

A review of the national policies on street children in China[☆]

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ABSTRACT

Global research related to street children has been conducted for over 30 years but in-depth research into policy approaches of individual countries and their response to street children is limited. The current research contributes to the literature by reviewing the Chinese national policies on street children, and referring to the international framework of policy approaches towards street children, identifies 3 policy approaches adopted by Chinese government: correctional and institutional, rehabilitation, and prevention. The research finds that the policy responses of the Chinese government towards street children vary with social development, and have shifted from the correctional and institutional approach under the custody and repatriation system (1982–2003) and rehabilitation approach under the new relief and management system (2003–2013) to the prevention approach after 2013. The article concludes by arguing that the Chinese government has adopted a prevention approach and is making progress in establishing a child social protection system to prevent the root causes of child homelessness. Suggestions are proposed for further strengthening the child protection system with a particular focus on prioritizing children's rights alongside child welfare.

1. Introduction

The phenomenon of children living on the streets is a worldwide concern, and a recent United Nations comment on Children in Street Situations is a testament to the internationally increased levels of awareness of children in street situations (United Nations, 2017).

Street children had various individual life stories, and diverse reasons for becoming 'street involved', thus it is difficult to use the term 'street child' to generalize the experience of millions of children living on the streets (Thomas De Benitez, 2011). In 1986, UNICEF developed a useful conceptual standpoint to distinguish street children into three categories based on the extent to which they are connected with the streets. The first is children at risk, which refers to children from poor street families that live at home and work on the street for their families; the second type is children *on* the street, which refers to children who play and work on the street, but who maintain connections with

their family and stay at home at night; and the third is children *of* the street, which refers to children who work and live on the street without regular contact with family members (UNICEF, 1986). This juxtaposition of children 'of', 'on' and 'off' the streets is a useful way to conceptualize and understand the complex nature of street children, a far from homogenous group.

In China, the term 'street children' in particular refers to children of the street, who are conventionally translated as *liu lang er tong* (流浪儿童) in Chinese. Scholars usually define street children as those under 18 who leave their families or schools and live, work and roam around in public urban areas with little or no parental supervision (Cheng, 2009a; Lam & Cheng, 2008). Additionally, according to the *Basic Norms for Street Children Relief and Protection Organizations* prescribed by the Ministry of Civil Affairs (2006), the term, street children, is officially defined as those under 18 who sustain their lives by begging and scavenging etc. on the street without the proper supervision of a

[☆] Notes: The moderately universal child welfare system classifies children into four categories – orphans, children in difficult circumstances, children in difficult families, and ordinary children. Local government sets up different security criteria for different types of children based on the local levels of social, economic and welfare development, and gradually develops a child welfare system that can cover all children and has appropriate security standards. The current task focuses on establishing a basic living security system for children in difficult circumstances with the reference of the basic living security system for orphan, and here children in difficult circumstances specifically refer to disabled children, children with serious disease, and street children.

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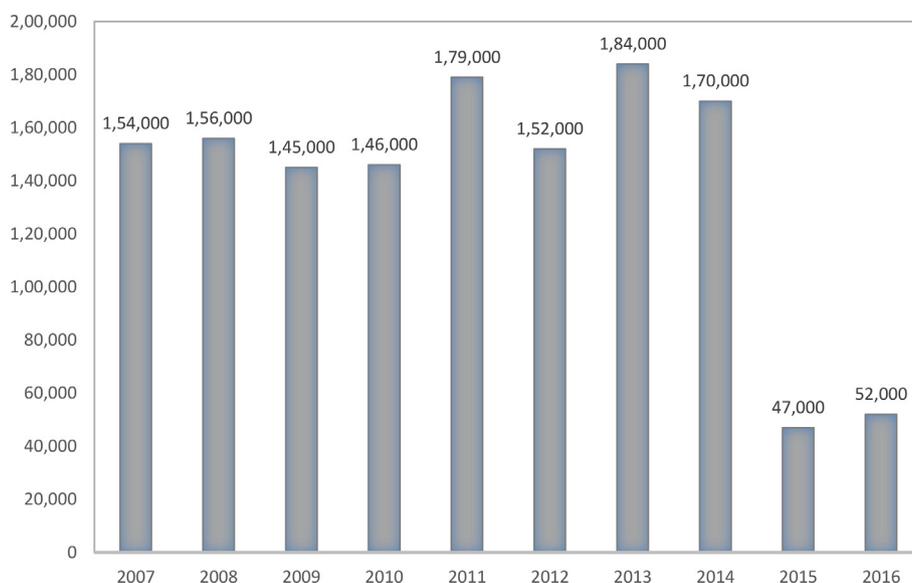


Fig. 1. Number of government-assisted street children.

(Sources: The data are derived from the *Social Service Development Statistics Bulletins* issued by the Ministry of Civil Affairs of the People's Republic of China between 2007 and 2016. Retrieved from <http://www.mca.gov.cn/article/sj/tjgb/>).

guardian. In sum, both academic and official definitions are closely aligned with UNICEF's (1986) concept of 'children of the street'.

