

Child Protection Public Policies in China: Evolution Characteristics, Current Challenges, and Potential Solutions

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Abstract: Due to its high relevance to human rights and social welfare, designing effective child protection public policies has become one of the most central and pivotal missions of governmental agencies worldwide, especially for China which is a people-centred socialist country. To facilitate the resultful implementation and optimization of Chinese child protection public policies (CCPPPs), this paper first recognizes the evolution characteristics of CCPPPs through a hybrid document review and characteristics analysis and trend analysis approach. Then, prominent challenges confronted by CCPPPs are explored and identified by content analysis and comparative analysis methods, mainly comprising imbalanced safeguard priorities and imperfect resource agglomeration systems, overgeneralized culture-based family-centred systems, and vague regulations for child digitalization protection. Finally, with the help of a structure-culture-technology framework, three feasible and directed protection countermeasures are proposed, including establishing multiple-effective developmental CCPPPs, optimizing family-centred CCPPPs based on positive traditional culture, and constructing well-defined digital regulations of CCPPPs. This paper has significant theoretical and political contributions to enriching the theoretical research on CCPPPs and providing available and valid references and guidance for future researchers and policymakers in the field of child protection.

Keywords: Child protection in China; Developmental public policy theory; Traditional Chinese culture; Digitalization

1. Introduction

Nowadays, a large number of children are still tolerating maltreatment in various forms. Estimated by the World Health Organization, one out of two children aged between 2 and 17 experience violence with some form on a yearly basis, 300 million children aged 2-4 suffer regular violent discipline from their caretakers worldwide, and around 120 million girls have experienced some form of forced sexual contact before the age of 20 [1]. Given this, child protection, which can be understood that children should be protected from all forms of neglect, abuse, and exploitation because of their physical and mental immaturity, has become one of the most front-burner issues in all sectors of society. [2]. To safeguard children's birthrights as much as possible, governments around the world have implemented numerous child protection public policies and multidisciplinary scholars have hammered at revealing the nature, underlying logic, and detriments of child protection and designing multiple-effective child protection systems.

China, which always places the interests of the people at the center, has also paid more and more attention to the establishment and dynamic optimization of its public policy system for child protection. For instance, the Chinese government attempted to further safeguard children's right to survival, development, protection, and participation, improve the guardianship system for children, cultivate young people's development in an all-around way, and establish a valid platform for their growth by introducing the Outline of the 14th Five-Year Plan (2021-2025) for National Economic and Social Development and the Long-Range Objectives Through the Year 2035 [3]. Nevertheless, limited by population base, economic development level, intelligitization, and other force majeure factors, existing relevant public policies have been relatively insufficient and China has undertaken relatively

considerable pressure to comprehensively protect children. In detail, there were 298 million children aged 0-17 by 2020 [4] and 173,000 orphans in China by 2021 (119,000 orphans scattered in society, 64,000 orphans raised in various civil affairs service institutions) [5]. Given the above, how to formulate more efficacious Chinese child protection public policy (CCPPP) systems for promoting children's all-around healthy growth is undoubtedly an arduous but crucial task to be urgently completed.

To improve the implementation effects of CCPPPs, this paper aims to utilize the integrated logical framework as shown in Figure 1 to reveal the latest evolution characteristics and current incisive challenges of CCPPPs and propose high-efficiency potential solutions. At first, this paper plans to have a basic understanding of current CCPPP systems via a thorough document review of policy documents and laws, scientific research papers, news, and other relevant documents. Mainstream databases and websites will be searched based on a series of keywords, including official websites of the Chinese government, the Chinese Journal Full-text Database, the WanFang Database, the China National Knowledge Infrastructure (CNKI) database, Web of Science, and other potential information sources. Then, characteristic analysis and trend analysis methods will be employed to identify the evolution characteristics of existing CCPPPs. Next, current challenges faced by CCPPPs are expected to be screened and deeply analyzed by means of content analysis and comparative analysis. Finally, a structure-culture-technology framework will be built to propose several targeted potential solutions by analyzing the constantly changing growth environments and development requirements of children, discovering available techniques with Chinese characteristics, and integrating the successful experiences of developing regions and countries.

