

# *Has the Child Welfare Profession Discovered Nepotistic Biases?*

*Martin Daly & Gretchen Perry*

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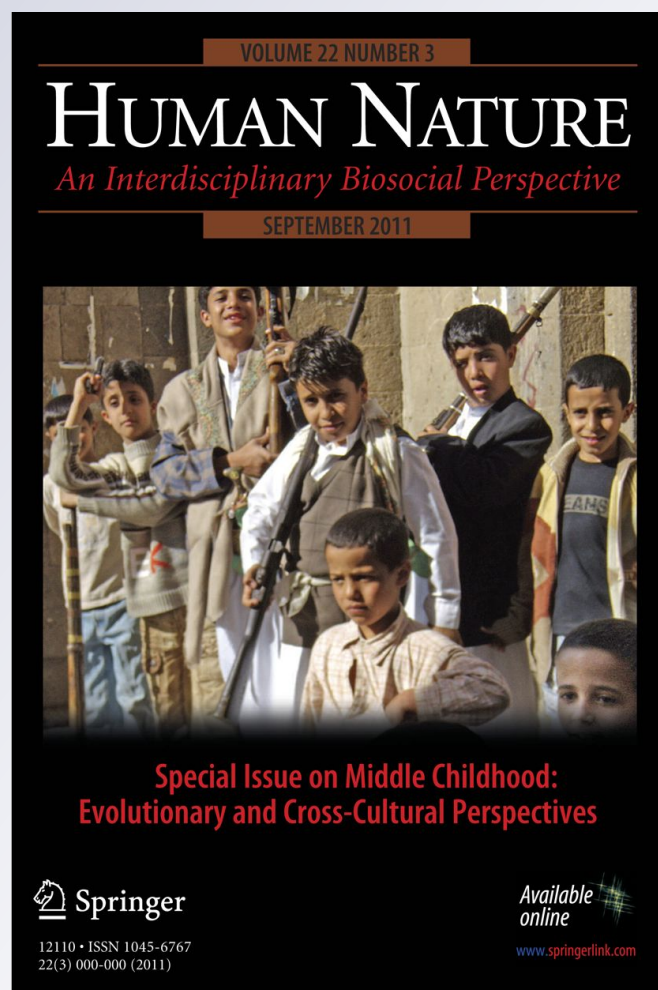
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## Has the Child Welfare Profession Discovered Nepotistic Biases?

Martin Daly · Gretchen Perry

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**Abstract** A major trend in foster care in developed countries over the past quarter century has been a shift toward placing children with “kin” rather than with unrelated foster parents. This change in practice is widely backed by legislation and is routinely justified as being in the best interests of the child. It is tempting to interpret this change as indicating that the child welfare profession has belatedly discovered that human social sentiments are nepotistic in their design, such that kin tend to be the most nurturant alloparents. Arguably, however, the change in practice has been driven by demographic, economic, and political forces rather than by discovery of its benefits. More and better research is needed before we can be sure that children have actually benefitted.

**Keywords** Child welfare · Foster care · Kinship care · Nepotism

The immediate influences of parents or grandparents are, of course, the strongest in inheritance; but these may be overcome. . . . [R]eforms and happy changes [are] seen in the boys and girls of our dangerous classes when placed in kind Western homes. The change of circumstances, the improved food, the daily moral and mental influences, the effect of regular labor and discipline, and, above all, the power of Religion . . . substitute a higher moral sense for the low moral instincts which they obtained from their parents (Brace 1872:45).

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M. Daly (✉)  
Department of Psychology, Neuroscience and Behavior, McMaster University, Hamilton, Ontario,  
Canada L8S 4K1  
e-mail: daly@mcmaster.ca

G. Perry  
Children’s Aid Society of the Regional Municipality of Waterloo, Kitchener, Ontario,  
Canada N2C 2L9

It is widely believed that the familiarity and continuity offered by kin placements may lessen the trauma a child experiences when separated from a parent. Experts have argued that kinship caregivers are likely to have a special interest in the well-being of the child in their care (Ehrle and Geen 2002:16).

Government-sponsored child welfare agencies in Western developed nations are charged with the implementation of measures to enhance the safety and well-being of children who have been harmed and/or are at serious risk of being harmed. This mandate includes investigating cases of suspected child maltreatment; working with families in which maltreatment has been confirmed to ensure the children's future safety; and, when their safety cannot otherwise be secured, removing children from their homes and placing them in some sort of alternative care. The two passages quoted above bracket a dramatic change in the nature of these out-of-home placements. Charles Loring Brace, the founder of the first Children's Aid Society in North America, believed that if children must be taken into care, the best option is to place them in the homes of unrelated strangers; for about the next century, most child welfare professionals apparently agreed with him. The second quote comes from researchers who have studied changes in foster placement practice over the past 30 years or so, as placements with kin rather than with strangers have undergone a remarkable transition "from last resort to first choice" (Ingram 1996).

Before the 1970s, child protection workers seldom considered placing a child with relatives. After all, if the child's best interests dictated removal from the parental home, why not remove him from his dangerous environment altogether? Today, by contrast, the preferred option in most of the developed world is to place such children with relatives other than their parents, sometimes even if those relatives are impoverished, single, and in poor health. The ostensible justification for this change is a radically altered view of the best interests of the child, which are expected to be best served not in the families of strangers, but in the bosom of kin who already know them and have a lasting, personal concern for their well-being.