In terms of numbers, according to the annual number of street children handled by the government-run rescue center and Street Child Protection and Education Center (SCPEC), the Ministry of Civil Affairs estimated that the number of government-assisted street children each year in China was approximately 150,000 between 2007 and 2012, peaked at 184,000 in 2013, and substantially decreased to about 50,000 in 2015 and 2016 (see Fig. 1). This sharp decline is opposed to the worldwide phenomena and general acceptance in the literature that the number of street children increases in line with urbanization and industrialization in developing countries (Thomas De Benitez, 2011; UNICEF, 1986). As there has been no substantial reform of the welfare system in the country, questions arise including: what happened to street children in China? An in-depth analysis of the causal reasons for the significant decrease of street children is beyond the scope of this paper. Nevertheless, because the relationship between the prevalence of street children in China and the policy approaches used to tackle the issue are closely interlinked, this paper reviews and reflects on the Chinese national policies on street children in order to generate a broad picture of how street children is impacted by social policy.

2. Street children in China

Consistent with the gender proportion in most developing countries and areas, such as Namibia (Grundling, de Jager, & Fourie, 2004), Mali (Hatloy & Huser, 2005), Zambia (Muntingh, Elemu, & Moens, 2006), Kenya (Thomas De Benitez, 2011), Latin America (Rizzini & Lusk, 1995), and Indonesia (Beazley, 2002), there are more male than female street children in China (Street Children Research Group of Chinese Youth and Children Research Center, 2008). The majority of Chinese street children range from 12 to 16 years old, over half of which did not finish primary school (Street Children Research Group of Chinese Youth and Children Research Center, 2008).

Moreover, global literature suggests that family poverty and family dysfunction (especially child neglect and abuse) are two major forces that push a child into street life (Aptekar & Stoecklin, 2014; Dybiczy, 2005; Karabanow, 2003; Rizzini & Lusk, 1995). Studies into Chinese street children reflect this global picture. Poverty is believed to be the root cause of child homelessness, and street children generally migrated from poor rural areas to developed mega-cities (Ju, Zhang, & Chen,

2008). Also, pathological family ecology such as parental divorce, conflict family environment, coercive parenting, and caregivers' abuse and neglect etc., is a prominent and direct factor that promote children to leave home and become 'street-involved' (Lam & Cheng, 2008; Ju et al., 2008; Xiong, 2014; Zhang, 2016). Before migrating to the streets, many children had faced chronic physical abuse and neglect from their parents or caregivers which prompt them to run away from home (Ju et al., 2008; Yu, 2015). Additionally, there are also a small number of children who become street involved due to abduction and human trafficking; this situation is especially prominent among child beggars and Uygur street children (Ju et al., 2008; Li, 2004). Some abducted children are sold as beggars, who are intentionally mutilated to ensure they receive more alms (Zhang, 2011). For Uygur street children, who are Turkic speaking Muslim and mainly come from poor southern province of Xinjiang, human traffickers lure them away from home by the promise of work and the opportunity to earn large amounts of money. These traffickers then control the children and bring them to large cities in Mainland China (Li, 2004).

In terms of surviving ways, for children who become 'street involved' due to family poverty and dysfunction, most initially attempt to look for legal ways to survive. However, it is often very difficult for these children to find stable and legal jobs because the Chinese Labor Law prohibits the employment of children under 16 (Ju et al., 2008). Despite the institutional restriction, most street children turn to involvement in informal economic activities rather than delinquency as a means to survive (Ju et al., 2008). According to a national study based on 364 street children in nine Chinese cities, 41.4% of street children engaged in work such as distributing leaflets, selling followers, and shining shoes, 26.6% scavenged garbage and 16.6% begged for a living (Ju et al., 2008). Additionally, 30.3% of street children admitted that they had engaged in crimes like theft, fraud, and robbery as a survival tactic (Ju et al., 2008). Moreover, street children who are abducted and trafficked are generally controlled by criminal groups and are coerced to beg on the streets (Zhang, 2011), whereas the controlled Uygur street children, acting as a tool for earning money, are trained to steal and pickpocket on the street, and are forced to engage in theft by organized crime groups (Li, 2004).

3. A framework of policy approaches towards street children

Previous studies have distinguished several policy approaches to

address the issue of street children, each of which is based on a distinctive assumption of street children. Researchers in Latin America summarized four approaches: 1) a correctional and institutional approach, 2) a rehabilitation approach, 3) street education or outreach approach, and 4) an approach based around prevention (Lusk, 1989; Rizzini & Lusk, 1995). Thomas De Benitez (2011) integrated street education and prevention models into a new human-rights based approach, and proposed 3 policy approaches: 1) a correctional, reactive or repression-oriented model, 2) rehabilitative or protection-oriented model; and 3) a human-rights based approach.

According to these studies (Lusk, 1989; Rizzini & Lusk, 1995; Thomas De Benitez, 2011), the first model 'correctional and institutional' conceptualizes street children as delinquents and threats to public order, and therefore, interventions focus on placing these children in institutions such as prisons or juvenile detention centers and correcting their individual pathologies. The second rehabilitative or protection-oriented model, which is more benevolent than the correctional model, considers street children as victims of difficult circumstances, and aims to ensure their basic needs of housing, food and support, and to provide rehabilitation programs in order to reintegrate them into mainstream society. The third human-rights based model, including street education and prevention approaches, assumes street children's problems are caused by deficient social structures. Thus, a 'street education approach' involves outreach education and empowers street children to take collective actions to solve their problems, whereas prevention approaches attempt to solve the root causes of child homelessness.

These classifications of policy approach provide a valuable framework for analyzing the Chinese policies toward street children. The Chinese government has enacted various policies to address the issue of street children with different ideological inclinations, and these policies generally can fall into three approaches: 1) correctional and institutional, 2) rehabilitation, and 3) prevention. The current paper elaborates on these three approaches by considering the transformation of an approach based on 'correction' to one which priorities rehabilitation and child welfare.

