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The stark implications of abolishing child welfare: An alternative path towards support and safety

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Abstract

Scholars and advocates are at odds about how to achieve higher levels of child safety and permanency. Calls for change include the recent upEND focus on eradication of child welfare services to a radical refocusing of the present system towards prevention/early intervention. To clarify the implications of reform over abolition, we seek to portray a future in which the abolition of child welfare has occurred, in juxtaposition to maintaining four core elements of established child maltreatment programmes around the world: (1) receiving and responding to community signals about the risk to children; (2) assessment of need coupled with a proportionate response; (3) rights protections to ensure fairness when placement outside the family is required; and (4) procedures for accountability and quality improvement. For each of these functions, we outline abolitionist advocates' positions and implications for children and parents. Across these elements, we delineate how assigning these responsibilities to communities, as suggested by upEND, would likely (1) exaggerate racial and economic inequities and (2) create structural barriers that would increase harm to children. We suggest several evidence-informed enhancements to practice, research and policy that would mitigate these inequities while also increasing safety and permanency.

KEYWORDS

abolish, child welfare, evidence-based practice, policy reforms, racial inequity, upEND

1 | INTRODUCTION

Child welfare services (CWS)¹ need considerable and ongoing reform in the USA. The narrow focus on child maltreatment intervention in the USA stands in sharp contrast to many European child welfare models (Berrick et al., 2023) and has been criticized for decades as responding too late in addressing families' needs and, consequently, subjecting families to harsh, legalistic treatment (Sankaran & Lander, 2007; Schorr, 1988). Growing frustration over the pace of reform has resulted in urgent calls for change. The debate over how such change should occur includes the upEND focus on abolishing

child welfare, involving the eradication of CWS and the redistribution of funding to local communities (Dettlaff et al., 2021). The alternative we propose is a reformist position that focuses on (1) providing more support for children, families and kin to prevent formal involvement in CWS; (2) prevention and early intervention to decrease the need for deep-end system involvement like foster care and adoption; (3) modifying policies and programmes that punish rather than support some CWS-involved families; and (4) redesigning services so that they provide effective therapeutic responses to family trauma. Effective reform requires critical, empirically informed analysis of policies, practices and procedures across child and family service systems, coupled

with evaluation of promising preventive and therapeutic approaches and stakeholder engagement to achieve better outcomes for children and families.

To help clarify the advantages of reform over abolition, we seek to understand the future should the abolition of child welfare occur. This discussion is premised upon the assumption that the term 'abolition' means complete eradication of federal, state, and local policies and practices related to child protection and out-of-home care services. In the post-abolition world, we can picture—from the scattered descriptions of what is proposed—all personnel funded by federal, state and local child protection agencies are disbanded, family court professionals are relieved of their responsibilities related to child welfare and the entire infrastructure for child maltreatment prevention, intervention, foster care placement, reunification and adoption services is ended. Semantics matter. Any other more allegorical interpretation of an abolitionist stance is better thought of as a 'reformist' or even a 'radical reformist' position. We, too, imagine important changes needed in child welfare that would represent radical departures from today's system, but in our view, some overarching system designed for children's protection would remain. Those calling for the elimination have paid little to no attention to marshalling available evidence to illuminate the likely impact of eradicating the current child welfare system. To that end, we lay out the key implications of abolition, and suggest a few obvious, albeit incomplete, avenues for substantial reform.

This paper is not a defence of existing CWS. We recognize the significant over-representation of black and Native American children and families involved in CWS due to decades of social, economic and racial injustices that prevail across all systems (e.g. housing, health/mental health care, employment, education and legal advocacy) (Acevedo-Garcia et al., 2008; Barth et al., 2020). We support a prevention infrastructure outside of CWS that provides appropriate and culturally responsive family supports and improves families' ability to raise their children with the love and care they intend. CWS is not properly equipped to fully support the needs of families or to address the tragic aftermath of abuse, family trauma and neglect. A reformist view, however, advances a reliance on scientific evidence to implement the most effective practices, from prevention to intervention, to best serve the needs of all children and families.

Addressing all functions of CWS as implemented globally in a single article is impossible. We focus on a limited number of functions that are embedded in most Western industrialized countries' efforts to respond to child maltreatment (Gilbert et al., 2011). These include: (1) receiving and responding to community signals about risk or harm to children; (2) assessment of need coupled with a proportionate response; (3) rights protections to ensure fairness and equity when placement outside the family is required; and (4) procedures for accountability and quality improvement. For each of these functions, we outline (1) the positions of the proponents of abolition and (2) the likely implications of eliminating CWS for children and families. These implications include how assigning these responsibilities solely to families and communities, as suggested by upEND (Dettlaff et al., 2020), might continue or exaggerate racial and economic inequities and

create new structural barriers that could increase harm to children and families. We conclude with implications suggesting avenues of focus for reform.