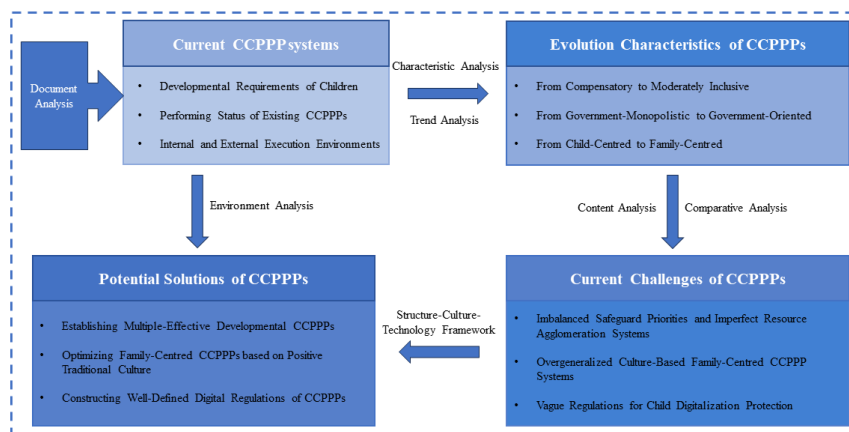


Figure 1: The logical framework of this research.

2. Evolution Characteristics of CCPPPs

2.1. From Compensatory to Moderately Inclusive

2.1.1. Compensatory CCPPPs

The development process of compensatory CCPPPs could be divided into two stages: the planned economy period and the early era of reform and opening-up. During the planned economy period, CCPPPs were mainly based on the unit welfare system and its main objects of protection were orphans, abandoned infants, and other children separated from their families. It aimed at ensuring children's basic living and life safety and the provided services were mainly basic living assistance. At this stage, CCPPP provided basic family-like or alternative family services for children, such as foster homes, adoptive homes, or childcare institutions. However, there were significant differences in the child protection level between urban and rural areas in this period. Concerning urban areas, they built relatively complete CCPPP systems based on various units, focusing on the following aspects: basic living security, education, medical security, and social participation. Urban children had access to various recreational facilities and participated in various cultural and educational activities. As for rural areas, their CCPPPs were executed by communes or production teams and their attention was more paid to basic living security, education, and medical security. In general, children living in urban areas received more adequate protection in terms of material and spirituality compared to rural children in planned economy times.

In the early era of reform and opening-up, China had more opportunities to communicate with the world, integrate with the international community, and deepen its understanding of child protection.

Benefiting from this, compensatory CCPPPs were further developed with industrialization and urbanization. For instance, China signed the Convention on the Rights of the Child in 1990 [6] and the World Convention on the Survival, Protection and Development of the Child in 1991 [7]. Moreover, to safeguard children's legal rights, China introduced the Law of the People's Republic of China on the Protection of Minors in 1991 [8], the Adoption Law of the People's Republic of China in 1991 [9], and the Law of the People's Republic of China on the Prevention of Juvenile Delinquency in 1999 [10]. Additionally, the Outline on the Development of Chinese Children (2001-2010) was released in 2001 to ulteriorly improve CCPPPs and introduce the concepts of children's priority and participation [11].

2.1.2. Moderately Inclusive CCPPPs

With the deepening development of the market economy, urbanization was accelerated and job opportunities rapidly increased, leading to loads of child problems resulting from multiple children risks such as neglect and abuse. In this context, compensatory CCPPPs were unable to meet children's emerging needs and China started to adopt moderately inclusive CCPPPs. In 2011, the Child Development Outline of China (2011-2020) was promulgated [12]. It pointed out that compensatory CCPPPs were no longer in line with the protection trends and requirements at that time; therefore, it was necessary to explore and transform them into moderately inclusive CCPPPs. After this, in 2013, the Ministry of Civil Affairs of China issued the Pilot Work on the Construction of a Moderate Inclusive Child Welfare System Notice, selecting 20 cities as pilot cities and dividing children into four levels: ordinary children, children from difficult families, children in difficult situations, and orphans [13]. Subsequently, the Measures for Family Foster Care Administration Approach was unveiled by the Ministry of Civil Affairs of China in 2014, which includes street children in family foster care for the first time [14]. Recently, the Outline on the Development of Chinese Children (2021-2030) was announced and it further confirmed that the core of CCPPPs is to basically establish a moderately inclusive child welfare system [15].

