**ORIGINAL ARTICLE** 



# Securing permanence for children in care: A cross-country analysis of citizen's view on adoption versus foster care

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# Abstract

If children in child protection cannot be cared for by their natural parents, should they be adopted or live in foster home? Results from a study of representative samples of populations (n = 12330), in eight European countries—Austria, England, Estonia, Finland, Germany, Ireland, Norway and Spain-and California, USA, reveal that people would recommend adoption over foster care, if a child in public care cannot grow up with their natural parent(s). There are cross-country differences between populations, and examining if institutional context such as type of child protection system explains differences, we find that child maltreatment-oriented systems are more supportive of adoption than other types of systems. Citizens having little confidence in the child protection system were only weakly correlated with preference for adoption. In conclusion, people prefer adoption as placement options for children in care are more than foster homes, and possible this finding reflects a sort of refamalialization of children into the private sphere.

# KEYWORDS

adoption, child protection, cross-country comparison-populations, foster care

#### INTRODUCTION 1

Globally, there are millions of children that for various reasons cannot be cared for by their birth parents. Governments across the world have, as signatories of the UN Convention on the Rights of the Child (CRC, 1989),<sup>1</sup> obligated themselves to protect these children. Article 19 in the CRC makes it clear that states have a responsibility to have a child protection system, with the associated responsibility to intervene if parents are unwilling or unable to care for their child. Although the CRC outlines the same obligations, there are huge variations in how states have organized and facilitated roles and functions of their child protection systems<sup>2</sup> (Berrick et al., in press; Gilbert et al., 2011). One of the areas in which variations are especially evident is the ways to respond in cases of child removal from home. If children cannot be raised by and grow up with their birth parents, it is advised by the

CRC that children's permanency should be secured a safe, loving and stable family home to grow up in (CRC Article 20; see Berrick et al., in press; Palacios et al., 2019; Pösö et al., 2021a). CRC Article 20 underscores the responsibility of states to make sure children in precarious circumstances and being unable to live with birth parents and have alternative care including foster care, kafalah, adoption and if necessary, institution. Adoption is however considered controversial because it involves irreversibly terminating legal bonds between birth parents and the child and is therefore considered a much more intrusive intervention than a temporary placement in a foster family. For example, the European Court of Human Rights (ECtHR) has stated that only in exceptional circumstances and with an overriding child's best interest consideration could (and should) the parental rights be terminated (Breen et al., 2020). The Court has made it a principle that all placements of children in public care should seek reunification with

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birth parents/family and thus be temporary (Grand Chamber judgement Strand Lobben and others Norway, 2019). Clearly, this is a principle that must be interpreted with caution as there are children that cannot and should not be raised by their birth parents, but how strong the Court will hold on to this principle in child protection cases is yet to be determined (Fenton-Glynn & Sloan, 2021).

There is broad agreement that adoption as a child protection measure should only be considered for children that are in public care because they cannot be reunified with birth parents or wider family; however, it is also clear that much research show that adoption for this group of children is overall the best way to secure them legal, relational and residential permanence (Palacios et al., 2019; see also Pösö et al., 2021b). Furthermore, CRC Article 20 explicit mentions in Section 3 that decision makers must have due regard to 'the desirability of continuity in a child's upbringing'. In this mixture of principles, there is no surprise there is a wide range of differences in how states and their citizens view the border between public and private responsibility for children, when it is legitimate to intervene into the family and how to secure the rights of children in public care (see Berrick et al., in press). However, we do not know much about how the citizens-those that have authorized legislators to make laws and to subscribe to supra-national conventions and agreements-view these matters. In a study published in 2017, it is shown that in California (USA), England, Finland and Norway, a substantial majority of the populations are favourable to adoptions from care and more so in California and England (Skivenes & Thoburn, 2017).

In this paper, we wish to broaden the knowledgebase on citizen's opinions on states interventions and restrictions of parental rights and their protection of children's rights. We ask representative samples of people in nine jurisdiction which placement option they would recommend for a child that cannot be reunified with their natural parents. A cross-country comparison examines if there are differences between countries, and if so, may these differences reflect institutional contexts of child protection systems? Furthermore, is people's confidence in the child protection system related with how citizens view placement options for children in public care? We use representative population survey data from eight European countries plus California (USA) (for simplicity we also label the state of California, USA, a country) to answer our research questions. The study improves our knowledge about child protection systems' role and place in societies by examining societal values and norms about placement alternatives for children in care.

In the following, there is an outline of the empirical field, followed by a section on previous research and thereafter theoretical platform focusing on institutional context and confidence. Thereafter, method section, findings and the article end with discussion and concluding remarks.