It is tempting to interpret these developments as evidence that the child welfare profession has belatedly discovered what evolutionists already knew, namely that people (like other organisms) tend to be discriminative "nepotists" who are most solicitous toward their genealogical relatives. There is probably some truth to this interpretation, but the story is more complicated than it initially appears. The new reliance on kin care can plausibly be interpreted as having been necessitated by a "perfect storm" of coincident forces, including rising caseloads, declining numbers of willing foster parents, budgetary constraints, and political pressures. What has yet to be established is whether this change in practice has actually benefitted children.

### Origins of Contemporary Foster Care

Foundling homes for abandoned children were established centuries ago throughout Europe, wherever poor young women were "in service" and lacked both realistic prospects of marriage and social support for motherhood. Infant mortality rates in these institutions were appalling (Hrды 1999). Child protection organizations then proliferated in the nineteenth century, primarily to deal with abandoned rather than

abused children, and they put these waifs in institutions such as orphanages and decommissioned leper asylums.

Placing children in family homes with unrelated strangers as foster parents was first undertaken on a large scale after C. L. Brace (whom we quoted to begin this paper) founded the Children's Aid Society of New York City in 1854. Brace was both a Calvinist minister and an avid Darwinian, who took great pride in having once been a guest at Darwin's home. According to his daughter Emma, "One of his greatest recreations was to read and read again *The Origin of Species*, and we find . . . an allusion in one of his letters to the fact that he is reading it for the thirteenth time" (Brace 1894:300). Unfortunately, the main thing that Brace appears to have derived from the *Origin* and applied to his thinking about child welfare and foster care was Darwin's woolly theory of inheritance. Brace (1872:42–45) proposed that the depraved circumstances of New York's "dangerous classes" produced bad "gemmules" that could be transmitted to their children in a Lamarckian fashion, but that the virtuous, naturally selected gemmules of earlier ancestors also circulated in their blood and would come to the fore if the children were removed from their criminogenic families and neighborhoods. Accordingly, Brace's "orphan trains" transported tens of thousands of children from urban, predominantly Catholic milieus to rural Protestant communities, despite recurrent complaints that the practice was exploitative (O'Connor 2001). Most of the transported children worked on farms, but some were apprenticed to craftsmen and others were consigned to factory work.

Ironically, the nineteenth-century "charitable organizations" that were the forerunners of modern social agencies were founded by people who disapproved of charity (Lubove 1965). Josephine Shaw Lowell, for example, a prominent nineteenth-century progressive who served as commissioner of the New York State Board of Charities and founded several charitable organizations, including the House of Refuge for Women, declared that "no man can receive as a gift what he should earn by his own labor without a moral deterioration" (Lowell 1884:66). J. J. Kelso, the primary instigator of Children's Aid Societies in Canada, espoused similar views in a 1910 report: "Charity breeds paupers, fosters and pampers them and inflicts upon the community a long and ever-increasing succession of degenerates to fill the brothel, the poor house and the prison" (Jones and Rutman 1981:135).

The opinion that the poor are more in need of moral improvement than of material relief also animated Mary Richmond, the most influential figure in establishing social work as a credentialed profession (Franklin 1986). Richmond (1922) defined the social caseworker's mission as the "diagnosis and treatment" of her clients in order to "develop their personalities." In her view, a client's family of origin warranted some attention, but not as potential social support. Rather, the client's "diagnosis" might be facilitated by knowing about any inbreeding, heritable criminal tendencies, and moral degeneracy in his genealogy. In the "treatment" phase, the family again warranted the caseworker's attention, but for a different reason: they might have their own misguided notions about what's best, and thus interfere (Richmond 1917:187–189).

By the end of the Second World War, overt hereditarian biases like Richmond's were no longer fashionable, but her vision of social work as predominantly

therapeutic remained influential for decades.<sup>1</sup> Moreover, the shift from blaming bad blood to blaming bad environments only served to strengthen the notion that disadvantaged children could be “rescued” if they were removed from their families. Nevertheless—and notwithstanding the zeal with which the devout sometimes plucked children from “the dangerous classes”—most twentieth-century child welfare workers still considered a reunion with the birth family to be the ideal outcome of a successful intervention, albeit atypical. In 1959, Joseph H. Reid, the director of the Child Welfare League of America, lamented the fact that only a minority of U.S. children in out-of-home care could be expected to return home, and, a century after Brace, he still saw the problem as deriving primarily from the moral failings of the poor. Reid acknowledged that “poor health, low income, and poor housing” played a role in creating “orphans of the living” (Reid 1959:380), but he insisted that these were secondary matters:

By far, however, the single most important cause of foster placement of children is marital breakdown. . . . Social agencies alone are helpless in combatting this situation. Strengthening family life, strengthening the morals and spiritual responsibility of American parents, can only come about as the churches, schools, and every other social institution improve the moral climate of America (Reid 1959:381).

In the early twentieth century, shipping children from city to farm was on the wane, but Brace’s conviction that children are better off in families than in institutions was widely accepted, and the newly proliferating child welfare agencies worked hard to recruit willing foster parents. The ideal placement was typically envisioned as a two-parent, registered-marriage family in which one spouse was a full-time home-maker who would derive satisfaction from allomothering needy children after her own brood had fledged. Indeed, as recently as 1988, the Ontario Association of Children’s Aid Societies (OACAS) noted that many of Ontario’s 54 CASs still required foster families to include a stay-at-home parent, although others had abandoned this requirement in response to a foster family shortage. Foster parents often cared for a series of children over many years. According to the OACAS (1988) survey, for example, the median number of children who had been cared for by a foster family on the roster of an Ontario CAS was 14; the maximum was 299. Obviously, such caretakers were a cornerstone of the child welfare system, and, although dwindling in numbers, they still are.