4. Correctional and institutional approach: social relief for street children under the custody and repatriation system

The social relief for street children has gone through two main stages – the custody and repatriation system (1982–2003) and the new relief and management system (2003 - now). With the large-scale rural-to-urban migration and mounting homeless people in cities in the early 1980s, the State council (1982) issued the *Measure for Custody and Repatriation of Urban Vagrants and Beggars*, emblemizing the establishment of the custody and repatriation system. Under this system, street children together with adult beggars, vagrants, and even migrants who cannot provide their ID card, residence permit, or work certificates would be sent to the government-run custody and repatriation stations (CRS) by the police, and then the staff in CRS would attempt to find out their home address and repatriate them to their home provinces (Flock, 2014). According to the regulation, CRS provided 'ideological and political education to the detainee to correct their deviant thoughts and behavior', and also short-term shelter with no more than 15 days for those whose hometown was in the province and no more than one month for those who were from other provinces.

Before the mid-1990s, most CRS did not provide differentiated relief service for street children, yet both street children and vagrant adults were sent to CRS. However, national awareness related to providing special protection for street children germinated after the Chinese government ratified the *United Nations Convention on the Rights of the Children* in 1991, which underscores maximizing children's rights and securing children's right to education, security and protection. Following on from this, the Chinese government gradually enacted various policies to protect children, including the *National Program of*

Action for Child Development in China in the 1990s (State Council, 1992), and the *Law on the Protection of Minors* (1991). In 1995, the *Opinions on Strengthening the Management of Floating Population* (General Office of the Central Committee of the Communist Party, General Office of the State Council, 1995) was released, which for the first time explicitly stipulated that protective education should be provided for street children and pilot SCPEC should be established in cities where there were many street children. In the same year, the Ministry of Civil Affairs set up SCPEC in ten CRS in several cities (Legislative Affairs Office of the Ministry of Civil Affairs, 1996), which pioneered in exploring separating street children from vagrant adults and providing protective relief service for street children (Feng & Peng, 2015).

Despite the emergence of SCPEC and initial attempt to provide protective relief for street children, the assistance for street children mainly reflected a correctional and institutional approach under the custody and repatriation system. Homeless people including street children were viewed as a great threat to social order, and as stated in the Article 1 of the *Measure for Custody and Repatriation of Urban Vagrants and Beggars* (State council, 1982), the aims of providing relief, education and resettlement to homeless people is to maintain social order and public security. Although the custody and repatriation system was designed as both a relief system and a tool for maintaining social stability, the function of the system focused more on maintaining public security by local governments, and in practice, homeless people were forcibly sent to CRS by the police which constrained the physical freedom of the detainee and then repatriated back home by the staff in CRS (Shao & Xie, 2004).

5. Rehabilitation approach: social relief for street children under the relief and management system

With the development of market-oriented economy and the surging numbers of migrants, the custody and repatriation system once closely aligned with the planned economy and attempting to control domestic migration no long met the new demands of social development. The system was eventually abolished in 2003 directly as a result of the public outcry over the death of Mr. Zhigang Sun, who was a college graduate and sent to a CRS in Guangzhou by the police due to failing to provide any valid proof of his identification and was beaten to death by CRS staff (Zhu, 2008). Two months later after the exposure of Sun's death, the State Council (2003) rapidly promulgated the *Measures for the Relief and Management of Urban Vagrants and Beggars with No Means of Livelihood* to substitute the Custody and Repatriation policy, which aimed at providing relief service for the homeless, securing their basic living rights, and improving the social relief system as stated in Article 1. The implementation of this provision signifies the era of the social relief and management system, which forbids peremptory detention and renames the CRS as rescue stations. Under the new relief and management system, the central government promulgated ten policies from 2006 to 2013 specifically targeting street children (Feng & Gong, 2014) and attempted to establish the social relief system for street children and protect this group, reflecting policies shifting from the correctional and institutional approach to the protective-oriented rehabilitation approach.

The *Opinions on Strengthening the Work on Street Children* (Ministry of Civil Affairs et al., 2006) is the first policy specific to street children, which proposes a general framework on how to intervene with children on the streets. In this policy, street children are considered as a disadvantaged child group yet also a group at high risk of conducting crime; the social relief for this group mainly serves to protect the rights of children, to prevent juvenile delinquency, and to promote social development and stability. The policy also deconstructs the establishment of the social relief system and the intervention of street children into four primary areas: 1) establishment and improvement of SCPEC; 2) specification of social relief service provided by SCPEC; 3) crack-down on controlling and using street children in begging and crime; and

4) prevention of child homelessness. A series of policies centering on these 4 areas were enacted and these policies have formed the new Chinese approach to tackle the issue of street children.

5.1. Establishment and improvement of SCPEC

Considering the scarce number and poor facilities of SCPEC in the early 21st century, the Ministry of Civil Affairs and the National Development and Reform Commission (2007) issued 'the Eleventh Five-Year' Plan for Establishing the Relief and Protection System for Street Children to promote the construction and to improve the facilities of SCPEC. It aims that 'till 2010 more than 90% of prefecture-level cities and county-level cities of heavy relief tasks have abundant facilities for assisting street children, which can provide relief service for approximately 500,000 street children each year'. Through years' construction, the number of SCPEC has substantially increased. While there were only 90 SCPEC in China at the end of 2007 (Ministry of Civil Affairs, 2007), the number increased to 261 at the end of 2012 (Ministry of Civil Affairs, 2012a), with an increasing rate of 190%. Also, the Ministry of Civil Affairs (2009, 2012b) respectively released the *Suggestions on the Standardized Construction of Relief and Management Organizations in the Country* (2009), and the *Rating Criterion for Relief and Management Organizations* (2012b), which together formulate the criterion for evaluating the hardware of the rescue stations and SCPEC. In summary, the Chinese government has made great progress on building SCPEC and improving the relevant hardware facilities.