#### 2 PLACEMENT OPTION FOR CHILDREN IN PUBLIC CARE

Children in need of protection and public care meet very different child protections systems across the world (Berrick et al., in press). For those countries that have established public care for children that

cannot live with their birth parents, there are typically two main types of placements options: residential units and foster homes. Some countries usually use residential units, such as, for example, Denmark, Russia and Romania; others dominantly use foster homes such as, for example, Norway and Finland. The trend is that more countries are using various type of foster homes because it is considered a better option for children (Berrick et al., in press; Courtney & Iwaniec, 2009). In 2019, the focus on family-based care arrangements was underscored by a unanimous decision by all 193 members of the UN General Assembly's subscription to the Resolution on the Rights of the Child in December 2019, committing members to secure children in need of public care are placed with a family (UN General Assembly, 2019).

Some of the children in public care cannot be reunited with their birth parents or birth family, and many countries have a legal opportunity to terminate parental rights and let the child be adopted by a new family (Palacios et al., 2019; Pösö et al., 2021a). The degree that countries actually use the formal opportunity to let children be adopted from care varies (Berrick et al., in press: Pösö et al., 2021a). A detailed outline of adoption practice in the nine jurisdictions included here can be found in Pösö et al. (2021a). In England and the USA, for example, adoption from care is an explicit policy choice to secure children permanency (Berrick, 2021; Thoburn, 2021), whereas in Ireland and Finland adoption is only rarely used (Burns & McCaughren, 2021; Eriksson & Pösö. 2021). There seems to be an increased attention in on the use of adoption from care, because it is believed to be in the best interest of the child (Berrick et al., in press; Breen et al., 2020; Helland & Skivenes, 2019; Pösö et al., 2021a). The recognized psychologist Prof Palacios, together with an interdisciplinary and international team of researcher in the field, point out '... that adoption provides a legitimate model for the alternative care of children if undertaken within a rights and ethics framework that emphasizes children's best interests, as set out in international conventions and national laws' (Palacios et al., 2019, p. 57). The central point that this recommendation is based on is that adoption brings permanencylegal, residential, and relational-to the child and the family.

What we know from research and recommendations from experts is that adoptions as a child projection measure concerns children that is currently placed in state care or are under guardianship of the state. Adoption from care will imply a full or partial removal of custody from the parents, and often this also includes terminating parental rights and transfer them to another family. An adoption from care can be with or without the consent of the parents (Pösö et al., 2021a). What also seem to be clear, and as Palacios and colleagues underscore, is that adoption shall only be used with the highest regard to the specific child's best interests and in accordance with due process and decision-making proceedings that fulfil rational criteria of reasoning and critical reflection. It is not a measure that should be taken upon lightly or have any other aims than to protect and preserve a specific child's best interests.

The European Court of Human Rights has in several rulings stated that although adoption from care in some circumstances is necessary, 'such measures should only be applied in exceptional circumstances and could only be justified if they were motivated by an overriding

requirement pertaining to the child's best interests' (see, e.g. Johansen, cited above, § 78, and Aune, cited above, § 66) (Grand Chamber judgement Strand Lobben and others Norway, 2019, para 209). In Europe, there are variations between countries in terms of the number of children that are adopted from care (Fenton-Glynn, 2013; Pösö et al., 2021c). For example, in England, the portion of children adopted is 6.2% of the children in care, whereas in Finland the portion is 0.1% (Pösö et al., 2021c). In the USA, the percentage is 14.4% (Berrick, 2021). Available research on adoptions from care varies greatly between countries, with a range of studies from and often including information from England and the USA (Berrick, 2021; Thoburn, 2021) to countries where there are hardly any research or available information as, for example, in Finland, Estonia and Ireland (Burns & McCaughren, 2021; Luhamaa & Strömpl, 2021; Pösö et al., 2021c).

# 3 | PREVIOUS RESEARCH ON POPULATIONS VIEWS ON ADOPTION FROM CARE

Generally, there is little research on populations view on child protection and the child protection system (Helland & Skivenes, 2019; Skivenes & Benbenishty, 2022), and to our knowledge, there are only three studies that examine populations view on placements options that are including adoptions from care. These includes Skivenes and Thoburn's (2017) study of four country populations (England, Finland, Norway and California, USA) mentioned above, Helland et al.'s (2020) study of the Norwegian populations' attitudes towards adoptions, and Berrick et al. (2022) examining the impact of Norwegian and the Californian (USA) populations view rights and if and how this correlates with view on adoptions from care. The findings from all these studies display that most of the populations would suggest adoption, when presented with a specific case scenario followed by two placement alternatives, foster home or adoption. Thus, also in countries with nearly an absent practice of using adoptions, citizens are suggesting that adoption from care is the preferable option (Skivenes & Thoburn, 2017). In terms of demographic variables, there are contradicting results, such as individuals with children are in CA, USA, are less in favour of adoption, but opposite in Norway (Skivenes & Thoburn, 2017). However, individuals over 55 years are in all four countries of Skivenes and Thoburn's (2017) study of populations in CA (USA), England, Finland and Norway, less favourable to adoptions. To our knowledge, there is not any studies that examine the relationship between populations trust in the child protection system and their view on placement options.