2 | CORE FUNCTION #1: RECEIVING AND RESPONDING TO COMMUNITY SIGNALS OF RISK AND HARM

2.1 | Abolition position

CWS includes mandatory reporting that requires some or even all professionals and community members, depending on their state of residence, to offer signals of concern about children's risk or harm. Such signals must then be assessed to determine the need to respond. There are warranted critiques of existing mandatory reporting structures. As limited examples, many children are reported who do not meet the threshold for a child protective services (CPS) investigation (Damman et al., 2020)—an inefficient use of scarce resources. Some parents fear being reported to child welfare, as child removal could occur (e.g. Križ et al., 2012), resulting, at minimum, in the suppression of preventive service use. In response, advocates for abolishing CWS argue that 'state and federal mandatory reporting laws must be repealed' and replaced with community-based responses 'to end the surveillance of families' (Dettlaff et al., 2021, p. 13). Calls to shift responsibility to the community are based on the presumption that reports to CWS always (1) disrupt families (Roberts, 2022); (2) hamper working relationships between parents and providers, contributing to mistrust across systems (Schwab-Reese et al., 2023); (3) subject children and families to unwarranted and harmful state surveillance (Fong, 2020; Gruber, 2023); and (4) indicate racially motivated implicit or explicit animus, given the larger numbers of black children reported (Roberts, 2022). Dettlaff and colleagues assert that 'racism is so deeply rooted in child welfare systems' history, policies, and practices that they cannot simply be modified or revised. Rather, they must be recreated with the specific goal of producing and maintaining justice and liberation' (Dettlaff et al., 2020, p. 509). Other advocates of child welfare abolition have similarly contended that the complete dismantling of the current CWS is the only way to protect children from coercive control (e.g. Kelly, 2021a). From this perspective, mandatory reporting and state responses to maltreatment allegations are conceptualized as criminalizing rather than protecting children and families, with CWS thus functioning as a major component of America's carceral ecosystem (e.g. Bergen & Abji, 2020; Murray et al., 2023).

2.2 | What would happen in a post-abolition context?

Underreporting to CWS currently exists, often with tragic consequences. Missed signs of maltreatment as a cause of injury have been linked to later serious injury (Thorpe et al., 2014), as well as to poor educational, economic and mental health outcomes in adulthood

(Lansford et al., 2021). Post-abolition, absent any mechanism for reporting concerns about a child's safety, it seems likely that increased child injury and fatality would result, particularly among black children. Indeed, on average, black children are nearly three times more likely to experience a child maltreatment fatality (Children's Bureau, 2023a), which points towards higher risk and increased vulnerability in a post-abolition environment.

Then there is the question of how community participation would ensue in this newly devised system. Would communities be required to establish a mechanism for receiving and responding to signals of concern about children? Those who advocate abolition idealize the historical record. At the turn of the 20th century, signals about children's safety were primarily received by religious organizations. Early critiques show that there were significant concerns with practices that developed during this period and into the 1960s, including a lack of equitable responses to children based on race and class (e.g. Billingsley & Giovannoni, 1972). Moreover, this approach was not sustainable during economic downturns (Myers, 2008). Because family poverty is linked to maltreatment (Drake et al., 2022), reducing access to protection when children may be at greatest risk of maltreatment is hardly a responsible path forward. Further, this places the responsibility for detection and response on the same communities most impacted by family poverty and constrained resources.

Is there reason to believe that community-based determinations of what constitutes child maltreatment would lead to better outcomes for children or less unwarranted intervention with parents? A significant body of work has been devoted to clarifying definitions of child abuse and neglect in the USA and internationally (Hovdestad et al., 2015; Moody et al., 2018). Variations in state-level mandated reporting definitions of maltreatment exist because state legislatures set the norms for what is considered maltreatment (Lytle et al., 2021). How would communities accomplish this task in a post-abolition world? Would 'community' be defined by geography? By race/ethnicity? By culture? Who would define each 'community', and who would decide which families are included or excluded? What would happen in highly transient neighbourhoods? Although some proponents of abolition have pointed to the Indian Child Welfare Act (ICWA) (1978) as an example of community control (e.g. Polikoff & Spinak, 2021), ICWA focuses on foster care and is exclusive to federally recognized tribes that have their own governing structure and tribal inclusion criteria; local communities have no equivalent.

Inclusion and exclusion criteria are important considerations. If there were no legal standard for child abuse reporting, what would happen to racial, ethnic, faith, immigrant, ability, sexual, class or other minority families in communities where they are outliers? How would sexual minority families be treated in local communities that are hostile to their existence? How would undocumented families be treated in communities with a profound anti-immigration sentiment? Although these questions may exist at the county or state level today, the problem is intensified in smaller geographic contexts (Bottoms et al., 2004).

The community-driven response favoured by those who advocate abolition may not align with the bureaucratic needs of modern

society. Without such a mandate, would communities establish processes that were uniform, comprehensive and inclusive? In a post-abolition context, wherein 'self-determinative' community-based responses to child maltreatment were the new norm (Kelly, 2021b, para. 23), inclusive and comprehensive child protection structures would not inevitably arise—especially considering the diversity of local economic, political and sociocultural contexts in the USA. Reporting standards, screening procedures, community-sanctioned responses and service availability would differ across locales, as would the organizational systems that receive and interpret maltreatment signals. The profusion of thousands of different community-specific service paradigms would effectively obstruct our ability to track and respond to child maltreatment, as well as assess potential inequities.