5.2. Social relief service for street children

Due to the deficient development of social work profession and non-government organizations (NGOs), the social relief service is dominated by the government-run SCPEC, and few NGOs provide a similar kind of service (Yu, 2015). *The Opinions on Strengthening the Work on Street Children* (Ministry of Civil Affairs et al., 2006) outlines the work of SCPEC, and the Ministry of Civil Affairs (2006) enacted the *Basic Norms for Street Children Relief and Protection Organizations*, which prescribes the detailed guidelines on how to provide relief service for street children in SCPEC.

According to these policies, the police should escort street children found in public spaces to SCPEC, and SCPEC should provide short-term and temporary institutional care, including food, accommodation and necessary medical care, for a maximum of ten days. During the temporary shelter, staff in SCPEC assist street children to learn living skills by providing them education and vocational skills training, psychological counselling and support to tackle previous delinquent behavior. In addition, staff inquire about children's home address and information related to their parents. For those whose parents can be contacted with or home address is found, they will be sent back home by the staff in SCPEC; otherwise, they will be placed in social welfare institutions. In addition, in order to secure their personal safety, all street children in SCPEC cannot leave SCPEC without authorization.

In practice, because of limited number and poor professional quality of the staff in SCPEC, SCPEC mainly serves as a transfer station that provide basic and temporary shelter and then sending street children back home, while other services like education, psychological counselling and behavior correction are seldom provided (Bi, 2013). Sending street children back home, regardless of their reasons for leaving home in the first place, is the prioritized and primary placement, and usually little intervention or counselling are provided for the dysfunctional families and family members (Lam & Cheng, 2008). The underlying assumption behind this placement seems justifiable, that family-like environment is best for child growth and this placement promotes family integration (Cheng, 2009b). Indeed, sending street children back home is helpful for those who still maintains good relationships with their parents, such as those abducted or lost children, but for those who have a weak bond with their parents, or who left

home because of abuse, sending children back home is potentially damaging with little consideration for children's rights or agency. Furthermore, family therapy after the return-home placement is almost institutionally overlooked and the original problems in families remain unsolved (Cheng, 2009a). The majority of street children do not want to reunite with their family members, and they may provide the wrong home address or try to run away on the journey home (Lam & Cheng, 2008; Wu, 2007; Xue, 2017). In addition, SCPEC is not a pleasant place for street children where life is tedious and boring and their physical freedom is constrained in the institution, and many street children try to run away from SCPEC (Lam & Cheng, 2008; Cheng, 2009b). To summarize, the implementation of the social relief service is insufficient; sending children back home is prioritized over children's rights, and thus their ultimate protection.

5.3. Crackdown on controlling and using street children in begging and crime

Despite no direct statement in policy discourses, street children are often regarded as a threat to social order. *The Opinions on Strengthening the Work on Street Children* (Ministry of Civil Affairs et al., 2006) stated that working with street children aims at not only providing social relief and welfare, but also enforcing control and management; and the reduced number of street children is included as an important indicator of assessing a local government's comprehensive management of social security, and for the agencies who fail to fulfil the goal of reducing the number of street children, the relevant government official's accountability will be investigated and they will be heavily penalized. Therefore, the issue of street children is perceived as not only the failure of social welfare but also a social security problem, and government officials are subject to great pressure to reduce the number of street children.

Although research indicates that only a small number of street children were abducted and trafficked by human traffickers (Ju et al., 2008; Cheng, 2009a), many policies, such as *The Opinions on Strengthening the Work on Street Children* (Ministry of Civil Affairs et al., 2006), 'the Eleventh Five-Year' Plan for Establishing the Relief and Protection System for Street Children (Ministry of Civil Affairs, National Development and Reform Commission, 2007), and *The Opinions on Reinforcing and Improving the Relief and Protection of Street Children* (General Office of State Council, 2011), assume the majority of street children are victims of crime, who are abducted and trafficked by human traffickers, and controlled by crime groups as the tools for begging and crime. Based on this assumption, the Ministry of Civil Affairs, the Ministry of Public Security and other three departments (2009) released the *Announcement on Further Strengthening the Relief and Management of Urban Vagrants and Beggars and the Rescue and Protection of Street Children*, which encourages police, Comprehensive City Management Enforcement Team (Chengguan), staff in rescue stations and other departments to crackdown on the crime of coercing street children to beg or to commit crime, and to rescue the controlled street children from crime groups.

Moreover, in 2011, a citizen campaign further supported the government's confidence on its assumption that many street children were abducted and controlled by crime groups for begging and committing crime, and facilitated the government's determination to crackdown on these crimes. In the spring of 2011, a noted scholar, Prof. Jianrong Yu at Chinese Academy of Social Sciences appealed to netizens to take snapshots of children they witnessed begging on the streets and to upload the photos on a micro-blog, with the aim of helping parents to find their missing children and cracking down on the crime of forcing children to beg. The appeal received enormous responses from Chinese netizens with over one thousand child beggars' photos released on the micro-blog, and instantly, up to February 8, 2011, six abducted children were rescued (Zhang, 2011). The campaign attracted the government's attention and received response from many government officials. The

vice-minister of the Ministry of Civil Affairs at that time, Mr. Yupei Dou, stated that most street children and child beggars were abducted children, and the civil affairs department should cooperate with the police to crack down on the crimes of using, coercing, abducting and mutilating children for begging and committing crimes (Shang, 2011).