# 4 | THEORETICAL PLATFORM AND HYPOTHESES

This study departures from a platform of policy theory (Roosma & van Oorschot, 2020; Svallfors, 1996, 2012; Valarino et al., 2018), which can be associated with the policy feedback literature (i.e. policies

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affect politics over time, as shown by Béland, 2010) and policy responsiveness theory (i.e. politicians are aware and incentivized by the population's preferences on policies, as shown by Brooks & Manza, 2006). A basic premise for these branches of policy theory is that public attitudes and preferences are independent variables that explain. or are correlated with, the presence of the normative foundations of a public institution and policy formation within a field (see, e.g. Kumlin & Haugsgjerd, 2017). As of lately, several studies have examine the child protective system (Berrick et al., 2022a; Helland et al., 2022; Skivenes, 2021; Skivenes & Benbenishty, 2022) and the welfare state policies (Roosma & van Oorschot, 2020; Svallfors, 1996, 2012; Valarino et al., 2018) with the opposite approach: Public attitudes, preferences and opinions are regarded as a dependent variable, in which policies and welfare institutions influence citizens' attitudes and their perspectives on the role and status of the welfare system and its values and norms. The empirical focus is an understudied part of the welfare state, the child protection system that shall protect children when the family or parents are maltreating or neglecting them. In general, welfare states have various components in place to protect children from maltreatment and neglect, including actors and groups of professionals such as the legal system, medical practitioners, law enforcement personnel, educators, social and welfare workers and child protection agencies (Burns et al., 2017, 2019; Gilbert et al., 2011; Schmid & Benbenishty, 2011).

Child protection systems in high-income countries are usually categorized into three types (Gilbert et al., 2011; see Berrick et al., in press) based on the level of risk the system aim to take responsibility for (Berrick et al., in press): child maltreatment; child well-being and child rights. A child maltreatments protective system has a relatively high threshold for intervention towards the family and a focus on children's health and safety. The system in California, England, Estonia and Ireland is typically included in this category as their primary focus is on responding to child safety concerns and minimizing risk to children. The English system has been described as a hybrid, leaning towards a child well-being protective system, but reactive and risk oriented in response to high-profile cases (Parton & Berridge, 2011; Thoburn, in press). A child well-being protective system aims, in addition to providing help and support to families, to prevent and reverse negative developments for the child. Austria, Germany and Spain are typically categorized as child well-being protective systems. A child rights protective system has an additional strong focus on children's rights and needs, in which the individual rights of the child have precedence. The Finnish and Norwegian systems are usually categorized as child right protective system, which denotes a strong protection of children's rights (Hestbæk et al., in press; Pösö, 2011; Skivenes, 2011; Tefre, 2020). A detailed presentation of these child protection systems is presented in Berrick et al. (in press), and in table below, the nine jurisdictions are categorized by system (Table 1).

Emphasizing the three systems increasing willingness to restrict parents' freedom and to make interventions into the family to protect and provide for children, we aim to measure the degree of state intervention into the private sphere that is found acceptable by citizens. Thus, our first hypothesis is as follows: <sup>₄</sup> WILEY-

| Child protection system orientation | Child maltreatment protective         | Child well-being protective | Child rights protective |
|-------------------------------------|---------------------------------------|-----------------------------|-------------------------|
| Countries                           | California, England, Estonia, Ireland | Austria, Germany, Spain     | Finland, Norway         |

**H1.** Choosing adoption from care is correlated with the type of CPS system in place, that is, citizen's in a child right protective system (Finland and Norway) are more favourable to adoption (see Tefre, 2020) than citizen's in child well-being protective systems (Germany, Spain and Austria), which is again more favourable to adoption than child maltreatment protective systems (England, Estonia, Ireland and California).

Following the theories on institutional context, in which policy practice is measured, we expect citizens that live in a context where adoption is much used will be relatively more supportive of adoption compared with citizens living in a context in which adoptions are less frequent. Foster home is the baseline for placement option for children that cannot live at home with their natural parents in most highincome countries, and to a varying degree are adoptions from care used.

**H2.** People's sentiments on adoption from care are correlated with actual practice. Specifically concerning the nine countries involved in this paper, the expectation is that CA, USA, followed by England, and Spain will have a high degree of agreement on adoptions, whereas the remaining countries will have a relative lower acceptance of adoptions with marginal differences between the countries (but if to be ranged in decreasing order, Estonia, Austria, Norway, Ireland and Finland) (see Pösö et al., 2021c).