It is also not clear how such services would be funded. While non-profit child and family-serving agencies exist today, coverage is uneven, and they are often reliant on state and local government funding. Child welfare funding is a complex combination of federal, state and local sources that finance direct CWS and ancillary services for child welfare-involved families (Haskins, 2020). While there are some local tax programmes that fund child abuse prevention and child mental health (Purtle et al., 2023), these are typically administered by county or municipal governments. It is not clear how community-based governmental entities would be constructed to allow for an effective, efficient and fully devolved approach to funding at the local level. Calls to devolve governance and funding to the community conjure an idealized notion of US efforts to alleviate poverty in the 1960s through a network of community action agencies. Extensive research on the results of those initiatives suggests very limited effects on the outcomes that proponents expected to achieve and the extent to which community members engage in the effort (Nemon, 2007). Given the complexity of the devolution task, would some communities opt out of establishing a mechanism at all, leaving children entirely unprotected?

3 | CORE FUNCTION #2: ASSESSMENT OF NEED COUPLED WITH A PROPORTIONATE RESPONSE

3.1 | Abolition position

Following a child maltreatment referral, federal law requires states to develop procedures that assess children's risk and safety and provide services relevant to child and family needs. Those who call for the eradication of CWS believe that state intervention in family life is unacceptably intrusive and invariably produces harmful outcomes for children and families (Roberts, 2023). From this perspective, CWS exists to perpetuate the carceral state, relying on threats of child removal and punitive processes of criminalization. Some child welfare abolitionists contend that CWS is intentionally designed to perpetrate harms, including the oppression of marginalized communities and the maintenance of racist capitalist regimes (Kelly, 2021a).

These claims conceptualize child welfare systems as monolithic and inherently malevolent, wreaking destructive harms on children and families to further racist neoliberal ideologies, devoid of regard for individual or societal well-being. The reality is far more complex. Under taxing conditions and variable state policies, child welfare professionals render decisions often based upon limited evidence available from interviews with children, caregivers and collateral contacts, about whether children are safe or are at risk of imminent harm. In almost all states, diverse staff uses decision-making tools to assist in assessing need, risk and safety; some jurisdictions are experimenting with predictive risk modelling in efforts to bring greater uniformity and equity to decision-making processes (Rittenhouse et al., 2023). Nonetheless, wide variation remains in policies and practices across state, county and tribal child protection systems in the types of service availability for families with different risk levels and in the use of out-of-home care (Jonson-Reid et al., 2017). For decades, researchers, practitioners and advocates have offered well-founded critiques that the CWS does not always align services proportionate with need and client preferences (Garcia et al., 2016). Current practice with families deemed at risk of or needing foster care placement involves working collaboratively with parents, youth (of a certain age), parents' supporters, allied professionals across systems and child welfare professionals to develop intervention plans that should match families' needs and that should be proportionate to mitigate risks and increase safety (Child Welfare Information Gateway [CWIG], 2021). Those who espouse abolition also decry the lack of reliance on kin networks in cases where children are unsafe (e.g. Dettlaff et al., 2020); however, longstanding federal and state policies have strongly promoted the involvement of kin in planning and as foster caregivers (Children's Bureau, 2023b). More than one third of all children in out-of-home care are living with kin and more than half will return home or live with relatives upon exit from CWS (Children's Bureau, 2022). The Family First Prevention Services Act (FFPSA, 2018) specifically targets increased in-home services to prevent foster care placement, though it is too soon to assess longer-term outcomes (Haskins, 2020).

The argument for the abolition of CWS stems, fundamentally, from the concern that our child welfare institutions are especially unfair to black children and families. Although the abolition of CWS would affect all children, the intensity of concern for black parents and children arises from the view—though with little empirical evidence—that current decision-making practices unfairly and inequitably violate black parents' rights and assess risks to black children as higher than risks to white children. This is, allegedly, due to racism and/or failure to recognize strengths among families of colour (e.g. Roberts, 2022). Available data do not support these common assumptions (Barth et al., 2021; Drake et al., 2023). Since 2018, black children are slightly less likely to be substantiated than white children (Children's Bureau, 2023a, tab. 7-1) and some authors have pointed out that at least in most jurisdictions, black children are not more likely to enter foster care (Drake et al., 2023). The percentage of black children in out-of-home care remains higher because they spend more time in foster care before exiting (Wulczyn, 2020).

3.2 | What would happen in a post-abolition context?