The interventions and exhortations that we have discussed thus far targeted child abandonment and neglect. Strikingly, what we now call “child abuse” was scarcely on the radar. That changed in 1962, when a seminal paper published in the *Journal of the American Medical Association* proclaimed the existence of a “battered-child syndrome” and declared it to be “a frequent cause of permanent injury or death” (Kempe et al. 1962). Child abuse promptly seized the attention of pediatricians and the public, and, of course, of the social work profession as well. One effect was to

<sup>1</sup> A typical contemporary claim is that the primary objective of foster family service is child protection, but more than a decade after the physical abuse of children became widely known and discussed, the Child Welfare League of America (1975) still declared the primary objective of foster family service to be “the promotion of healthy personality development of the child.”

further exacerbate child welfare workers' disinclination to view the relatives of a child in care as a potentially useful resource. After all, if many client children had been not just neglected or abandoned, but actively assaulted as well, there were new reasons to look askance at kin. For one, the original abusers might gain access to children living with kin and further harm them; for another, the grandparents who had raised a child's abusers might themselves be a threat, an idea that gained traction once the notion of "intergenerational transmission of abuse"—in other words, that abusers had themselves been abused as children—took hold.<sup>2</sup>

Thus, many social workers prioritized the removal of abused children from their families, and viewed even informal care by maternal grandmothers and other relatives as problematic. Palmer (1995), an advocate of the maintenance of natal family ties who studied case files in two Ontario child protection agencies, provides evidence that child care workers actively thwarted contacts, even in temporary foster placements for which there was a court-ordered goal of eventual return to the family of origin. Investigators of social work agencies' practices in the USA and Britain have voiced similar concerns (Proch and Hess 1987; Rowe et al. 1984), noting that caseworkers sometimes contrived to sever family ties by putting parents in a double bind, initially barring visits so that the child can "settle in" with the foster family, and "later saying that after such a long gap, renewed visiting would be upsetting" (Rowe et al. 1984:99).

### **"Kinship Care"**

How things have changed! The new and growing fashion is to place children who have been removed from their homes with "kin."<sup>3</sup> In a number of U.S. jurisdictions, formal placements of children with relatives, still very rare in the early 1980s, constituted close to half of all placements by 2000 (Shlonsky and Berrick 2001). A similar upward trend has ensued in several other developed nations, especially but not solely English-speaking ones (Farmer and Moyers 2008; Holtan 2008; Palacios and Amorós 2006; Spence 2004; Worrall 2001). Moreover, an explicit preference for placing children with kin is now often mandated by law. Gleeson and Craig (1994) reviewed various U.S. state-level statutes that made kin care the "placement of choice"; they also note that state law and court decisions have sometimes interpreted the federal Adoption Assistance and Child Welfare Act of 1980 similarly—that is, as prioritizing kin placements. In Britain, the 1989 Children Act enjoined any local

<sup>2</sup> Parent-child concordance in abusive parenting is apparently genuine, but the link is much weaker than is widely believed. A typical finding is that of Bailey et al. (2009), who report that harsh parental discipline in generation 1 accounts for just 4% of the variance in harsh parental discipline in generation 2. Even this modest intergenerational concordance probably exaggerates the extent to which abuse begets abuse, since it also reflects concordance resulting from heritable temperamental factors.

<sup>3</sup> Of course, grandmothers and other relatives have always stepped in to assume childcare duties when parents couldn't or wouldn't. Hrdy (1999:372) sums up the cross-cultural ethnographic evidence on informal kin care as follows: "As has always been true, availability of matrilineal kin—sisters, mothers, and grandmothers—makes for an especially reliable source of allomaternal assistance. Not quite a beehive, but far more valuable than a village, an extended family of matrilineal kin turns out to be a wonderful resource for rearing human infants." But of course this traditional cooperative kin care was negotiated without the involvement of official agencies.

authority looking after a child who could not be returned to his parents to “make arrangements to enable him to live with . . . a relative, friend or other person connected with him, unless that would not be reasonably practicable or consistent with his welfare.” In Ontario (Canada), an amendment to the Child and Family Services Act (OACAS 2006) obliges Children’s Aid Societies to “consider whether it is possible to place the child with a relative, neighbour or other member of the child’s community or extended family” when a child is taken into the Society’s care, and it also places similar obligations on judges hearing cases involving out-of-home placements.

Stated rationales for these policies assert or imply that the preference for kin placements is justified by known benefits. Ontario’s Ministry of Child and Youth Services, for example, encouraged the province’s social workers to get with the program by circulating this message:

The purpose of seeking alternative living arrangements within the child’s own extended family or community is:

- To minimize the impact of removal from primary family and/or community on the child;
- To build on existing relationships and to promote stability for the child;
- To encourage and empower parental involvement in decision making and planning for the child;
- To encourage the child’s involvement in planning for their own care;
- To enable continuity of relationship between family and community members with the child;
- To provide a viable alternative to admission to care;
- To maintain the integrity of the child’s connection to aboriginal and other distinct cultural groups;
- To engage the extended family or community in permanency planning earlier in the intervention process;
- To increase the likelihood of reunification with primary family (Ontario Child Welfare Secretariat 2006).

There are reasons to doubt that the putative virtues of kinship care are really responsible for its newfound popularity, however, and we shall discuss less lofty reasons for its rise later in this paper. But let us first consider what is known about its consequences.