Our third hypothesis is that citizens' willingness to support government services and responsibility is correlated with populations' confidence in the child protection system. The topic of trust and confidence in governments are core themes in political science, and trust is a fundamental value in the conceptualizations of legitimacy of representative democracies (Dahl, 1971; Zmerli & van der Meer, 2017). However, citizens' experience of and trust in public administration, the output side of politics, may be equally important for the legitimacy of the democratic order (Rothstein, 1998, 2009). Citizens' confidence and satisfaction in welfare state functions are likely to be influenced by a range of factors. This includes traditional trust in the system, including policies and political aims, trust in the effectiveness of the system or interventions, as well as trust in the professionals responsible for them. Other factors that can influence citizen trust may be based on personal experiences with the welfare state service and the legacy of government handling of the authority entrusted to it. Based on the literature and the fact that there are very few empirical studies of trust in the child protective system and thus our approach is

explorative, we use a simple and straightforward measure of trust. Furthermore, we measure the correlation between confidence level and continued and discontinued state responsibility. The idea we explore is that adoption from care overall implies that a private family will care for the child and that the state withdraws its responsibility. However, if the child remains in foster care, the child will continue being the responsibility of the state. Our third hypothesis is as follows.

**H3.** Individuals having high confidence in the child protection system are also favourable to foster care because it continues the government's responsibility for the child.

Based on previous research, we expect heterogeneity in terms of demographic and ideological background variables associated with preference of adoption vs. foster care. In the study of attitudes to placements options in populations in CA, England, Finland and Norway (Skivenes & Thoburn, 2017), gender, age and having children were of relevance. Women in the CA, USA, and individuals having children were more favourable to adoption from care, whereas individuals of higher age overall and in Norway and having children in CA, USA, were less favourable to adoption from care.

### 5 | METHOD AND DATA MATERIAL

#### 5.1 | Procedure

The study is based on online surveys conducted separately in nine jurisdictions in February–March 2020. A commercial data provider bureau, Response Analyze<sup>TM</sup>, was responsible for implementing the survey questions developed by the researchers and managed the sample recruitment and data collection in collaboration with partners in each of the nine jurisdictions. All respondents received the survey questions in the official language of their jurisdictions. Questions were developed in English and translated by researchers in the child protection field using the common practices of translation with thorough reliability testing.

#### 5.2 | Sample

The total sample size was 12 330 respondents (Austria n = 1022, England, n = 2905 Estonia, n = 1005, Finland n = 1016, Germany n = 2126, Ireland n = 1007, Norway n = 1212, Spain n = 1027 and California n = 1010). The respondents formed nationally representative samples of the adult population (18+ years old) on some demographic characteristics (gender, age and geography) in all countries except Estonia, where representativeness was only controlled for in relation to gender and age (Estonia is a small country in terms of population and geography). For Norway, representativeness was controlled for in relation to gender and age within each region. The standard procedure for ensuring representativeness is that if a demographic is under-represented in the sample, more respondents from this group are recruited. The samples are weighted so that representativeness is accurate based on given variables. Additional information about data from survey providers is available at https:// discretion.uib.no/projects/supplementary-documentation/populationsurveys/.

# 5.3 | Measures

To measure the acceptability of an intrusive state intervention, we use adoption from care as a dependent variable. To ensure comparability, we presented respondents with a vignette that was developed by first author and has been tested by professionals and laypersons to ensure realism and relevance:

> The following description is a condensed version of the information in a child welfare agency's case file. Please read the case and answer the question below. Charlie, a 2-year-old boy.

> Charlie was born seven weeks prematurely and spent four weeks in the hospital before his parents could take him home. When Charlie was ten months old, he was hospitalized. The medical examination indicated that he had been repeatedly physically abused. Due to the suspicion of physical abuse of Charlie, and to his parents' drug misuse, the child welfare system removed Charlie from his parents.

> When Charlie turns two years old, his parents are still misusing drugs, and the child welfare agency does not think it is realistic that Charlie will be reunified with his parents. The child welfare agency therefore considers either adoption or foster home.

> An adoption means that the biological parents' parental rights are terminated and transferred to the adoptive parents on a permanent basis. A foster home can be long term but is not permanent, and foster parents can terminate a contract about being foster parents for a child.

The respondents were asked the following: 'Based on the condensed information above, would you, as yourself, suggest adoption or foster home?' Answer alternatives (1) Adoption, (2) Foster home, (3) I do not wish to answer.