Some proponents of abolition suggest that diverting funds from CWS to communities would better address the needs of families and children (Burton & Montauban, 2021). Part of CWS's responsibility is to triage services to minimize unnecessary investigations, court involvement and placement into out-of-home care and to focus limited-service dollars where they can mitigate the greatest risk. Given the ample evidence of insufficient service availability, it seems unlikely that service access would be improved in a post-abolition context. And absent community services, what evidence suggests that families or community members would respond to incidents of child abuse? Almost one fifth (17.1%) of the approximately 4 000 000 child maltreatment referrals in 2021 were submitted by family members, friends, neighbours and other non-professionals (Children's Bureau, 2023a). Recognizing that those data reflect the current system, where community members are relieved of the responsibility to help one another, it is also possible that many family members and friends do not feel sufficiently empowered to respond directly to child maltreatment. Concerns about family rights and potential danger may thwart helpful efforts—a conclusion supported by the research available on bystanders' response to abuse (Klebanov et al., 2023). Bystander training might encourage responses to some instances of harsh parenting (e.g. Weaver et al., 2020), but we do not have data to understand the effectiveness of such interventions in preventing abuse or neglect.

The child welfare abolition stance unconvincingly suggests that family members would rally to protect children in dire need (Dettlaff et al., 2021). Current models for this in the USA can be examined for their benefits and hazards. Although the corollary is not exact, both informal kinship care and kinship diversion (sometimes termed 'hidden foster care'; Gupta-Kagan, 2020) may offer useful insights as we imagine the dissolution of the formal out-of-home care system.

Informal kinship care has been practised for millennia based on private arrangements between parents and relatives, where caregivers move children from one home to another to meet children's needs (Leinaweaver, 2014). *Kinship diversion* occurs when a child welfare professional, responding to a child maltreatment referral, recognizes that a child is living in an unsafe environment and asks kin to care for the child informally, without the involvement of the CWS and/or courts (Berrick & Hernandez, 2016). In a post-abolition context, kin would need to step in of their own accord, erasing the fundamental difference between informal kinship and kinship diversion.

Are there enough willing kin to meet the need? Longstanding federal and state policies have offered incentives for states to incorporate kin into children's care needs (Testa, 2013), including significant state and federal latitude to adjust regulatory requirements for their preferential treatment (Children's Bureau, 2011). The most recent federal guidance on kinship care is a testament to a flexible approach to kinship licensing, designed to encourage more kin to serve as children's foster parents (Children's Bureau, 2023d). Nationally, while the percentage of all children residing in kinship foster care has been

inching upwards over the past decade, it has never approached 50%; and the most recent data suggest that the figure now stands at 35% (Children's Bureau, 2022). Evidence from several studies indicates that kin self-select into this role and that children with more serious health or behavioural challenges are not regularly accepted into kinship homes (Font, 2015; Hong et al., 2011). Recognizing that some bureaucratic barriers may limit kin from becoming children's foster parents (Katz & Phelps, 2022), it is nevertheless certain that all children cannot be served in informal kinship homes. If not kin, who would care for the most vulnerable children? In countries that have a weak infrastructure for CWS and a heavy emphasis on relative placements—the closest corollary to an abolished US system—many children who have no family are instead placed in institutional care (Berrick et al., 2023).

4 | CORE FUNCTION #3: RIGHTS PROTECTIONS TO ENSURE FAIRNESS AND EQUITY

4.1 | Abolition position

Those who support abolition view any system engagement with the family as having the potential to entrap, coerce and permanently separate children from families (Dettlaff, 2022; Roberts, 2022). The abolitionist stance assumes that all judicially mandated services would disappear in favour of voluntary family engagement. Judicially approved placements outside of a child's original home would cease in favour of voluntary arrangements when needed, and legal protections to ensure that children's custodial arrangements are permanency-focused would be eliminated. This could well return us to an era when children drifted into care without legal or relational permanency, in contrast to the current era characterized by relatively short stays in foster care (Wulczyn, 2020).

4.2 | What would happen in a post-abolition context?

Children in a fully informal system would have no rights to services, supports or protection, but *parents' rights* could be significantly expanded. Calls to eliminate CWS implicitly privilege parents' rights to privacy and unfettered freedom to act towards their children however they choose. Many argue that a proportionate response to family difficulties should include increased access to voluntary services customized to family needs. This is not dissimilar to the idealized model of Differential (or Alternative) Response, now available in many states and local jurisdictions. Although Differential Response is very promising (Fluke et al., 2019; Johnson-Motoyama et al., 2023), the central concern regarding this and other voluntary service models is the likelihood that some families will avoid voluntary engagement (Conley & Berrick, 2010). When a family requires services to ensure child safety and support positive permanency outcomes, who would deliver and enforce the mandate without CWS?

In cases where children may require family separation to secure their protection, the abolitionist approach presumes that family and community members will step in to provide support where needed. Questions about the feasibility of total reliance on kin when children cannot live at home are addressed above, but questions about rights protections for the child, the parent and the kinship caregiver are also critical concerns.