Furthermore, despite strike hard on crimes of child abduction and coercing children into begging, the number of street children in China had not significantly decreased before 2011. In order to rapidly decrease the number, the government exercised its centralized state power to accelerate the decline of street children by further cracking down on the crime of abducting and trafficking children and of coercing children into committing crime and begging. In December 2011, eight central government departments, including the Ministry of Civil Affairs, the Office of the Central Commission for the Comprehensive Management of Public Security, the Ministry of Education, and the Ministry of Public Security etc. (2011), jointly launched a national campaign of *sending street children back home*, with the goal of nearly no visible street children on the street over one year before the end of 2012.

The specific measures of this campaign include several domains. First, police were required to strengthen street patrol and management on the places where homeless people usually concentrated, and to investigate and screen children who were seen to beg with adults. For biological parents or other guardians who begged together with their children, the police were encouraged to talk to them and to 'educate them'. For those who coerced or lured street children into begging, the police were tasked with giving them an administrative or criminal penalty based on the severity of the case. In order to help street children to find their parents, the police were instructed to take blood from street children and parents whose children were lost, and input their blood data into the National Anti-Abduction DNA database after finishing the DNA test. Second, street children were persuaded to accept the relief service provided by SCPEC. Such departments like police, civil affairs, and Comprehensive City Management Enforcement Team were encouraged to escort street children to go to SCPEC. For those who did not want to go to SCPEC, social workers and volunteers were tasked with persuading them to go. The campaign also adopted a whole-society approach to identify street children. Citizens were encouraged to provide information related to the whereabouts of street children, to persuade and guide them to go to police station or SCPEC for help, or to report the case to police. Third, street children were also sent back home. The civil affair departments and the police were encouraged to look for street children's parents or other guardians and help them return home. For those who could not find their parents, they would be placed in some social welfare institutions, such as child welfare organization. Finally, the government expected to establish a long-term prevention mechanism for street children through this campaign, and prescribed several preventative measures, which were further extended and improved in the follow-up campaign of *sending street children back to school*.

In order to support the local government implementation of this campaign, the government included mechanisms to monitor both the decrease in number of street children and the number of street children who were helped by the campaign. Both of which were included as important indicators of local government performance evaluation, the evaluation results of which directly affected the distribution of central financial fund for assisting homeless people (Ministry of Civil Affairs, December 26, 2011).

Because there are indeed a great number of street children who are abducted and controlled by criminal groups for committing crimes and begging, the government actions of cracking down on such crimes and rescuing these children are justifiable. However, such abducted and controlled street children overshadow the other street children who run away from their dysfunctional or poor family, and regrettably, these policies of rescuing abducted street children and sending them back home did not take these runaway street children into account. Because

of deficient non-government supervision agencies, in practice, government agencies were most likely not to assess each street children's reasons becoming 'street involved', and forcibly removed them off the streets in order to complete the political task of reducing the number of street children. News reports indicated that local governments carried out this campaign quickly – and effectively to remove children from the streets. According to the former vice-minister of the Ministry of Civil Affairs, Mr. Yupei Dou, some large and medium cities had completed the goal of no street children on the street 6 months in advance of the deadline (International Online, September 20, 2012), and all cities basically achieved the goal of no homeless children on the street over one year since the campaign (People's Daily, December 26, 2012). Because of few published news report or research on this campaign, it is very difficult to know the detailed process of how the government removed such a large number of children off the streets in such a short period. Nevertheless, the ways in which street children are perceived and treated in these policies are in obvious conflict with the New Studies of Childhood, which focus on children as 'beings' rather than just 'becoming adults' (Uprichard, 2008) and emphasizes the respect for children's autonomy and participation (Bordonaro & Payne, 2012). The campaign of sending children 'back home' in many ways removes children's agency and forces them into decisions which they may not have made by themselves, and into potentially risky situations with little or no support for the families they are returning to. The lack of children's voices – and participation in this campaign speaks loudly to this conflict.

5.4. Prevention of child homelessness

The Opinions on Strengthening the Work on Street Children (Ministry of Civil Affairs et al., 2006) includes preventing child homelessness as one of the main aspects of social relief system for street children. The following policies, such as the *Opinions on Reinforcing and Improving the Relief and Protection of Street Children* (General Office of State Council, 2011), the *Announcement on Further Strengthening the Relief and Management of Urban Vagrants and Beggars and the Rescue and Protection of Street Children* (Ministry of Civil Affairs et al., 2009), and the *Announcement on Implementing the Campaign of 'Sending Street Children Back Home' in the Country* (Ministry of Civil Affairs et al., 2011) further prescribe some measures of preventing child homelessness, but these measures are seldom implemented, as they are not the main content of the policy and are not included as important performance evaluation indicators for government agencies (Xue, 2017; Zhang, 2013). The preventative policies culminate in the *Announcement on Implementing the Campaign of 'Sending Street Children Back to School' in the Country* (Ministry of Civil Affairs et al., 2013), which prescribes specific measures of preventing child homeless and clarifies the corresponding act agencies.