The portion of 'I do not wish to answer' was 11.1%, and these responses were coded as missing. The respondents were thereafter asked about confidence in the child protection system: 'Please tell us

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how much confidence you have in: 1. The child welfare agencies that protect children; 2. The child welfare workers who work at these agencies; 3. The judges of courts that make decisions on child removals'. The response scale was: (1) *very little*, (2) *some*, (3) *quite a lot*, (4) *a great deal*, (5) *unsure*. The proportion of uncertain responses ranged from 8.8% in response to the question on confidence in agencies to 10.8% to the question regarding confidence in judges. For some analyses, we distinguish between each statement and response category, and for some analysis, 'Unsure' respondents were coded as missing. An overall index of confidence was created by averaging the three separate scores (alpha = 0.85), and for some analyses, we use the latent variable (index) for our analysis. A detailed analysis of the confidence question can be found in Skivenes and Benbenishty (2022).

The background questions related to gender, age, education level and income level used the standard formulation of the data provider. Questions regarding education, income level and political orientation were developed separately for each country and categorized by the local partners into low, average and high. Political opinions were categorized as left leaning, centrist or right leaning.

#### 5.4 | Analysis plan

We first conducted descriptive analyses of all study variables. We then conducted bivariate analyses (chi square and *t*-tests) to examine the relationships between the recommendation (adoption vs. foster care) and all independent variables. For categorical variables, we used as a measure of the strength of association, Cramer's V. We also conducted ANOVAs on the proportion of respondents choosing adoption and carried out post hoc comparisons between groups using Bonferroni alpha correction. Finally, we conducted multivariate logistic regression with the recommendation as a binary dependent variable, and all the variables that showed significant bivariate relationships were included as independent variables in the regression. Given the large sample size, we used a conservative significance level of P < .001.

# 5.5 | Ethics

The study was conducted according to the ethics guidelines of the first author's university.

# 6 | FINDINGS

We first examined if participants recommended adoption vs. foster care, and the results show that three out of four chose adoption in this situation (see Table 2). Furthermore, the findings show that there were large variations between participants from different countries. For instance, whereas 85.5% of the participants in England recommended adoption, 62.7% of the Norwegian respondents made this recommendation. These differences were significant ( $X^2_{(8)} = 374.75$ , *P* < .001 Cramer's V = 0.18). A post hoc analysis using Bonferroni

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**TABLE 2** Distribution (*N*, %) of the recommendation of adoption vs. foster home, by country and for the total sample

|            | Adoptio | Adoption |      | are   |       |
|------------|---------|----------|------|-------|-------|
|            | N       | %        | N    | %     | Total |
| England    | 2174    | 85.5%    | 369  | 14.5% | 2543  |
| California | 753     | 82.6%    | 159  | 17.4% | 912   |
| Estonia    | 676     | 80.6%    | 163  | 19.4% | 839   |
| Ireland    | 706     | 74.9%    | 236  | 25.1% | 942   |
| Spain      | 701     | 72.9%    | 260  | 27.1% | 961   |
| Germany    | 1235    | 68.9%    | 557  | 31.1% | 1792  |
| Finland    | 651     | 67.9%    | 308  | 32.1% | 959   |
| Austria    | 618     | 66.5%    | 312  | 33.5% | 930   |
| Norway     | 678     | 62.7%    | 403  | 37.3% | 1081  |
| Total      | 8192    | 74.8%    | 2767 | 25.2% | 10959 |

**TABLE 3** Recommendation of adoption vs. foster care by child protection system

|              | Adoption |      | Foster care |      |  |
|--------------|----------|------|-------------|------|--|
|              | N        | %    | N           | %    |  |
| Maltreatment | 4309     | 82.3 | 927         | 17.7 |  |
| Well-being   | 2553     | 69.3 | 1129        | 30.7 |  |
| Rights       | 1329     | 65.2 | 710         | 34.8 |  |

correction indicated that England and California had significantly higher proportion of participants recommending adoption, whereas the proportion of recommending adoption in Germany, Finland, Austria and Norway was significantly lower.

Examining whether the respondent's recommendation is associated with the type of the country's child protection system, the findings show that participants from countries with a maltreatment protective system tend to recommend adoption more than participants from countries with child well-being as well as child rights protective systems (see Table 3). These differences are highly significant ( $X^2_{(2)} = 314.11$ , *P* < .001 Cramer's V = 0.16) and in the opposite direction of our expectations. A post hoc analysis of variance on the proportion of choosing adoption (using Bonferroni correction) indicated that 'Maltreatment' system had significantly higher proportion of supporting adoption whereas both 'Well-being' and 'Right' systems had significantly lower support for adoption.

#### 6.1 | Confidence

We also examined the association between levels of confidence and recommendation by conducting a series of *t*-tests, comparing the mean level of confidence between those who recommended adoption and those recommending foster care. Table 4 indicates that among those who recommended adoption, levels of confidence in the child welfare system were lower. The differences were not large, and with

the level of confidence set for this study, only confidence in child protection *agencies* was significant: Whereas the mean confidence among those who recommended adoption was 2.37 (SD = 0.84), it was 2.44 (SD = .85) among those recommending foster care ( $t_{(10,047)}$  = 3.93, *P* < 0.001).