2.2. From Government-Monopolistic to Government-Oriented

At the initial stage of CCPPPs' development, one of its distinctive features was government-monopolistic due to the relatively low level of economic development and the Chinese economic system's type and relatively limited resource allocation capability. In addition, CCPPPs had considerable "crowding-out" effects in this period because few non-government organizations could provide public services like child protection at that time and there were few effective channels for them to involve in child-protection activities. Under these circumstances, the Chinese government had to build the CCPPP system as a monopolist by introducing several laws, outlines, and other official guidelines such as the Marriage Law of the People's Republic of China [16], the Compulsory Education Law of the People's Republic of China [17], the Law of the People's Republic of China on the Protection of Persons with Disabilities [18], the Law of the People's Republic of China on the Protection of Minors [8] and so forth. During this period, although the level of child protection was gradually improved and the scope of protected groups was continuously expanded, undertaking full responsibilities for child protection was arduous for the Chinese government due to limited funding budgets, deepening urbanization, and growing multi-dimensional needs for child protection.

To get out of the above-mentioned dilemma, CCPPPs have been gradually transformed into a government-oriented type. In 2019, the Opinions on Further Improving the System of Care and Services for Rural Left-Behind Children and Children in Need was issued by the Ministry of Civil Affairs of China, which underlined that local civil affairs departments and juvenile rescue and protection agencies should actively cultivate children's service social work service agencies, charitable organizations and voluntary service organizations through various ways such as government commissions, project cooperation, key promotion, and incubation support, and coordinate relevant social resources to tilt towards deeply impoverished areas and promote the development of children's service social organizations in deeply impoverished areas [19]. This CCPPP also mentioned that it is necessary to support social workers, legal workers, psychological counseling workers and other professionals to provide psychological counseling, family care, rights, and interests protection services in view of the different characteristics of children in difficulties and rural left-behind children [19]. Moreover, the Child Development Outline of China (2021-2030) emphasized that it is important to give play to the joint role of multi-departments and multi-subjects, especially relevant social organizations or other social forces on related child protection measures including grass-roots child-protection mechanisms and operations, child assistance, welfare services, and even some basic public services [15]. Inspired by the government-led principle, the government-oriented CCPPPs have begun to be implemented in China, and non-governmental organizations have become more involved in child protection processes, such as the "Wenxincao Minors Services Center" in Nanjing

and the “Little Hope House” in Shanghai.

2.3. From Child-Centred to Family-Centred

Existing child protection public policies have two types including the child-centered pattern and the family-centered pattern. The former emphasizes the government’s intervention in high-risk families through judicial channels, while the latter underlines the prevention and treatment of family child abuse through the provision of supportive services to families. As for China, the government adopted child-centered CCPPPs at first and its main focuses were children’s financial security and basic medical security. These CCPPPs indeed provided short-term protection for some children in difficulty, but their scope of function was limited, the funding needs were large, and they could not fundamentally solve the actual and potential problems faced by children. Based on the above, the Chinese government has realized the importance of family in CCPPP systems’ establishment, execution, and optimization and begun to implement family-centered CCPPPs. Thereafter, how to design multiple-effective government-led, community-based, family-centered CCPPPs has become a key task of Chinese government agencies at all levels. Taking the Opinions of the Leading Group of the State Council on the Protection of Minors on Strengthening the Protection of Minors as an example, it was issued in 2021 and stressed that it is necessary to consolidate and strengthen the main responsibility of family guardianship, promote the construction of family education guidance service system, strengthen the construction of community parent schools and family education guidance service sites, and provide no less than one public welfare family education guidance service for parents or other guardians of minors and their clients every year [20]. Furthermore, aiming at accelerating the healthy and all-round growth of children, the Law of the People’s Republic of China on the Promotion of Family Education was introduced in 2021 to identify the legal responsibilities and requirements of parents or other guardians on cultivating, guiding and influencing their children in behavioral habits, cultural accomplishment, life skills, physical fitness, and moral character [21]. Recently, fourteen Chinese Departments including the Ministry of Education also claimed that parents should earnestly fulfill the main responsibility of family education [22].