First and foremost are questions about whether *children's rights* could be adequately protected without a formal system. Some evidence suggests that in current kinship diversion models, the shift in custody from the parent to the kin caregiver is only possible if the parent agrees with the arrangement (Malm & Allen, 2016) and when the social worker assesses risk to the child as moderate (Wu & Snyder, 2019). This raises the question as to whether children's rights to safety might be compromised if parents were unwilling to relinquish child custody to a relative.

Children in informal kin care and kinship diversion also do not currently benefit from public funding or support for their adult caregivers (Gupta-Kagan, 2020; Wallace & Lee, 2013). Yet ample evidence suggests that kinship caregivers are, on average, very low-income with significant needs (Monahan et al., 2013). Lack of financial support for children living with kin is not trivial to children's well-being. Kinship caregivers, and the children in their care, can substantially benefit from increased foster care payments and services. In addition, children currently living in informal kinship care or kinship diversion are not eligible for therapeutic or other services (Armendariz, 2023; Ehrle et al., 2001) and these children have no enforceable right to engage in a plan for their future. Youth who entered informal care as adolescents would not qualify for funding or support through an independent living programme or from extended foster care; those who aspire to attend college would not qualify for special supports or funding. Children who identify as LGBTQI+ would not have the protections afforded by law to ensure that they were cared for in appropriate and responsive settings (Children's Bureau, 2023f).

Parents who determine that a relative should care for their child—as is typical in informal kinship arrangements—would have fewer rights than they do in the current system. Under kinship diversion or informal kinship, parents have no rights to reasonable services (Coleman & Wu, 2016) and the timeline for determining their child's return home is based upon an informal agreement between the parent and kinship caregiver. These relationships may be cordial, but more challenged relationships neither have the support of a mediator nor of a judge to settle their differences (Kiraly & Humphreys, 2013). Where would parents turn if a relative refused to return the child, or moved so that the family could not be located? Texas is one of several states now considering restrictions on kinship diversion due to concerns about parental rights protections (Asgarian, 2023).

Finally, *kinship caregivers* also would have no legally enforceable rights if CWS were abolished. Unlike kinship foster care, informal kinship and kinship diversion do not include a court process; they do not include an assessment of the suitability or safety of the caregiver; and they do not include a legally recognized relationship between the child and caregiver, with implications for children's access to medical care

and enrollment in school (Vandivere et al., 2012). A number of studies show that kin who take in their relative children require support for children's health and behavioural health needs and that caregivers without access to services are stressed, frequently neglecting their own health and well-being needs (King et al., 2009; Strozier & Krisman, 2007). Like current caregivers in diversion and informal care, kin would have no access to services.

5 | CORE FUNCTION #4: PROCEDURES FOR SYSTEM ACCOUNTABILITY

5.1 | Abolition position

The abolition platform is also void of details concerning accountability. We were unable to locate any mention of how the shift to full reliance on informal systems would be monitored or evaluated. One might assume that accountability mechanisms would naturally arise, but the absence of funding streams that include administrative support, the lack of mention of any efforts to transfer current data systems to other governmental systems and uncertain mechanisms and expertise to conduct reviews of practice suggest otherwise.

5.2 | What would happen in a post-abolition context?

Adults are accountable to children, and each other, for the protection of children. This, in turn, protects the future success of society and the current rights of children to live safely. Accountability tends to rest largely with parents, yet we have long recognized that parents alone cannot successfully raise children. Therefore, the accountability for children's welfare is shared, with different entities assuming some responsibility for supporting healthy births, preparation for educational success, children's mental health and child safety. In the USA, CWS has been the primary lead for tracking and responding to the harms that children experience at the hands of their families, though even now this is a multi-disciplinary and community-engaged effort.

The USA has been at the forefront, internationally, in creating accountability mechanisms that provide a wealth of information about children, families and our—admittedly flawed—local and federal governmental responses. Other nations look to the USA as a model for our sheer capacity to know and understand what is happening to children and how we respond (Fluke et al., 2021). The eradication of a system of response to child maltreatment would also entail the elimination of accountability mechanisms to assess children and their well-being.

Abolition would end the now-routine national reporting of the number of victims of child maltreatment, their characteristics and the characteristics of those who have harmed these children (i.e. National Child Abuse and Neglect Data System [NCANDS]; Children's Bureau, 2023c). We would not have information about the number of child maltreatment fatalities. Importantly, we would lose valuable information about child age, gender, geography and race/

ethnicity and changes in equitable services for populations over time. Without data on child welfare contact, we could not measure whether children were 'crossing over' from being victims of child maltreatment to becoming involved with juvenile justice and whether programmes were disrupting such transitions. Nor could we locate changes in child maltreatment related to policies like Earned Income Tax Credits (Kovski et al., 2022). In short, it would be difficult to know if new family- and community-based approaches were helpful or harmful, particularly for the families of colour for whom both reformists and abolitionists are concerned.