# 6.2 | Demographic background variables

We examined the relationships between the recommendation of adoption and foster care and the participant's characteristics. Three variables were significant age, family status and income level. The following were not significantly associated the recommendation: gender, city size, rural-urban, employed/unemployed, political position, having children and education. There is a significant (but weak) association between age and recommendations (see Table 5): Younger participants tended to recommend more adoption ( $X^2_{(2)} = 21.67$ , *P* < 0.001 Cramer's V = 0.04): Whereas 77.9% of the younger participants recommended adoption, 73% of the older participants made this recommendation.

Participants who were in partnership after the civil partnership act tended to recommend adoption more than any other groups (79.1%) (see Table 6), and participants who were married tended to recommend adoption less than any other group (69.6%). Recommend-ing adoption or foster home were significantly associated with family status ( $X^2_{(2)} = 53.96$ , *P* < 0.001 Cramer's V = 0.07).

Low-income participants were in favour of foster care (30.1%) more than average (24%) and high-income participants (20.8%) (see Table 7). The association between the recommendation and income was significant ( $X^2_{(2)} = 57.23$ , *P* < 0.001 Cramer's V = 0.08).

Finally, we conducted multivariate logistic regression analysis to examine the degree to which the recommendation could be predicted based on the country's child protection system and the participants' trust in the child protection system (i.e. the mean trust in agencies, professionals and courts) and their background characteristics that showed significant bivariate association with the recommendation (see Table 8). In this multivariate analysis, the parameters for each predictor take into account the presence of all other predictors in the equation. Odds ratios that are larger than one indicate that the category compared with the reference category is more likely to recommend adoption.

Overall, the Nagelkerke pseudo R square of this multivariate logistic regression is of a modest size (0.26). The findings show that participants from maltreatment protective systems are much more likely to recommend adoption compared with the participants from well-being and rights protective systems. In fact, the odds' of participants from maltreatment-oriented systems are more than two times higher (2.72) than the odds of other participants; this is the strongest predictor in this equation. The results also show that younger participants and unmarried ones are more likely to recommend adoption (odds ratios of 1.28 and 1.25, respectively). The odds ratio of income is smaller than one (0.84), indicating that participants who said that their income is lower than average tended to recommend less

 TABLE 4
 Mean (SDs) of confidence

 levels in child protection by
 recommendations

|                 | Foster c | Foster care |      | n    |                                 |
|-----------------|----------|-------------|------|------|---------------------------------|
|                 | м        | SD          | м    | SD   | t-test                          |
| Agency          | 2.44     | 0.85        | 2.37 | 0.84 | $t_{(10047)} = 3.93, P < 0.001$ |
| Social workers  | 2.49     | 0.86        | 2.45 | 0.84 | $t_{(9930)} = 2.45, P < 0.05$   |
| Judges          | 2.55     | 0.87        | 2.51 | 0.87 | $t_{(9836)} = 2.02, P < 0.05$   |
| Mean confidence | 2.49     | 0.74        | 2.44 | 0.75 | $t_{(10,275)} = 2.78, P < 0.01$ |

#### TABLE 5 Recommendation of adoption vs. foster care by age

|                 | Adoption<br>N % |      | Foster care |      |  |
|-----------------|-----------------|------|-------------|------|--|
|                 |                 |      | N           | %    |  |
| Younger (18-34) | 2184            | 77.9 | 621         | 22.1 |  |
| Mid-age (34–54) | 2825            | 74.5 | 966         | 25.5 |  |
| 54+             | 3183            | 73.0 | 1178        | 27.0 |  |

adoption. Finally, the odds ratio of mean trust in the child protection system is significantly above one (1.25), indicating that those who have more trust tend to recommend adoption.

Note that Table 4 showed an opposite trend (that more trust is associated with recommending foster care). In order to explore this finding, we conducted a bivariate logistic regression that included only confidence in the child protection system as a predictor of recommendation and found that the odds ratio was 0.92 (P < .05), indicating again that more trust is associated with recommendation of foster care (as Table 4 shows). The conclusion is that when all independent variables enter the equation, the direction of association between trust and recommendation changes, due to ways other variables are associated with trust and the recommendations.

# 7 | DISCUSSION

This study explore citizen's opinions on child protection and on how to secure children safe upbringing when they cannot live with their birth parents. The findings display that a large majority of citizens (three out of four) have a clear preference for adoption for the child in the described situation, and there are significant country differences with the English population on top with 86% favouring adoption and Norwegian population on bottom with 63% favouring adoption. This is a finding that corresponds with previous population studies on placement options (Helland et al., 2020; Skivenes & Thoburn, 2017), but it is also a finding that makes us raise a question of an asymmetry between legal and political discourses on adoption from care and populous opinion. It is very clear that presented with a choice between adoption and foster home for a child, most people prefer an adoption, which would sever the legal bonds between a child and birth parents. Similar findings are evident in many countries across the world, as shown in a study of 60 jurisdiction (Skivenes, In preparation).