3. Current Challenges of CCPPPs

3.1. Imbalanced Safeguard Priorities and Imperfect Resource Agglomeration Systems

The Chinese government has always attached considerable importance to child protection and launched many CCPPPs as mentioned above to safeguard children’s rights, certainly making tremendous positive achievements. For example, according to the Chinese latest Statistical Bulletin on the Development of Civil Affairs in 2023, by the end of 2022, all kinds of civil affairs service institutions nationwide had centralized care for 47,000 orphans, there were 925 registered child welfare, assistance, and protection service institutions with 100,000 beds, raising 42,000 children by the end of the year and helping 9,000 homeless and begging minors [23]. However, China’s expenditure on child protection is mainly used for basic living security to meet the material and health needs of children basic living. In detail, a total of 99.5 billion yuan was spent on child welfare funds in 2022, including 31.4 billion yuan for basic living security for orphans, 45.8 billion yuan for basic living security for unsupported children, and 22.4 billion yuan for other child welfare funds [23]. This finding can also be concluded by comparing the quantity of material and non-material indicators in the existing CCPPPs’ evaluation index system. Specifically, among the five areas of children’s health, education, welfare, social environment, and law covered in the final statistical monitoring report of the Child Development Outline of China (2011-2020), there are 32 indicators of material protection, accounting for 64% of the total indicators, and only 20 indicators of non-material protection, accounting for 36% [12]. Evidently, mental health and other non-material needs of children are mostly ignored by current CCPPPs, which is determinantal to the sustainable long-term development of Chinese children.

Resources agglomeration systems play a crucial role in the sustainable evolution of CCPPPs, especially in terms of fundraising and specialists’ introduction. As for fundraising, the main financial resources for child protection are still from the Chinese government. Given the Chinese government’s financial expenditure, the sources of funds for child protection in China mainly include compulsory education funds, support for the extremely poor, basic living security funds for orphans, urban and rural subsistence allowances, and special funds such as “minors protection project”, “Spring Bud Project” and “Blue Sky Plan”. Moreover, taking the expenditure on child protection of the Ministry of Civil Affairs as an example, the expenditure on child welfare in China’s civil affairs expenses reached 99.5 billion yuan in 2022 [23], far higher than the amount of social donations (the China Social Welfare Foundation,

which has received the most donations among relevant social organizations, only raised 160 million yuan of special funds for children in the same year [24]). Obviously, the proportion of funds raised by society is too low, which will cause heavy fiscal burdens and lower fiscal expenditure efficiency. With respect to specialist-related work, CCPPPs on cultivating child-protection specialists have generated relatively satisfactory performance although a mass of social workers still needs to be involved. Up to the end of 2021, more than 660,000 people in China have obtained professional certificates for social workers [25]; however, there were 298 million children aged 0-17 [5]. This means that a certified social worker had to serve more than 451 children on average in China by 2021, implying that the design, implementation, and optimization of CCPPPs urgently need to integrate valid human resource gathering modules.