Like NCANDS, the data collection infrastructure to modestly track foster care (Adoption and Foster Care Analysis and Reporting System) would be decommissioned. Publicly available data systems designed to bring transparency to our too-opaque system, such as California's Child Welfare Indicators Project (2023), would also be retired. Absent some form of administrative data transparently reported, we would not know if maltreated children were safe, if disproportionality in risk or harm was occurring, or how maltreated children served by their local communities fared as they reached adulthood. Health services might be a host for such efforts, but their work has largely been limited to injury and mortality.

Such data concerns are not limited to administrative records. Our ability to conduct qualitative research and to administer surveys is predicated on knowing who is being provided a given service. Data from service recipients help us understand what aspects of interventions are helpful (Fuller et al., 2015), when families feel disrespected or harmed (Merritt, 2020), or what components of youth transition services are desired and received (Courtney et al., 2011). Such data are critical for improving the acceptability and accessibility of care but are subject to bias if the potential sample population is unknown. Relatively new capacities to triangulate quantitative and qualitative data are allowing for better evaluation of policy and practice innovations. The eradication of state and federal policies and formal child welfare systems would eliminate funding mechanisms and data structures for understanding what happens to society's most vulnerable children.

6 | DISCUSSION

We have illuminated four essential functions that would need to exist to ensure some degree of child safety and permanence: (1) community signals of risk or harm; (2) assessment of need coupled with a proportionate response; (3) rights protections to ensure legal and affective permanency; and (4) procedures for system accountability. The call for child welfare abolition not only ignores changes that are already occurring but offers little beyond a promise that families and communities will naturally develop effective alternatives without policy structures, funding or accountability mechanisms. In the meantime, rising public acceptance of abolitionist tenets may be negatively impacting the child welfare workforce, already strained prior to the ascendance of the current movement. Anecdotal evidence suggests that recent enrollment declines in Title IV-E professional training programmes are due in part to increasingly negative public sentiments surrounding

child welfare professionals, stoked by abolitionist rhetoric (Gormley, 2023; Quality Improvement Center for Workforce Development, 2022). As well, voices advocating for the repeal of mandatory reporting requirements (e.g. Pendleton et al., 2022) and those associating work in CWS with supporting oppression rather than responding to child safety (e.g. Dettlaff & Copeland, 2023) may be hindering active reform efforts by exacerbating longstanding CWS workforce shortages.

There is no evidence anywhere on the globe that children are immune from abuse or neglect (Hillis et al., 2016). To that end, it is difficult to imagine how eradicating the only structures that exist to address this issue would result in any outcome other than jeopardizing the safety and well-being of children as well as reducing accountability to the families that CWS serves. We wholeheartedly agree that significant reforms are needed to ensure child maltreatment cases are detected with more accuracy and that there is a proportionate and equitable response to needs and risk factors. We also believe that prevention should be a priority in policy and funding—either within or outside CWS. We offer a few evidence-informed measures to enhance practice, research and policies that we believe would address these goals, and reduce racial and social inequities. Given space constraints, these proposals are by no means exhaustive.

6.1 | Implications for practice

6.1.1 | Prioritize safety

Given the available evidence, there is strong justification for retaining some version of a regulated and systematic way of receiving and responding to community signals of harm. Finding the optimal balance between CWS involvement and intrusion without sacrificing child safety is one of our biggest challenges. Analysis of hotline data suggests that suspected reports of maltreatment often represent valid concerns about family functioning and child outcomes (e.g. Jonson-Reid et al., 2009; Vachon et al., 2015). Still, given the variation in the depth and content of training, standardization of reporter training may be a promising approach to increase the accuracy and appropriateness of referrals (Baker et al., 2021).

At the same time, we should focus our efforts on reassessing current child abuse and neglect statutes. Based on this reassessment, we should aim to more narrowly focus on the behaviours that cause harm to children, thereby reducing the total number of referrals to only those that can be appropriately served by CWS. While some advocates of abolition view child maltreatment reporting as intrusive, child protection workers also provide critical linkages to services (Vachon et al., 2015). Having an alternative system for reporting concerns that do not rise to the level of maltreatment, such as the ‘warmlines’ initiative in Philadelphia, may be one means of reducing referrals requiring a CWS response (Casey Family Programs, 2020; Fliss, 2023). Warm-lines (i.e. helplines) proffer an alternative to CPS hotlines for callers who request supportive services and/or express concerns about a child or family. Limited research suggests that such lines offer

resources that are deemed helpful by callers and that they are actively used (Young et al., 2016), but to our knowledge, no study has yet evaluated whether they reduce child welfare involvement.

6.1.2 | Enhance services to support prevention and permanency

The evidence on whether most jurisdictions provide reasonable efforts to preserve families is thin, and agreement about the meaning of ‘reasonable efforts’ has never been made clear at the legislative level or in the courts (Crossley, 2002), thereby leaving room for varied interpretations, assumptions and biases. Further, services are not always available or commensurate with need and client preferences (Lorthridge et al., 2012; Maguire-Jack & Klein, 2015). Evidence-based services that are delivered as part of an external prevention infrastructure to support equitable access to family preservation and permanency are needed.