Our first hypothesis, that population would be approximately on par with their child protection system orientation, was confirmed, but not in the direction we anticipated. Our assumption was that child right-oriented systems would have citizens that would prefer adoption because adoption would best secure children's rights to permanence and hereunder family life and increase the likelihood for a good outcome for the children as adults. However, our findings display that maltreatment protective systems-CA, USA, England and Estoniahave the highest portion of citizens preferring adoptions-which is considered, by way of example by the European court of human rights, a highly intrusive child protection intervention. However, this finding corresponds with our second hypothesis, which anticipated that citizens align with the child protection practice in their institutional context. CA, USA, England and Estonia are the three countries of those included in this study, having the highest portion of adoptions from care in their child protection system, with CA, USA, and England by far having most adoptions. Surely, because the countries with child maltreatment systems also are the countries with a high prevalence of adoptions, it is impossible to distinguish a system explanation from a practice explanation.

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One reason for these mixed results may be found in the ambivalence of the measure of adoption from care—it is considered both intrusive and draconian towards the parents but then simultaneously highly beneficial for the child, securing the child permanency and family relations for life. Thus, an individual's rights orientation might be a strong determinator of how placement options are regarded, that is, if a person would rank children's rights over parents' rights or vice versa.

A learning point from these results is that the typology of child protective system may benefit from being informed by the ongoing practice. Within child protection, there are some trends that are more prevalent in some countries, and not others but without being a key feature in forming a typology.

Our third hypothesis anticipated that citizens having confidence in the child protection system would choose foster home and vice versa. For the bivariate analysis, this was confirmed, but when conducting a multivariate analysis, the results turned around so that high level of trust was correlated with choosing adoption. Although it is not unusual that a multivariate analysis could alter results, it is evident that we need to explore this relationship between confidence and child protection measures in further detail. Perhaps a more elaborated measure of confidence may reveal other results (see. e.g. Loen & Skivenes, In preparation).

We also find that people of younger age, who are not in the 'married group' and with high income, are more favourable to adoption, Possible explanation, which also has been pointed out by others, is



#### TABLE 6 Recommendation of adoption vs. foster care by family status

|   | Adoption |      | Foster Care |      |
|---|----------|------|-------------|------|
|   | N        | %    | N           | %    |
| Partnership after the Civil Partnership Act | 558      | 79.1 | 147         | 20.9 |
| Single                                      | 2695     | 77.8 | 767         | 22.2 |
| Living together with partner                | 1060     | 77.9 | 300         | 22.1 |
| Separated                                   | 1218     | 77.7 | 350         | 22.3 |
| Divorced                                    | 613      | 73.0 | 227         | 27.0 |
| Widowed                                     | 357      | 72.1 | 138         | 27.9 |
| Married                                     | 914      | 69.6 | 399         | 30.4 |

 TABLE 7
 Recommendation of adoption vs. foster care by income levels

|                | Adoption |      | Foster Ca | are  |
|----------------|----------|------|-----------|------|
|                | N        |      | N         | %    |
| Low income     | 2038     | 69.9 | 879       | 30.1 |
| Average income | 3624     | 76.0 | 1142      | 24.0 |
| High income    | 1218     | 79.2 | 319       | 20.8 |

that people with high income to a lesser degree will feel this part of the welfare state concerns them—which is empirically current in the sense that typically families in the child protection system are in the lover income scale. Those that are not married are possible less conservative in their family values and may be more open to consider adopting as a way of creating family, but also may have another understanding of what family relations consist of. Similar reasoning may be relevant for younger people as well. Compared with previous research (Helland et al., 2020; Skivenes & Thoburn, 2017), we do not see a clear pattern in demographic background characteristic except for age.

Child protection systems represent an immensely strong state power that simultaneously *secures and challenges* individual freedom and the privacy and autonomy of family life (Shapiro, 1999). This study of populations attitudes shows that in terms of the normative platform for child protection placements in nine different societies, it is a clear message that adoption from care is considered preferable compared with foster care placements. This is knowledge that previously has not been so clearly visible. The mere fact that the study covers so many countries/jurisdictions with different welfare states and child protection systems is a newsworthy finding both for the research community and for policy makers. Possible what these citizens are reflecting is what Tefre characterizes as the ethics of child refamalialization. In a study of the establishment of American adoption polices, Tefre (2015) point out that an

> ethics of child refamilialization is based on a conviction that at some point the interests of the child and the parents are no longer shared but become distinct, either because of the seriousness of abuse and neglect or because of the lack of parental progress in changing

their behavior. At this point, the standard assumption is that the child's welfare is no longer with the family of origin, and the state's only concern should be to provide the child with a new permanent home, preferably through adoption. This approach is clearly child centered, based on a concern for the child's welfare and development, seeking to remove the child from harmful situations and simultaneously seeking to quickly establish the child in a new and stable placement. (p. 94)

Tapping into the sociological debate about the importance of biological parents' structures (see for example Hamilton et al., 2007), people's attitudes are not in alignment with this paradigm. Instead, our findings may be associated with findings in Weigel's (2008) study of lay people's perception of family forms, aligning groups related by marriage, blood or adoption as family (p. 1437).