Perhaps the most common outcome measure in evaluations of foster care is “placement stability,” which refers to a child staying put rather than being repeatedly moved between foster homes. Placement stability is almost unquestioned as a desirable goal, and researchers typically find that kin placements are more stable than those with unrelated foster parents (Chamberlain et al. 2006; Winokur et al. 2009; but see Oosterman et al. 2007).<sup>4</sup> More than merely staying put, however,

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<sup>4</sup> Although kinship care’s greater placement stability, relative to non-kin foster care, has been treated as evidence of the former’s beneficial effects, the relative stability of kin placements may often just reflect a lesser urgency for reunification with birth parents; moreover, non-kin care is sometimes temporary by intent.



children placed with kin often appear to do relatively well according to a variety of performance and well-being measures (Farmer and Moyers 2008; Hegar and Rosenthal 2009; Winokur et al. 2008). There is some evidence, for example, that children placed with kin manifest fewer behavioral problems (Holtan et al. 2005; Rubin et al. 2008; Winokur et al. 2009).

If children placed with kin really do fare as well as or better than those in traditional foster care, that is remarkable, because the circumstances of kin caretakers are typically far from ideal. A large body of literature indicates that they have lower incomes, less education, poorer housing, more children to care for, and more health problems, on average, than unrelated foster parents, as well as being much more likely to be parenting without the help of a partner (Barth et al. 2008; Cuddeback 2004; Ehrle and Geen 2002; Gleeson et al. 1997). To make matters worse, they typically receive less financial support and services than unrelated foster parents, despite being poorer (e.g., Berrick et al. 1999; Brooks 2002; Dubowitz et al. 1993; Farmer and Moyers 2008; Leos-Urbell et al. 2002). In comparison to grandparents who are not caring for their grandchildren, those who are primary caregivers report various resultant limitations on their activities, more depression, poorer health, and lower marital satisfaction (Ehrle and Geen 2002). Obesity is also a prevalent issue for custodial grandparents, whose dietary habits are often very poor, and they suffer from diabetes, heart disease, arthritis, anemia, and other chronic diseases at high rates (Grant 2000).

What could offset these disadvantages? Suggested answers to this question generally echo the two offered by Ehrle and Geen (2002:16) in the passage that we quoted to begin this paper: “that the familiarity and continuity offered by kin placements may lessen the trauma a child experiences when separated from a parent” and “that kinship caregivers are likely to have a special interest in the well-being of the child in their care.” There is substantial evidence supporting the first of these two proposals: according to the testimony of the children themselves, including many who have experienced both types of fostering, kin placements are much happier and less stressful than placements with strangers (e.g., Aldgate 2009; Broad 2004; Messing 2006; Wilson and Conroy 1999). This certainly warrants emphasis, for although it may seem obvious that happiness while in care is a significant component of child well-being, it is often overlooked in discussions that focus on placement stability and/or on outcomes after children age out of care.

There is less direct evidence in favor of Ehrle and Geen’s second explanation for the apparent success of kin placements, which is essentially an invocation of nepotistic solicitude. The testimony of children in the studies cited above often includes statements to the effect that a reason why they are happy with kin (usually grandmothers) is that they know they are “loved,” and that in itself lends some support. But does this perceived love reflect superior alloparental behavior? There are some intriguing hints that it may. Zuravin et al. (1993), for example, reported that further abuse of Baltimore children in care was substantially more frequent in non-kin foster placements than in kinship care placements. If this were generally the case, it would be remarkable not only because of the economic and other advantages of the non-kin foster homes, but also because unrelated foster families are typically screened more thoroughly and held to a higher standard than kin caretakers (Shlonsky and Berrick 2001; Geen 2003a, c); however, interpretive caution is needed

in making such comparisons, since (for example) disciplinary actions that are deemed abusive when administered by an unrelated foster parent may not be when administered by a grandmother. A different sort of comparison that should be less vulnerable to bias was reported by Schneiderman et al. (2010): among children in the custody of the Los Angeles County Department of Children and Family Services as a result of maltreatment in their birth families, those living with kin were significantly more likely to be up-to-date with their vaccinations than those living with unrelated foster parents. This is remarkable in view of (1) the differences between the two caretaker types in average income and level of education and (2) the fact that children placed with kin are typically monitored less consistently by their caseworkers than if placed with unrelated foster parents (Geen and Malm 2003). The obvious interpretation is that the kin caretakers themselves were more assiduous monitors of such preventative health care. Further studies using such unobtrusive indicators of caretaking vigilance could be enlightening.

### **Nepotistic Discrimination in Human Social Behavior**

The recent rise in kin placements can be viewed as having brought the practice and rhetoric of child welfare into line with evolutionary and anthropological perspectives on social relationships. Kinship has been central to evolutionary biology's analysis of sociality since Hamilton (1964); as one prominent evolutionary biologist has put the matter, "we have evolved to be exceedingly effective nepotists, and we have *evolved* to be nothing else at all" (Alexander 1979). Kinship is also crucial in anthropological analyses of sociality, where its centrality emerged not from theory, but from ethnographic experience; as one prominent social anthropologist has stated, "human beings, wherever we meet them, display an almost obsessional interest in matters of sex and kinship" (Leach 1966).

Unfortunately, anthropology plays little part in the education of social workers, and (the Reverend Brace's enthusiasms notwithstanding) evolutionary biology plays none at all. The social science of which social workers have the greatest knowledge is social psychology, which has always been overwhelmingly focused on experimental studies of stranger interactions, while treating kin relationships as "roles" or "scripts" and hence as not fundamentally different from non-kin relationships such as "friend" or "employee" (Daly et al. 1997). Even worse, the theory and rhetoric of social work, with its longstanding therapeutic ambitions, has been heavily influenced by pop psychological ideas with no scientific basis at all, especially psychoanalytic concepts (Goldstein 2002; Webb 2006). Perhaps the current swing toward kin care would have happened sooner if child welfare professionals were more likely to possess first degrees in anthropology rather than in psychology or social work.