3.2. Overgeneralized Culture-Based Family-Centred CCPPP Systems

The family occupies a special position in the Chinese cultural system, and the traditional Chinese family education has left rich historical resources for the later generations and countless excellent family traditions and family training. Inspired by this, the Chinese government has begun to utilize the advantages of traditional Chinese culture and integrate them into the optimization process of the CCPPP system. However, as the current focuses of child protection in China are still children's basic material and health needs, the existing traditional-culture-based family-centered CCPPPs are too general and not specific enough in their interpretation of relevant laws, regulations, guidance, and other key elements. Most of these policies do not clearly explain which traditional cultures can be used for reference and how to use them, which will lead to a series of negative problems. First of all, under the over-generalized CCPPP environment, families' use of traditional culture to protect children has high requirements on the values, education level, and ability of caregivers. As of November 2020, the population with a high school education or above in China only accounted for 29.88% of the total population [4], indirectly meaning that the education level of family members other than children is still generally low. This makes it tough to implement traditional-culture-based family-centered CCPPPs. Second, the current CCPPPs have not explicitly established available and valid diagnosis mechanisms between positive and negative traditional Chinese cultures. Inheriting and promoting effective traditional Chinese cultures can play important roles in protecting children; however, due to the continuous evolution of children's growing environment, traditional Chinese culture cannot always adapt to changing times. For example, there is a traditional Chinese culture advocating that a dutiful son can be born under the stick, which is also the idea that many Chinese guardians pursue when they educate their children. Obviously, this educational behavior is a kind of physical abuse and is likely to harm the mental and physical health of children. In addition, "It is improper for men and women to touch each other's hand in passing objects" is also a representative of traditional Chinese culture. Correctly applying it to educate children can help them avoid the risk of sexual abuse, while overuse may make children have a negative psychological interaction with normal friends, and then affect their mental health. Thus, it is essential to carry on reasonable frameworks of traditional Chinese culture, discard related feudal backward ideas and contents, and re-implant and supplement according to the requirements of changing times. Nevertheless, current CCPPPs have not yet radically handled this issue in depth.

3.3. Vague Regulations for Child Digitalization Protection

Smart phones' spread and developed Internet infrastructure have made it easier for Chinese children to access the Internet and rapidly expanded the size of this group. By 2021, the number of Internet users between the ages of 6 and 17 in China has reached 191 million, and the Internet penetration rate of minors has reached 96.8% [26]. Whereas, the negative problems that digital development brings to children have become increasingly severe, such as online sexual abduction, production and distribution of child abuse videos, cyberbullying, and other types of child online abuse. For the purpose of providing a safe and reliable online environment for children, a series of CCPPPs have been issued and implemented, for instance, the Regulation on Protection of Children's Personal Information Online [27]. Yet, Chinese children are still facing serious risks from digital networks. According to the 2021 Annual Report on the Internet Use of Chinese Minors, 25.5% of Chinese children netizens said that they have encountered network security incidents in the past six months, 38.3% of them have encountered bad or negative information during the Internet process, 16.6% of them have been satirized or abused online, 7.0% of them have been maliciously harassed online, 6.1% of them have had their personal information disclosed online without permission, and 20.0% of them said that they did not consider network security during the Internet process [26].

The main reason for this phenomenon is the lack of details in existing CCPPPs. On the one hand,

some CCPPPs have deficiencies in instructions on the transfer and entrusted processing of children's personal information by third parties. On the other hand, at the end of the life cycle of children's personal information protection, many CCPPPs rarely mentions the explanation of the network platform itself for the implementation of the supervision of children's personal information security management obligations, and the vast majority of the platforms introduce the terms to users in a unidirectional way. Few platforms mention how to accept the supervision of the relevant network information department and other relevant departments, and how to cooperate with other relevant laws and regulations.