6.1.3 | Align appropriate services to address needs

A system that is embedded in the values of social work would ensure that CWS is non-punitive, supportive, respectful, family-focused, trauma-informed, guided by evidence and culturally responsive. Our evidence base regarding the match between assessment and services as currently provided, however, is scant and inconsistent (Jonson-Reid et al., 2017). For example, family group decision-making is a model that has been suggested as promising to bring together all parties and external systems to assure child safety and build on family strengths. A recent review suggests that the data on this approach relative to outcomes like maltreatment recurrence and permanency is still thin and of relatively low quality (McGinn et al., 2020). More research is needed to understand if there are specific practices related to this approach that improve outcomes. In addition, the use of parent mentors with lived CWS experience is gaining some research attention with a recent review suggesting promise in helping families achieve positive permanency outcomes (Saeteurn et al., 2022). These current reform approaches warrant greater attention.

6.2 | Implications for future research

There is an untapped capacity to inform practice and policy with science that could support and serve families and children in more broadly acceptable ways.

6.2.1 | Evaluate effectiveness of differential response

Although the effectiveness of connecting families to services and prevention of recurrence has been mixed (Jones, 2015; Kyte et al., 2013),

recent work suggests reduced substantiation and foster care rates in states that have implemented differential response (Fluke et al., 2019; Johnson-Motoyama et al., 2023). There is a great deal of variability in this approach, however, warranting further in-depth research to identify models that assure fairness and equity in the prevention of foster care.

6.2.2 | Integrate effectiveness-implementation hybrid designs

Future research should examine whether innovations in current referral systems improve levels of child safety and well-being, change the likelihood of any racial or ethnic group being referred inappropriately and create efficiencies that can be invested back into prevention and evidence-informed services. Furthermore, while there are evidence-based practices that hold promise in reducing recurrent maltreatment and preserving or reuniting families (e.g. parenting interventions, substance abuse treatment approaches), testing of such efforts within or in concert with child welfare is just emerging (Jonson-Reid et al., 2023). And, while some efforts have focused on what interventions, policies or practices are effective for whom and under what conditions (Garcia et al., 2019, 2020), results are often mixed due to variability in workforce training, organizational dynamics, settings, policies and practices. To that end, new research in this space must implement effectiveness-implementation hybrid designs. These designs integrate implementation science research while also assessing the effectiveness of alternative methods for screening, assessment, investigation and service provision. Instead of ignoring the variability, implementation research seeks to understand the nuance. Under what conditions, in what organizational settings, and in what policy landscapes are the interventions, policies and practices effective or ineffective?

We must also engage in more rigorous qualitative research, leveraging data from persons with lived experience to better understand service acceptability, accessibility and implementation. Such research should engage persons who did, and did not, receive CWS as well as those who played a range of roles in service provision. To broadly assess the impact of services on outcomes such as child fatality, injury, behavioural health and family preservation, we must also continue to collect and analyse quantitative data.

6.2.3 | Enhance data metrics

While our ability to track information has greatly improved over the past 30 years, there remain several limitations. CWS is interdependent on other community services, yet few models exist that link data across systems. Linkage to other data like census or policy information to note time and population-specific changes may improve our understanding of how to support families and where to target funding (Chang et al., 2022). Mixed method approaches that link administrative data to survey and qualitative information are rarely employed.

Improving services requires information and feedback about what is working and for whom. It requires studying innovations in practice (e.g. Saeteurn et al., 2022) as well as areas of individual worker practices that may require immediate attention (e.g. Merritt, 2020). These factors, however, are often not readily tracked in our administrative data systems. Developing an integrated approach to data collection and analysis would enhance the quality and responsiveness of services (e.g. Grobe et al., 2017).

6.3 | Implications for policy

6.3.1 | Re-institute waivers

Variation in practice is cause to re-institute the federal Title IV-E waiver process. Connecticut (Sieger et al., 2022) crafted a hospital-based deidentified notification process to divert infants with prenatal substance exposure, but without safety concerns, away from CWS. Their rigorous evaluation found that over half of infants were diverted during the first 2 years. This is the kind of innovation and testing that needs scaling up. We could expand waivers to aspects of the Child Abuse Prevention and Treatment Act (e.g. reporting requirements) and the Adoption and Safe Families Act (e.g. time limits) to test innovations in case finding and response to family needs. Significant evaluation funds should be dedicated to better capture outcomes of policy and practice innovations. The elimination of Title IV-E waivers in favour of a singular approach required of all states is not likely an effective or equitable path forward.