In 2013, after the campaign of sending street children back home, the Ministry of Civil Affairs and the Ministry of Education, together with other eight departments (2013) launched the national campaign of *sending street children back to school* with the aim to help homeless children integrate into mainstream society by solving their education. The policy required the civil affairs department to evaluate each street child's personal needs and situations and to arrange school or work according to their personal needs, and also proposes a series of preventative measures, including preventing school dropout, anti-poverty initiatives, and follow-up family service for returned street children. For preventing school dropout, the education department as well as primary and middle schools are required to monitor school attendance and to record instances of children who do not attend school. School teachers are required to visit students' family regularly during winter and summer holidays, and if they find students who have not returned school at the beginning of the semester, they are required to report the case to the education department, and persuade the student to go back to school. Regarding the anti-poverty measures, the civil affairs

department is required to include eligible poor families into the minimum living allowance system, medical assistance and temporary assistance system, and to include all eligible orphans into the basic living security system of orphans. The education department is required to carefully implement the national policies of subsidizing students from poor families, and to eradicate poverty-caused school dropout. In terms of follow-up family service for returned street children, the civil affair and education departments, communist youth league, and women's federation are required to provide counselling and social work service for dysfunctional families with returned street children and entrust foster families to take care of the returned street children if the original guardians cannot fulfil their guardianship. Civil affairs and other related departments are required to regularly visit children in difficult circumstances, including street children, dropout children, left-behind children and children lack of guardianship, and to prevent them from homelessness due to poverty, lack of guardianship, domestic violence, improper education, and other undesirable social factors. Township and village government as well as neighborhood and village committee are required to establish a list of children in difficult circumstances, to regularly visit these children's home, and to educate and help their guardians to fulfil their obligation of guardianship and upbringing. The implementation of this campaign is also included as an indicator of local government's performance evaluation in terms of comprehensive management of social security.

Due to limited published documents on this campaign, it is very difficult to form a comprehensive evaluation of the enforcement of this policy. Nevertheless, published news report stated that this campaign has achieved some good outcomes. It is reported that staff in civil affairs department arranged education based on each street child's personal need, and 64,483 street children had gone back to school over three years since the campaign; and 1.28 million children in difficult circumstances such as school dropouts, left-behind or migrant children, and children who lack of guardianship were identified, which paves the way for further policies targeting these children and preventing them from becoming homelessness (China National Radio, June 2, 2016). The campaign of sending street children back to school increased street children's access to education, suggesting a move in the right direction that is in close alignment to ways in which children can be given autonomy and a chance to assert agency over their own lives.

In summary, although the implication of some policies is repressive in nature, as far as the policy content is considered, these policies generally fall into a rehabilitation approach, which considers street children as a disadvantaged group and victims of high-risk street life and gang crimes, and are designed to protect and promote them to integrate into mainstream society and to prevent them from vagrancy.

6. Prevention approach: child protection and preventing the root causes of child homelessness

With nearly no visible homeless children on the street after the campaign of sending street children back home and large number of children in difficult circumstances identified in the campaign of sending street children to school, the government has released very few specific policies on street children since 2013, and instead, it has targeted 'children in difficult circumstances' who are a major source of street children, with the attempt to address the social deficiencies that cause child homelessness.

In addition, from 2012 to 2013, shocking incidents of child death, frequently reported by media, aroused the national interest on the issue of deficient child welfare. For example, five street children were poisoned to death by carbon monoxide due to burning charcoal for keeping warm in a dumpster at Bijie City, Guizhou Province (Elgot, 2012); seven adopted children in an unregistered orphanage died in a fire in Lankao County of Henan Province (Xinhua, January 5, 2013); and two unattended toddlers starved to death at home with their drug-addicted mother leaving them for about two months in Nanjing City (Xinhua,

September 18, 2013). These incidents expose the deficient child welfare system in China, and have drawn great attention from the Central Committee of the Communist Party and the central government. Two important national strategic documents have been issued since 2013 that included the improvement of child welfare system into the major national tasks. Specially, the party proposed to establish a classified social security system for children in difficult circumstances in the *Decision of the Central Committee of the Communist Party of China on Some Major Issues Concerning Comprehensively Deepening the Reform* (China.org.cn, January 16, 2014), and the *State Council* (2015) included establishing the child social protection system as a major task in the *2015 Annual Report on the Work of the Government*.

Reflecting on a prevention approach, several government agencies, in particular the Ministry of Civil Affairs, have released a series of policies to fulfil these tasks, which make great progress on preventing the root causes of child homelessness by establishing the social protection system for children in difficult circumstances and formulating the judicial and administrative processes of dealing with child abuse and neglect.

6.1. Social protection system for children in difficult circumstances

From 2013 to 2016, the Ministry of Civil Affairs and the State Council issued several policies to promote the establishment of social protection system for children in difficult circumstances. The term, 'children in difficult circumstances', includes five types of children: 1) unattended children due to guardians' imprisonment, taking drugs, serious disease or disability etc.; 2) abused or neglected children; 3) left-behind and migrant children; 4) children in poverty-stricken families; and 5) children with serious disease or disabilities (State Council, 2016a). The Ministry of Civil Affairs promulgated two policies - *the Announcement on Implementing Pilot Projects for Social Protection of Children* (Ministry of Civil Affairs, 2013a) and *the Announcement on Implementing the 2nd Batch of Pilot Projects for Social Protection of Children* (Ministry of Civil Affairs, 2014a), and selected 98 pilot cities totally to explore how to establish the child social protection system. Simultaneously, the Ministry of Civil Affairs issued another two documents - *the Announcement on Implementing Pilot Construction of the Moderately Universal Child Welfare System* (Ministry of Civil Affairs, 2013b) and *the Announcement on Further Implementing Pilot Construction of the Moderately Universal Child Welfare System* (Ministry of Civil Affairs, 2014b), which selected 50 pilot cities to explore how to develop the moderately universal child welfare system. In addition, the State Council stipulated *the Suggestion on Enhancing the Care and Protection of Rural Left-Behind Children* (State Council, 2016b) and *the Suggestion on Enhancing the Security of Children in Difficult Circumstances* (State Council, 2016a) to further prescribe the establishment of the social security system for children in difficult circumstances.