Our findings also make it relevant to discuss the standpoint of the position of the ECtHR in terms of securing permanency for children. The Court has taken a very strong position on statements around the principle of temporary care arrangements for children in care, although the Court is also aware that this is not a universal norm because adoption from care is a measure that the Court acknowledges is meaningful for children and are used in many countries (Breen et al., 2020). This seemingly under-communication by the Court on the importance of the permanency principle and children's right to a family life albeit it is not the natural family, may be highly problematic, as it is both in contradiction with the CRC Article 20 (referred to above), and as our findings display, the opinions of large portions of the populations in many of the Courts member states.

In child protection, societal norms and values are of importance for the legitimacy of a system and its practice, although the children in these systems seemingly often are not visible for legislators, judges and citizens. Possible, people's attitudes and viewpoints reflect a strengthened position for children in the societal discourse about inclusion, dignity and respect (see Clark et al., 2020; UNICEF, 2020). In many areas, there is a progress achieved in the 20th century, which has resulted in new sensitivities about human rights across the globe, with increased recognition of marginalized groups in society (UNICEF, 2017). Among these developments, the rights of children TABLE 8 Multivariate logistic regression to predict recommendation of adoption vs. foster care

|   |       |      |            | 99% confidence interval for odds ratio |       |
|---|-------|------|------------|--|-------|
| Predictors (reference category)                                 | В     | SE   | Odds ratio | Lower                                  | Upper |
| Child protection regime (maltreatment vs. well-being and right) | 1.00  | 0.05 | 2.72       | 2.42                                   | 3.053 |
| Trust in child protection agencies (mean)                       | 0.22  | 0.01 | 1.25       | 1.20                                   | 1.295 |
| Age (young vs. other)   | 0.29  | 0.06 | 1.33       | 1.15                                   | 1.540 |
| Marital status (other vs. married)                              | 0.25  | 0.07 | 1.28       | 1.08                                   | 1.528 |
| Income (low vs. others)   | -0.17 | 0.05 | 0.84       | 0.74                                   | 0.957 |

OR > 1 likely to recommend adoption.

have increasingly become a direct concern of the state (Archard, 2004; Shapiro, 1999; Skivenes, 2002, 2011). We suggest that further research should examine how people understand a measure as adoption from care, and for example, if it is a child right measure; or, perhaps regarded as a family disrupter or maker, or if it is considered an intrusive and punitive measure, or a way of reducing governments' responsibility—dimensions that may resonate with other dimensions of a government and requires other types of research investigations.

# 7.1 | Limitations

The total sample is large, and there is a sizeable number of individuals from each country; however, the representativeness of samples is secured on selected variables, and generally, some segments of the population are not participating, which undermines the representativeness. We have data from one state in the USA, California, and results cannot be generalized to all of the USA. Furthermore, as with all opinion surveys, the interpretations of questions and vignette will vary, and although we have gone to great lengths to secure accuracy in translations, it will still be a factor that may result in differences in our approach to respondents. A vignette also only covers a very specific description of a complex reality, and we cannot know how people would actually act or decide based on their expressed opinion that we measure her. Of course, the survey may also include biases that we have not thought of. Our study covers only high-income countries, and it would be beneficial to examine a broader set of countries both to examine further the hypothesis of institutional context and the typology of child protection system and to examine if a right orientation is a driver for understanding attitudes to placement options for children in care.

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#### DATA AVAILABILITY STATEMENT

The data that support the findings will be available in Transparency/ survey at https://discretion.uib.no/supplementary-documentation/ **#1552296903999-5fea5d9a-4dc9** following an embargo from the date of publication to allow for commercialization of research findings.

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#### ENDNOTES

- <sup>1</sup> The USA has not ratified the CRC, although the USA is committed to the principles of the CRC.
- <sup>2</sup> The term *child protection* characterizes public systems that are responsible for children at risk of harm or neglect from their caregivers or who may be at risk of harm to themselves or others. These may be referred to as *child welfare* systems. In child protection cases, it is typically the courts or other decision-making bodies that make decisions in the most intrusive interventions. Unless otherwise specified, the proposal uses the term *courts* to include both the strict traditional courts (e.g. district courts and appeal courts) and court-like, decision-making bodies (e.g. county boards, Magistrate courts and Tribunals).

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