According to dictionary definitions, one's "kin" are one's relatives by genealogical descent, marriage, or adoption. This is also how anthropologists use the word, whereas evolutionary biologists typically narrow its scope to encompass only genetic (genealogical) relatives. In the child welfare literature and in associated legislation, by contrast, the scope has been curiously broadened, such that "kin" includes persons who are not "relatives" by any definition. In Ontario, for example,

the Ministry of Child and Youth Services defines *kin* as “a relative, extended family member, or a member of the child’s community” (Ontario Child Welfare Secretariat 2006); in Britain, the terms “kinship care” and “family and friends care” are used synonymously (Farmer and Moyers 2008); and in the USA, “many state child welfare agencies define *kinship care* to include persons beyond blood relatives—for example, godparents, family friends, or others with a strong emotional bond to a child” (Geen 2003a:2). At first glance, this definitional idiosyncrasy may seem to undermine a nepotistic interpretation of so-called kinship care. However, the inclusion of non-relatives is more of a semantic complication than a practical one. The “kin” with whom children are in fact placed are overwhelmingly blood relatives, especially maternal grandmothers and aunts (Cuddeback 2004; Dubowitz et al. 1993; Ehrle and Geen 2002; Farmer and Moyers 2008; Kroll 2007; Terling-Watt 2001; Zinn 2010).

Evolution-minded social scientists have documented nepotistic biases in human social sentiments and behavior in a broad range of contexts. Genealogical relatedness is associated, for example, with a reduced risk that rivals will commit violence against one another and a heightened probability that they will collaborate in violence (Alvard 2009; Chagnon and Bugos 1979; Daly and Wilson 1982). Persons *in loco parentis* disproportionately withhold investment from stepchildren, and disproportionately misuse them (Daly and Wilson 2008). People allow imbalances in reciprocal exchange to accumulate in kin relationships to a greater extent than in their relationships with neighbors and friends (Hames 1987), and although unrelated friends are important sources of day-to-day mutual assistance, help is increasingly allocated toward kin as it becomes more costly (Stewart-Williams 2007). In desperate circumstances such as famines, having more close kin in one’s immediate social group translates into improved chances of survival (Grayson 1993). And in interactions with strangers, people are more trusting and generous toward those who present subliminal facial cues of genetic relatedness (DeBruine 2002; Krupp et al. 2008). These and many other findings are consistent with the proposition that the human social psyche, like those of other animals, is functionally nepotistic in its design (Kurland and Gaulin 2005), and in this light, it seems eminently plausible that being cared for by kin is indeed in a child’s best interests.

### Is Kinship Care Really Beneficial?

The facts and theories reviewed above seem supportive of the child welfare profession’s newfound enthusiasm for kinship care. Some caution is in order, however. According to Geen (2003c:232), child welfare has “a history of embracing new theories or programmatic approaches and implementing them without significant research evidence of their effectiveness,” and the move toward kinship care may be another such jump in the dark: “While the [US] federal government and almost every state give preference to kin, no single study to date concludes that children placed with kin fare better in the long term than children placed in non-kin foster care. This is not to say that there is not reason to believe that children will benefit from kinship care; we just do not have the evidence” (Geen 2003c:232).

Other reviewers of the literature agree, and their hesitancy is justified. Despite 30 years of agency-monitored kinship care and many published studies, there is little sound scientific basis for drawing conclusions about its effects and whether it is truly superior to traditional foster care (Cuddeback 2004; Winokur et al. 2009). Most work has been cross-sectional rather than longitudinal and lacks baseline data on children's well-being when they entered care, making it impossible to assess change in measures of interest and to compare across placement types. An additional crucial problem has been excessive reliance on caregiver reports as outcome data. Most importantly, virtually all the existing research that has compared outcomes in kinship care to either non-kin care or the general population has dealt inadequately with statistical confounds—that is, the other ways in which the groups being compared differ.

This concern is not simply hypothetical. Whenever children in kinship care and those in traditional foster care have been compared with respect to pre-placement attributes, large differences have been found. Grogan-Kaylor (2000), for example, studied a 10% random sample ( $N=21,560$ ) of all children who had entered foster care in California in 1989–1996 and found that when those in kinship care ( $N=7,341$ ) were compared with those in non-kin care, the former were much less likely to have had preexisting health problems and to have been removed from their homes because of physical or sexual abuse as opposed to neglect. Similar and additional contrasts have been reported elsewhere (Beeman et al. 2000; Ehrle and Geen 2002). Many of the reported differences can plausibly be interpreted as indicating that children who go into kinship care have been less severely traumatized, on average, than those entering traditional foster care. If such a “selection bias” is typical, drawing conclusions about kinship care's benefits by simply comparing outcome measures is unwarranted.

Winokur et al. (2009) completed a critical review of kinship research in which they rated each study's methods with respect to five possible sources of bias: selection, performance, detection, report, and attrition. They could find *no* studies that could be rated low in all or even in four of these five domains of potential bias and concluded that even “the best available evidence on kinship care [is] seriously lacking in many ways, especially in regard to controlling for baseline differences in non-randomized studies” (Winokur et al. 2009:10). This conclusion is not exceptionally harsh; other reviewers have likewise complained of the high potential for subjectivity and bias in this area of research (e.g., Cuddeback 2004; Shlonsky and Berrick 2001).