Overall, these policies are of great significance in terms of preventing children in difficult circumstances from becoming homeless. First, the target of service is not circumscribed to street children, rather it is expanded to the potential street children – children in difficult circumstances. Accordingly, the original SCPEC is transformed into child protection centers, targeting all children especially those in difficulty. Second, considering that there were no specialized agencies in the government system in charge of child protection, grass-root child protection agencies are required to be established, which include children service center in communities; child protection center in rescue station or original SCPEC; and child welfare guidance center in child welfare organizations or social welfare organizations etc. The main functions of these grass-root child protection agencies are providing protective service for children. Third, regarding the specific child protection service, it mainly targets on children in difficult circumstances and abused children. The protection service for children in difficult circumstances contains finding out and reporting them to relevant government departments, monitoring them by regularly visiting their homes and

setting up personal file for them, and providing shelter and other services according to their personal needs. For abused children, an efficient reporting, responding and dealing procedures for child abuse cases are required to be established.

Regarding implementation, currently there are few studies to investigate the implementation of these policies. According to the study by Qiao (2016), which was conducted in two pilot counties in Henan and Jiangsu Provinces, the two local governments paid high attention to establishing child protection system, and they set up a separate department to take charge of child welfare affairs, and the relevant agencies at the county, town and rural administrative level were set up. The governments bought services from social work organizations to provide service for children in difficult circumstances (Qiao, 2016). Despite this progress, there are still some limitations. For example, the government officials engaging in child welfare generally did not have adequate professional knowledge on child protection; social work organizations were scarce in rural areas; and child abuse were overlooked and rarely intervened in the local child social protection work primarily due to no professional staff and institutions of child protection and no legal procedures to guide how to deal with such cases (Qiao, 2016). All of these limitations impaired the efficiency of the direct service for children in difficult circumstances.

6.2. Specify the procedures of dealing with child abuse and neglect

Although policies pertinent to child social protection provided general guidelines on dealing with child abuse and neglect, the regulations are not clear enough to guide the processes of dealing with such cases. The void on the administrative and legal procedures of dealing with child abuse and neglect has been filled since 2014. The Supreme People's Court, the Supreme People's Procuratorate, the Ministry of Public Security, and the Ministry of Civil Affairs (2014) jointly promulgated the *Opinions on Certain Issues on the Penalties of Custodian Violation of Child Rights*, which is a milestone for dealing with illegal behavior in child custody. Also, in December 2015, China passed the *Anti-Domestic Violence Law* (2015), which for the first time legally streamlines the judicial proceedings of dealing with child abuse cases. These two documents jointly specify the procedures of how to report and investigate child abuse and neglect cases, to apply for and adjudicate personal safety protection order, to apply for and try cases involving guardianship revocation and transfer, and to place children with revoked guardianship after trial.

Since the implementation of this policy and the *Anti-Domestic Violence law*, mounting cases of unlawful custodian behavior have been dealt with in court. Up to August 2017, at least 69 cases involving guardianship revocation were dealt in court (Zhang, August 18, 2017), while there were only three cases of revoking and transferring guardianship before the promulgation of the *Opinions on Certain Issues on the Penalties of Custodian Violation of Child Rights* (Kong, February 8, 2015).

In summary, these policies view child homelessness as the result of deficient child welfare system, which fails to secure the basic living of poor children and to protect those who are subject to abuse and neglect. These policies concentrate on securing the basic living of children in difficult circumstances and dealing with child abuse and neglect, which to some extent fundamentally prevent potential street children from running away from home in the first place.

7. Discussion and conclusion

Global research about street children has been conducted for over 30 years, but in-depth research into policy approaches of individual countries and their response to street children is limited (Thomas de Benítez, 2011). The current research contributes to the literature by reviewing the Chinese national policies on street children, and referring to the international framework of policy approaches towards street children (Lusk, 1989; Rizzini & Lusk, 1995; Thomas de Benítez, 2011),

it identifies three policy approaches adopted by Chinese government: 1) correctional and institutional; 2) rehabilitation; and 3) prevention approaches. Consistent with the international trend of policy approaches towards street children shifting from a repressive and control-oriented model to a more human-rights based model (Cheng, 2008), the policy responses of the Chinese government towards street children vary with social development, and have shifted from the correctional and institutional approach under the custody and repatriation system (1982–2003) and rehabilitation approach under the new relief and management system (2003–2013) to the prevention approach after 2013.