4. Potential Solutions of CCPPPs

4.1. Establishing Multiple-Effective Developmental CCPPPs

Developmental public policy theory emphasizes development and social investment and carries out human capital investment, community capital investment, and social capital investment to solve the contradictions of social structure, reconcile the contradictions between economy and society, and promote the all-around development of human beings [28]. It firmly believes that child protection policies are investments in children's future rather than simple consumption of social wealth and children are valuable human resources that can get rich returns in the future through investment today. Given this, integrating the developmental public policy theory into CCPPPs can undoubtedly safeguard children's all-around development, agglomerate high-quality social workers, and mitigate related fiscal burdens. Specifically, the following three measures are likely to structure the multiple-effective developmental CCPPP systems: (i) enriching the safeguard dimensions of current CCPPPs based on hierarchical theory of needs which argues that human needs have a complex structure and distinct hierarchy, including comprehensive development and self-realization needs, love and belonging needs, self-esteem and respect needs, security and safety needs, survival and physiological needs; (ii) perfecting the social worker management system by extending their entrance channels, helping them foster their abilities, and defining their work contents and responsibilities; and (iii) effectively encouraging other social organizations to participate in child protection, such as through the implementation of preferential tax policies and other measures to arouse their enthusiasm of capital investment, broadening the source of child-protection funds channels.

4.2. Optimizing Family-Centred CCPPPs based on Positive Traditional Culture

In order to improve the implementation effectiveness of the traditional-culture-based family-centered CCPPPs, it is essential to establish and strengthen the linkage mechanism between child protection social workers and families. Social workers' participation can make up for the lack of family members' cultural literacy in the application process of traditional Chinese culture to protect children, disseminate appropriate traditional culture to family educators according to the actual economic and cultural environment of children's families, and supervise related educational direction and effects. Based on this, the Chinese government should improve the CCPPPs' implementation rules, provide high-efficiency channels for social workers to participate in child protection systems, and clarify the service entry threshold, service contents, service standards, and assessment conditions. Moreover, CCPPPs are also supposed to incorporate contents that are conducive to expanding and improving the construction of children's social work service teams for enhancing the service capacity of social workers for children's family protection models based on traditional Chinese culture.

Interdisciplinary expert think tanks about Chinese traditional culture as the core should be founded to design micro-operational traditional Chinese culture diagnosis mechanisms. The establishment of feasible relevant mechanisms to distinguish positive and negative traditional Chinese culture involves several fields, including pedagogy, literature, social work, human rights, etc., and requires designers to have a high educational level. Therefore, it is necessary to select suitable experts from government departments, universities, research institutes, social organizations, and other institutions to set up interdisciplinary think tanks and then develop a set of traditional culture diagnosis mechanisms according to the requirements and characteristics of changing times. These diagnosis mechanisms can serve as blueprints for traditional-culture-based family-centered CCPPPs' development and implementation and as guides to action for social workers in the provision of child protection services.

4.3. Constructing Well-Defined Digital Regulations of CCPPPs

Detailed digital regulations of CCPPPs are of great significance to ensure children's Internet safety.

CCPPPs should add an explanation of the online platform for the implementation of the supervision of children's personal information security management obligations and also require online platforms to clearly explain to child users how they fulfill their obligations for the safety management of children's personal information at the end of the personal information protection life cycle, including how to accept the supervision of relevant Internet information departments and other relevant departments, and how to make the policy compatible with other relevant laws and regulations. Furthermore, CCPPPs are responsible for proposing perfect supervision mechanisms, including the supervision of the implementation of the policy on the network platform and the punishment measures for non-compliance with relevant digital regulations. In the meantime, child users and all sectors of society should be encouraged to supervise and report on the violative behaviors of online platforms.

5. Conclusion

Based on extent related documents, this paper summarizes the latest evolution characteristics of CCPPPs, including from compensatory to moderately inclusive, from government-monopolistic to government-oriented, and from child-centered to family-centered. Given this, three urgent challenges faced by CCPPPs are excavated, mainly manifesting as imbalanced safeguard priorities and imperfed resources agglomeration systems, overgeneralized culture-based family-centered CCPPP systems, and vague regulations for child digitalization protection. Most importantly, three doable improvement strategies are come up with, focusing on establishing multiple-effective developmental CCPPPs, optimizing family-centered CCPPPs based on positive traditional culture, and constructing well-defined digital regulations of CCPPPs. The key contributions of this paper can add novel thoughts and prospectives to the promotion of CCPPPs, enrich the existing research on CCPPPs, provide references and guidance for future researchers and policymakers, help give play to the leading role of the Chinese government, strengthen the awareness of families and society to participate in the protection of children, and build a sustainable environment to promote the healthy growth of children.

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