The randomized control trial is the gold standard for demonstrating genuine effects of alternative treatments. Such a study of the effects of alternative placement types has never been undertaken (Winokur et al. 2009), and both ethical and practical considerations make it unlikely that one ever will. In the absence of random assignment, researchers can try to control the effects of potentially relevant confounds statistically. The most sophisticated such effort to date is a prospective cohort study by Rubin et al. (2008) in which behavioral problems of more than 1,300 U.S. children in care were assessed and compared in terms of kinship versus nonrelative foster placements. Numerous attributes of the child, the foster family, and the birth family were included as predictors in a multivariate analysis of the determinants of behavioral well-being; the authors concluded that early kinship

placement was associated with a highly significant 30% reduction in problem behavior when these confounded factors were controlled. Unfortunately, the sole dependent variable in this study was derived from responses of caregivers to Child Behavior Checklist (CBCL) items, and as Barth (2008) noted in a cautionary commentary on the Rubin et al. study, identical child behavior could, in principle, elicit systematically different CBCL responses from kin versus non-kin caregivers, undermining Rubin et al.'s conclusions. Since a given child is, at a given time, fostered into one or the other household type, one cannot compare CBCL responses of kinship and non-kin caregivers to the same child's current behavior. One way to evaluate Barth's concern would be to assess whether the two categories of caregiver differ with respect to how much their ratings of the child depart from those of a third party, such as a teacher. Shore et al. (2002) did just that, and found that non-kin caregivers did indeed rate children's behavior as more problematic relative to teacher ratings than did kin caregivers, a result that reinforces the concern that the apparent benefits of kinship care reported by Rubin et al. may be artifactual. Other studies also suggest that kin caretakers are more forgiving than unrelated foster parents in their evaluations of the children's behavior (Gebel 1996; Timmer et al. 2004; Rosenthal and Curiel 2006). Purported benefits of kinship care that are based on information provided by caretakers must therefore remain suspect.

Fechter-Leggett and O'Brien (2010) recently addressed whether the mental health of foster care "alumni" interviewed as adults is affected by earlier placement type, using an analytic approach somewhat like Rubin et al.'s. Atypically, they reported that placement type had no apparent effects, net of confounds that were statistically controlled. However, this conclusion can be challenged because the variables that Fechter-Leggett and O'Brien controlled included not only pre-placement attributes but also various experiences while in care; such an analytic approach could, in principle, have obscured genuine benefits (or detriments) of kinship care by statistically removing the effects of the in-care experiences that mediated them.

Other recent work has taken a different approach: in an ambitious longitudinal study of delinquency in more than 13,000 juveniles with out-of-home placement experience, Ryan et al. (2010) matched pairs of subjects on "propensity" scores that were compounded from variables that might otherwise have been confounds. The reported results were that kinship care apparently elevated delinquency in certain demographic/ethnic groups and lowered it in others. A limitation of the study is that the "propensity" scores that were the basis for matching were based on only four pre-placement variables: sex, race, age at first placement, and a tripartite categorization of the "reason for placement" as physical abuse, sexual abuse, or neglect. Other possible confounds such as natal family poverty, drug exposure, and many others, were not controlled.

In sum, although researchers have begun to address the problem of confounds that undermine comparisons between placement types, there are still no fully satisfactory analyses.

### **The "Perfect Storm" of Pressures Favoring Reliance on Kinship Care**

Inevitably, the most important force for change in child welfare practice is change in the demands on child protection services. Fifty years ago, Children's Aid Societies

still dealt primarily with abandoned children. Kempe et al. (1962) put physical abuse by parents on the agenda, and the scope of issues confronting child protection services has continued to grow, as sexual abuse gained notoriety in the 1970s and the “collateral damage” that domestic violence inflicts on children attracted attention in the 1980s. At the same time, substance abuse has apparently skyrocketed as a causal factor in child neglect, although this too may be largely a change in awareness rather than in incidence. Greater societal and governmental attention to the plight of poor children may also be relevant, but whatever the relative impacts of these different factors may be, the growth in case numbers has been substantial.

Moreover, caseload increase has been episodically explosive, making effective response extremely difficult. Goerge et al. (1999) censused the numbers of children in foster care in a few of the more populous states of the United States from 1983 to 1994. In New York, the total number of children in foster care rose from 27,472 in 1986 to 58,550 in 1989, a 113% increase in just 3 years. California experienced a 56% increase over the same period, whereas the Illinois caseload experienced its big jump a little later: a 103% increase between 1990 and 1994. In Texas, growth in case numbers has been steadier, except for a 23% jump from 1984 to 1985. In all states, case numbers have typically increased more slowly (e.g., at about 6% per year) before and after these “growth spurts” and have occasionally even decreased for a year or two. Sporadically explosive caseload growth is not peculiar to the United States. In Ontario, for example, the numbers of children in care increased by 70% between 2001 and 2006 (Ontario Association of Children’s Aid Societies 2006). It is implausible that these sudden leaps in case numbers reflect equally sudden changes in the numbers of children at risk. They presumably result from changes in policy and procedures, as well as in awareness, and the fact that they have occurred asynchronously in different U.S. jurisdictions could provide researchers leverage for investigating how policy and practice precipitate crises of exploding numbers as well as how they respond.

