups, while
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3 disrupting the boundaries that have been delineated for us by our societies' 'regimes of truth' (Foucault,
4 1976: 13).
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8 Our analysis has highlighted how the care of unaccompanied asylum seeking children is constructed
9 within the UK strategy as a matter of moral responsibility and generosity. Drawing on past historical
10 events, such as the Holocaust and the reception of Jewish children to the UK at the time, Lems and
11 colleagues have also discussed the construction of UASC as 'an exceptional humanitarian category'
12 (Lems at al., 2019: 2). However, prescriptive understandings of altruism within already hierarchical
13 societies hide alternative, more expansive conceptions of a just and interconnected community, either
14 national or international (Bacchi and Goodwin, 2016). Following the WPR approach, the question that
15 needs to be set is "how might we rethink sociality?" (Beasley and Bletsas, 2012: 107), but without
16 forgetting that this form of sociality is always political (Bacchi, 2009). For example, in the statement
17 '*the Government is clear about our moral responsibility to assist those suffering as a result of world*
18 *conflict (p.6)*' we suggest that the emphasis should shift to the political responsibility that governments
19 have globally to help this group of children. Building on our arguments above we wish to move beyond
20 disrupting the conceptual boundaries set by the specific reality created by experts and open up
21 possibilities of thinking about, and ultimately responding to, the 'problem' in new and alternative ways.
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31 The methodological approach taken in this paper constitutes an innovative way of analysing policy.
32 Indeed, to our knowledge this is the first paper to utilise the 'What's the problem represented to be'
33 approach to analyse a UK child safeguarding strategy. By adopting this methodology, we explored some
34 of the problematic representations within the strategy and offered the opportunity to challenge the 'taken
35 for granted' facts and knowledges to produce original insights for further discussion. However, we
36 acknowledge that, inevitably, other elements exist, and these remain open for future analysis. Following
37 the WPR approach made it possible to emphasise the complexity of the political situations that shape
38 the movement and the status of children, while placing governance programmes and policy under
39 scrutiny to initiate challenge and change. We propose that this could not have been possible with
40 rational approaches that promote benchmarking and best practices, which are predicated on the fixing
41 of social problems and the impartiality of scientific research (Bacchi, 2009; Brown, 2015). The findings
42 of this study are derived from the analysis of one UK policy document; however, the implications of
43 such findings for the way unaccompanied asylum seeking children are constructed and managed as a
44 population group transcend the borders of any single country.
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