6.3.2 | Recognize the salience of reducing poverty

As reformists, we share the significant concern raised by abolition proponents about higher reporting for black and Native American children. We recognize that these trends largely prevail for reasons associated with poverty and other historical and structural features of racism and disadvantage. Some localized studies showed that racial bias may be implicated in child maltreatment reporting (e.g. over-testing under some maternal health protocols; Jarlenski et al., 2023). The weight of evidence from large-scale studies, however, indicates that when family poverty is statistically controlled (Kim & Drake, 2018; Putnam-Hornstein et al., 2013), and compared with other measures of external risk (Drake et al., 2011, 2023), black children are not more likely to be referred to CWS. In some states, particularly in the South, the raw reporting data for black children is equal to or lower than for whites (Smith & Pressley, 2019). Large-scale report rate differentials do not support overreporting based on racial bias (Barth et al., 2021), further supporting the need to implement best-case poverty reduction strategies. After conducting micro-simulations to assess the impact of these strategies, Pac et al. (2023) found that maltreatment investigations would decline between 11% and 20%. The authors speculate that foster care entries could decline by 16 000–23 000 annually. Growing evidence shows that addressing

poverty would shrink the number of referrals called into the CWS hotline (e.g. Drake et al., 2022), with disproportionate positive impacts on families of colour (Pac et al., 2023).

Further, we need new initiatives to help CWS address the emergent economic needs of families that tip them towards child welfare involvement. Few states have robust and flexible funding for emergency services to address concrete needs and cash assistance. If responding to poverty, in general, helps reduce child maltreatment, then targeted responses to address financial hardships also seem worthy of broader testing.

6.3.3 | Support the child welfare workforce

There have been several studies suggesting reasonable caseload sizes and workload management approaches improve service provision (CWIG, 2022; Kim et al., 2019). The Title IV-E training programmes were developed to help create a pipeline of well-trained child welfare workers (Zlotnik & Pryce, 2013) with some evidence suggesting improved case outcomes (Leung & Willis, 2012), an increasingly diversified workforce and enhanced leadership capacity (Piescher et al., 2018). Any reform must include sufficient resources to hire and retain a high-quality workforce.

For families that become involved in court-mandated intervention or foster care, reforms to ensure the sufficiency of well-trained legal workers and advocates to promote the rights of all parties are needed. Some states provide legal representation to children in out-of-home care, but not all, and guardian ad litem and Court Appointed Special Advocate support is uneven across states and jurisdictions. Recent federal guidance allows for Title IV-E reimbursement for the administrative costs associated with legal representation for children (Children's Bureau, 2023e)—another indicator that reform, though limited, is underway. Like child and parent attorneys, juvenile court judges usually have significant workloads, rendering fair and equitable decisions questionable. Policy and funding adjustments to support a well-trained, stable panel of judges who have the time and resources to ensure equitable justice are critical.

6.4 | Critical reflections of recommendations

There are a few reflections or cautionary remarks we must delineate in response to our recommendations. First, we realized that we are currently operating within the confines of a child welfare system that only responds to cases in which children are maltreated or at risk of future harm. Unlike the USA, other developed countries favour a holistic approach with accessibility to more resources and benefits to meet the basic needs of all children and families (Berger & Slack, 2014; Slack & Paul, 2017). Thus, our recommendations—such as creating an external prevention infrastructure, reducing poverty and financial hardships, providing waivers and developing alternative systems for reporting concerns—challenge the existing infrastructure of the US child welfare system to shift away from its narrow focus on child safety.

Second, we encourage readers to reflect upon why the abolition debate in the USA has not stirred similar controversy in other spaces across the globe, though there may be signs that this too is changing (see Mistic, 2023). While we do not have empirical evidence to address this question, we argue that child welfare workers and advocates across our international borders should remain vigilant of the contentious debate and how it may reflect larger political, racial and social tensions.

Third, we must caution that implementing any single recommendation is unlikely to lead to transformational change. Rather, we envision these recommendations as a collective and holistic roadmap for (1) improving outcomes for all children and families and (2) mitigating racial inequities in exposure to economic hardship and access to services and programmes.

Finally, the upEND movement is rooted in advancing the rights and protections of parents and largely neglects considering children's rights to live lives free of violence. Our emphasis on the four essential functions of CWS and related recommendations represent our concerted effort to balance the rights of parents and children.

6.5 | Conclusion

A healthy society builds on the success of families and children raised in safe and nurturing environments. All systems, from health care to education to CWS, are flawed and have, at times, done harm. The particular focus on abolishing CWS to resolve harm may seem attractive because it is a straightforward action that leaves the responsibility for the outcomes to some future unknown set of community leaders. We must neither become apologists for current systems nor deny the reality of the needs around us. That means we must be accountable for (1) findings about harms that have occurred within CWS, (2) our woefully inadequate attention to preventive economic, social and mental health supports, which jeopardizes the safety of children, and (3) the need to intervene when child safety cannot be maintained by existing family systems. As scientists and advocates for children, we see the debate on abolition as a crossroads of sorts. We propose a path forward that involves greater community and scientific collaboration to advance multiple reforms, with increased emphasis on accountability and rapid response to ineffective and inequitable approaches. We are committed to relying on scientific evidence to reimagine policies and programmes that build and sustain supportive communities for families.

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CONFLICT OF INTEREST STATEMENT

We have no conflicts of interest to disclose.

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ENDNOTE

¹ For the purposes of this paper, child welfare services include child protective service agencies, in-home services and foster care.

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