The correctional and institutional approach is generally the earliest policy response to street children worldwide (Rizzini & Lusk, 1995). This approach often blames street children for choosing the street-style life and engaging in deviant street activities, and regards them as delinquents and threats to public security (Rizzini & Lusk, 1995; Ortiz De Carrizosa and Poertner, 1992). Therefore, intervention targets on removing them from society and correcting their personal pathologies through juvenile justice system (Rizzini & Lusk, 1995; Ortiz De Carrizosa and Poertner, 1992). In some countries, such as Egypt (Bibars, 1998) and Philippines (Thomas De Benítez, 2003), many street children are placed in prisons and other similar institutions. Similarly, in China, under the custody and repatriation system, street children were viewed as deviants and a threat to social order. They were not arrested and did not go through the juvenile justice system, but were forcibly sent to the prison-like CRS by the police where there was no physical freedom and full of violence and abuse. Also, according to regulation, they were expected to receive ideological and political education in CRS, a special Chinese way to correct people's deviant thoughts and behavior. The effectiveness of this approach is questionable, and institutional victimization exposes street children in risky environment and may push them into a delinquent pathway (Ortiz De Carrizosa and Poertner, 1992).

The rehabilitation approach, yet still assuming individual pathology, does not view street children as delinquent, rather, it assumes that they are deficient as a result of previous predicament (Rizzini & Lusk, 1995). Therefore, protective and rehabilitative programs should be provided to them that attempt to reeducate them and to reintegrate them into mainstream society (Rizzini & Lusk, 1995). Specific services include temporary shelter or long-term residence, tracing families and returning street children to original home (Thomas De Benítez, 2003), school and employment support (Ortiz De Carrizosa and Poertner, 1992) and so forth. In China, policies under the new relief and management system consider street children as a disadvantaged child group that needs special protection, and prescribe many protective measures, such as supportive service in SCPEC, family reunion, rescuing the street children controlled by crime organizations, and preventative services. Overall, the policy content reflects a rehabilitation approach.

However, these policies have not been fully implemented, and the implementation has mainly focused on removing street children from the street and sending them back home. Studies have shown that these policies failed to effectively assist street children, as the majority of street children are averse to stay in SCPEC and to go home (Cheng, 2009a; Lam & Cheng, 2008). This rehabilitation approach has been criticized for the low successful rate of reintegrating street children into mainstream society (Dybic, 2005), and the fact that policies of rehabilitation approach fail to reach the goal is common in other countries, such as Brazil (De Moura, 2005), Mexico and South Africa (Thomas De Benítez, 2011). These failed policies share some common characteristics, that they are rooted in the middle-class values (Aptekar, 1997), and usually did not listen to street children's voice and ignored the personal differences between each street children in policymaking, and the policies are usually fragmented that cannot make up the multiple deprivations on the street (Thomas De Benítez, 2011).

The final approach, the prevention model, assumes that the issue of street children is not individual pathologies, but a result of the

fundamental social and economic problems, and therefore emphasizes comprehensive and structural-oriented policy solutions to prevent children from involving in street life (Rizzini & Lusk, 1995). Policies aligned with this approach are holistic and take the social, political, economic, and cultural contexts into consideration. Specific programs include the community-based programs that improve the economic situation, living environment and service (such as child care and parenting skills training) in communities (Dybiczy, 2005; Karabanow, 2003), family development programs that improve the functions of families, and supportive programs for children in difficult circumstances (De Moura, 2005). In China, the root causes of street children are closely related to unbalanced rural-urban and inter-regional development, and family poverty and dysfunction. Policies after 2013 have reflected the prevention approach, which mainly focused on securing the basic living of children in difficult circumstances and addressing child abuse and neglect. Despite this, the policy approach in China is insufficient for tackling the vast and complex issue of street children in the country today. However, the focus of the Chinese government on developing a child protection mechanisms and prioritizing recruitment and training of social workers means that it is likely that more policies related to child protection will arise in the future and that – with the support of social workers – more street children will receive the help they need, on the streets and during their potential move home.

Based on the limitations of existing policies, suggestions are proposed for the development of future policies. First, policymakers should adopt a holistic and child rights approach to develop comprehensive policies to protect street children and prevent children from homelessness. The Chinese government should develop an overall understanding of the root causes of why children become ‘street involved’, and involve young people in policymaking to ensure children’s voices are heard and their agency respected. Children’s rights should be upheld: their street life should be respected without forcibly sending them to SCPEC and then back home. Outreach and street education should be strengthened, and outreach workers should provide life necessities but also support street children to manage the risks in their lives, and to assist their survival on the streets. SCPEC should change its formal manner and provide more flexible, nurturing relief services, and diversified placement should be provided based on each street child’s personal needs. Second, considering the Chinese government mainly adopts a top-down approach to build the child welfare system and many government agencies bear the responsibility of providing direct services, the government should encourage more NGOs and rely on professionals such as social workers to deliver direct service by creating a free environment for the development of NGOs. Third, despite the rapid development of the social work profession in China since the early 21st century, the quality of social work education should be enhanced and the capacity of professionals who work with street children and involve in child protection system should be strengthened in order to provide good quality service for children and to develop the social protection mechanism of the state overall.

In conclusion, despite the deficient measures to deal with street children in the earlier policies, the Chinese government has realized that its child welfare system has fallen behind its economic development, and has adopted the prevention approach with an attempt to establish the child protection system to prevent the root causes of child homelessness. Furthermore, the development of the child social protection in China is currently in its infancy, with some cities and counties carrying out pilot projects which include establishing child social protection systems and the moderately universal child welfare system. It is likely that China will continue on the same trajectory in regards the child welfare policies. However, the prevention approach could be strengthened by considering the following: a greater consideration for children’s rights and an assurance of their protection, autonomy and agency; more expansive child participation in developing policies, and their implementation; and an expansion of the welfare system in China

and a greater reliance on the work of NGOs and social workers to support children at all stages of their lives on the streets.

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