While the numbers of children needing placement have been growing, placement options have been shrinking. According to the National Commission on Family Foster Care (1991), for example, the number of available “non-kinship foster family homes” in the United States fell by 32% between 1984 and 1990, precisely when the numbers of children in care were rapidly rising. The stay-at-home wives of families of modest means once constituted the backbone of foster family care, but agencies can no longer rely on this vanishing demographic. Active recruitment of such formerly scorned groups as lesbian couples and single persons has not solved the foster family shortage, and recent measures to provide more consistent and substantial financial support for foster parents in Canada and Britain appear only to have stopped the bleeding and stabilized the shortfall. Although the relevant Ontario government ministry considers placements in family homes “the preferred model of out-of-home care in Ontario,” only 7,244 foster homes, including kin homes, were available to deal with 27,152 children in need in the year ending March 31, 2009, according to a report by the Provincial Advocate for Children and Youth.<sup>5</sup>

Exacerbating the situation is a growing sense that the traditional placement options are ineffectual. Institutions and group homes continue to be heavily used in

<sup>5</sup> [http://www.provincialadvocate.on.ca/documents/en/OPACY\\_AR0809\\_ENG.pdf](http://www.provincialadvocate.on.ca/documents/en/OPACY_AR0809_ENG.pdf), accessed July 19, 2011.

many jurisdictions, but they have long been considered inferior alternatives to foster family care; recently, both new research on the damaging effects of institutional care on infant development (Bilson 2009) and publicized scandals about child maltreatment in such settings have increased the incentives to find alternatives (Broad 2004), although group homes may still be the best option for some adolescent boys (Barber et al. 2001). Traditional family foster care has also come under fire, thanks in part to a growing awareness that it has not provided the safety, well-being, and permanency outcomes hoped for (Hobbs et al. 1999; Mushlin 1988). Fostered children have lower educational achievement and higher rates of mental and physical health problems than children in the population at large, and they experience higher rates of physical and sexual abuse while in care; after exiting Society care, they continue to fare poorly in terms of education, health, addictions, employment, housing, and stable relationships, and they exhibit high rates of criminal victimization and perpetration (Courtney et al. 2001; North American Council on Adoptable Children 2005). Although these problems are surely due in large part to the natal family circumstances of these youths and to the maltreatment that precipitated their fostering, a variety of indirect evidence has convinced many professionals that foster care has often made matters worse (Broad 2004; North American Council on Adoptable Children 2005; Shlonsky and Berrick 2001).

Struggling to cope with increasing caseloads, shrinking numbers of available foster homes, and mounting pessimism about the efficacy of standard practice, child protection agencies have also had to deal with reduced support and increased direction from government in those jurisdictions in which parties with an ideology that favors tax and service cuts and the “sanctity of the family” have come to power. Embracing the extant phenomenon of temporary or permanent allomothering by grandmothers, aunts, and friends, and treating it as a form of official placement, was an obvious—perhaps even an inevitable—response.

### Keeping Kinship Care Cost-Effective

One of the attractions of kinship care is that placing children with relatives usually saves money in comparison to placement with traditional licensed foster families. Many authors have documented the prevalence of inequitable practices that deny kin caretakers access to the same subsidies and services that unrelated foster parents receive (e.g., Cuddeback 2004; Farmer 2009; Geen 2003b). Although some custodial grandmothers and other kin caretakers refuse proffered benefits (and budget-strapped child welfare agencies are unlikely to argue the point), most do not, and there is abundant evidence that kin caretakers are systematically denied services, whether as part of agency policy or on the initiative of individual social workers.

Systemic, deliberate, discriminative withholding of funds and services from kin families is unequivocal in the many cases in which child welfare agencies have fought in court against the obligation to treat kin families as they do non-kin foster families. The agencies have repeatedly lost this battle, judges apparently reasoning that if unrelated foster parents are entitled to certain benefits, fairness requires that kin caretakers who are providing the same service should be entitled to them, too.

Despite legal setbacks, agencies and caseworkers often continue to impede kin caretakers' access to standard foster parents' entitlements anyway, by failing to inform them of available subsidies and services, by exploiting every possible bureaucratic delay, and, at least occasionally, by outright deceit. In Britain, for example, Farmer and Moyers (2008) describe cases in which kin carers were misled about their entitlements or simply stonewalled. Such discriminatory treatment is apparently widespread, and when legislation and court cases force equitable treatment, agencies typically construe the rulings as narrowly as they can:

After the landmark court decision known as the Munby judgment, which clearly stated that local authorities should not discriminate against family and friends by paying lower fostering allowances, local authorities tended to pay kin foster carers the local allowance only, without the additional payments for clothing, holidays, birthdays and Christmas that are routinely paid to unrelated foster carers (Farmer 2009:19).

In the United States, a 1979 Supreme Court decision (*Miller v. Youakim*) made it illegal to use relatedness to the fostered child as a criterion for denying federal foster care payments to a foster parent who has met licensing standards. But despite this and many subsequent legal decisions, withholding support from kin caretakers remains sufficiently widespread to be a textbook truism. According to one social work text, for example, "Efforts to reduce the cost of foster family care by making reductions in supports to or funding for foster families have targeted kinship foster homes" (Martin 2000:29); this author proceeds to list specific discriminatory practices, including never offering financial support to kin caretakers who fail to demand it, or placing children with kin who don't meet the criteria for foster care licensure and then denying them payments on that basis (see also Geen 2003b). Dragging out the assessment and approval process in cases in which the child is already in the relative's home is also common practice, and even after kinship homes are licensed and approved for support, bureaucratic delays of several months before the first payment are widespread (Templeman 2003).

It is easy to fault child welfare agencies for these discriminative practices, especially since services are being denied to a relatively impoverished group of caregivers. But what are they to do? The only affordable way for an agency to comply with a court order to provide equivalent services to kin and non-kin foster homes will often be to reduce or eliminate benefits that the local roster of non-kin foster caregivers presently receive, and that seems certain to accelerate the ongoing decline in foster placement availability. An irony noted by Courtney (1999) is that where such court orders are complied with, kin care may actually become more expensive than non-kin foster care because kin placements last longer, on average. Most mothers who have had children removed and placed in traditional foster homes try hard to get them back, but when they are placed with maternal grandmothers, everyone is often more willing to let the situation persist. Indeed, if financial support is provided only as long as a child lives with his grandmother, and is terminated if he returns to his mother, a perverse incentive against reunification has been created.



## The Way Forward

Although the consequences of the shift toward kinship care remain to be conclusively demonstrated, both evolutionary considerations and the child welfare literature reviewed above suggest that the proposed benefits may be genuine. More and better research is needed to determine whether this is really so.

An evolutionary perspective suggests some additional questions that might usefully be addressed in that research. One is whether placements with aunts (typically the child's mother's sister) encounter special problems related to a lack of enthusiasm on the part of genetically unrelated "uncles." Similarly, one might hypothesize different outcomes in placements with maternal grandmothers who have male partners, according to whether these men are the child in care's maternal grandfather or a stepgrandfather. Another question is whether childless collateral kin may be especially good alloparental investors, as is suggested by analyses of helping behavior reported by Pollet and Dunbar (2008).

Still another such question is whether matrilineal kin such as maternal grandmothers have a stronger commitment to the children's well-being, on average, than the corresponding patrilineal kin, and thus provide better placements. Several evolutionists have proposed that grandparental solicitude is a declining function of the number of male (hence mistakable) links in the genealogy, and most evidence is supportive, although confounds may challenge an interpretation in terms of paternity confidence (reviewed by Coall and Hertwig 2010). Certainly, there is a large preponderance of maternal kin among kinship care placements, and several child welfare professionals have recently raised the question of whether paternal kin may be an underexploited resource. Do the families from which children are removed have a high incidence of the sorts of conflicts associated with low paternity confidence? If so, increased efforts to locate putative paternal kin and to encourage them to be caretakers may not be a strategy worth pursuing.

An evolutionary perspective may also shed light on controversies and attitudes concerning the fair and equitable treatment of kin caretakers. As we noted above, the courts have generally taken the view that when child protection services place children with kin, they should provide the same support as when they place children with unrelated foster parents. Not everyone agrees, however, and we suggest that perceiving a distinction here results from an intuition that the non-relative is providing a service to someone else, whereas the kin caretaker is somehow serving her own interests. Arguably, the interests in question are potential fitness consequences: the survival and well-being of one's personal descendants have an intrinsic value that "covers the costs" in a way that raising other people's children lacks. The situation is analogous to those of paternity and adultery law, where one can only make sense of judicial rulings and popular notions of justice by positing that people intuit that the genetic paternity of a child is somehow a benefit to the father, regardless of whether he and his child even have contact (Wilson 1987).

Although most kin caretakers welcome financial assistance, there is a substantial minority who are insulted by being offered a stipend, which they equate with welfare or with being bribed to "take care of their own," and hence with being implicitly accused of a lack of family feeling and dutifulness (examples in Farmer and Moyers

2008; Geen 2003b). Conversely, even though the assistance offered to foster parents is modest and is intended solely for the support of the foster child, many traditional non-kin foster families (who generally have lower-than-average incomes themselves) construe fostering as a source of income (e.g., OACAS 1988). Despite being even poorer, kin caretakers seldom, if ever, seem to think this way.

There may be no satisfactory solution to the contradictions inherent in this situation. One might argue that if a grandmother caring for her grandchild in an official placement is entitled to certain benefits, it's only fair that grandmothers who are providing the same service informally should be entitled to them, too. Indeed, this argument has begun to be voiced, and although we are not aware of any court cases yet, it has enough of a "natural justice" appeal that it seems likely to gain at least some judicial support. But consider this *reductio ad absurdum* (or at least *reductio ad socialism!*): If a grandmother caring for her grandchild is entitled to certain benefits from the public purse, shouldn't the mother who cares for her own child, rather than fobbing it off on the grandmother, be entitled to them, too? Opposition to this argument surely hinges on the notion that a mother "should" care for her own children, and should *wish* to do so. Again, this view is readily interpreted as manifesting an intuitive conception of one's "interests" that cleaves close to expected fitness consequences.

Finally, although we and others have focused on the narrow question of whether kinship care can be shown to have benefits net of the effects of confounded variables, we should stress that even an affirmative answer to this question would not, in and of itself, have simple, direct implications for placement practice. In specific cases, decisions must be made about whether the benefits of a particular kin family placement outweigh its particular risks. Evidence-based answers to such questions will require quantification of the specific impacts of each of the significant confounds, as well as that of the kinship versus foster care distinction, and will furthermore require consideration of their differential relevance for different categories of children.

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**Martin Daly, PhD** is a psychologist who, in collaboration with his late wife Margo Wilson, has studied lethal and nonlethal human violence, especially family violence, for more than 30 years. He and Wilson co-authored three books: *Sex, Evolution and Behavior* (1978, 1983); *Homicide* (1988); and *The Truth about Cinderella* (1998).

**Gretchen Perry, BA** is a foster/adoption recruitment worker who has worked in child protection for 18 years, focusing exclusively on kin families since 2006. She recently completed her MSW through Flinders University.