

# Carceral kinship and social sorting: A framework for analyzing differential punishment through kinship ties

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## Abstract

This article develops the concept of *carceral kinship* to show how familial presence, absence, and perceived “fitness” operate as informal technologies of governance within juvenile justice. Seventeen months of ethnographic fieldwork in courts, prison, and juvenile detention in Freetown, Sierra Leone, revealed how relational visibility structures legal outcomes: children with present, legible kin are more likely to be granted bail, represented, or released, while those deemed socially unaccompanied routinely encountered delay, prolonged confinement, and transfer to adult prison. In a legal system shaped by colonial afterlives, humanitarian logics, and competing imaginaries of childhood, kinship is read as evidence of moral personhood, rehabilitative potential, and social worth. Children in conflict with the law are punished less for what they have done than for the futures they are presumed capable of inhabiting. Through assessing kin, legal actors translate class, disability, geography, and gender into actionable forms while leaving them formally unnamed. Carceral kinship marks the frictional space between lived kinship, its legal codification, and the institutional adjudication of personhood. Within the moral infrastructure of juvenile justice, recognition, protection, and abandonment are distributed through kinship.

## Keywords

carceral kinship, imprisonment of children, relational punishment, Sierra Leone, ethnography

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## Introduction: carceral kinship and the moral architecture of juvenile justice

Who shows up for you, that is what decides if you will go to prison and stay there, whether they will call your case or simply forget you. Family matters more than money, trust me. (Darren, follow-up interview, 2 July 2025)

In this article, I develop *carceral kinship* to show how familial presence, absence, and perceived “fitness” operate as moral technologies in juvenile justice. Carceral kinship captures how sociolegal actors read kin relations as evidence of moral personhood, risk, and social worth. It names the informal kinship test through which children become governable or are detained. During my research, children whose kin appeared in court, visited regularly, and conformed to normative family ideals were consistently treated as more suitable for bail, representation, or release. By contrast, children who were orphaned, estranged, street-involved, or whose carers were elderly, geographically distant, or living with disability, routinely experienced delay, warehousing in remand, or transfer to adult prison. Here, legible kinship becomes a condition for care, discipline, and ultimately for release.

My argument is grounded in long-term ethnography in Freetown and scholarship on kinship, (West) African childhoods, social exclusion, and the moral infrastructures of carceral governance. In the juvenile justice system, imported models of the innocent, dependent child, encoded in rights frameworks and the Child Rights Act (2007; revised 2025; Government of Sierra Leone 2007), collide with local understandings of children as relationally constituted and morally ambiguous persons (Ferme, 2001). Carceral kinship marks the frictional space between lived kinship, its legal codification, and the institutional adjudication of personhood. Rather than treating class, disability, gender, or rural–urban divides as separate axes of inequality, carceral kinship shows how these dimensions become actionable through assessments of relational life encapsulated in questions like “who visits,” “who signs bail,” “who is imagined to “hold” a child after “release.” Most crucially, it reveals that children in conflict with the law are punished less for what they have done than for the futures they are presumed capable of inhabiting. These futures are calibrated through the moral valuation of their kin relations.

In this article, I offer three contributions. First, I develop carceral kinship as an analytic of kin-based evaluations within legal systems. Second, I provide an ethnographically grounded account of how children (seen as) socially unaccompanied become subject to extended confinement, ambient punishment, and institutionalized abandonment. Third, I situate these dynamics within Sierra Leone’s postwar landscape of legal reform, arguing that child protection measures designed to safeguard children’s rights may inadvertently reproduce carceral kinship when they rely on idealized family forms. I first situate my argument and elaborate the concept of carceral kinship. I then outline the methodological and ethical foundations of this work, including my positionality as a researcher. From there, I trace how carceral kinship unfolds in practice: through the bureaucratic containment of children without legible kin; the treatment of kinship as both resource and risk; the warehousing of orphans and street-involved youth; and the mobilization of kinship as

visibility, advocacy, and legal currency. I situate these ethnographic findings within broader debates on legal orders, child protection, and relational abandonment, and close by reflecting on the implications for research and policy, including recent legal developments such as the Child Rights Act 2025 (Bangura, 2025) and the Diversion and Alternatives to Detention Framework for Children in Conflict with the Law (2025), and by sketching future research directions.

## **Kinship, coloniality, and carceral governance**

Kinship is a central political, moral, and economic architecture, organizing labor, legitimacy, and discipline (Meillassoux, 1981; Yanagisako and Collier, 1987). Modern states selectively formalized kinship, reinscribing familial responsibility into law and welfare. Colonial expansions imposed monogamous, patriarchal, and heteronormative family forms, disciplining alternative intimacies and dependencies (Povinelli, 2006; TallBear, 2013). Lugones (2007, 2016) conceptualizes this as the “colonial/modern gender system,” through which colonial projects imposed racialized, binary gender and family norms while devaluing indigenous, collective, and non-conjugal arrangements. In Sierra Leone, colonialism, missionary interventions, and humanitarian and development agendas contributed to the elevation of the nuclear family as the normative unit of care and discipline. But Sierra Leonean relational life remains polymorphous and fluid (Diggins, 2014: 91, 105, 131; Ferme, 2001: 92–3, 104, 157, 215; Schneider, 2018, 2020): fostering, polygynous marriage, informal unions, shifting household membership, and community-led child-rearing are commonplace.<sup>1</sup> One in three children in Sierra Leone lives with neither parent, most in the care of extended kin, often grandparents (Delap and Mann, 2019; Zulaika and Martin, 2016). Under conditions of poverty, illness, and structural violence, many children are fostered out, circulated between households, or live with employers or on the street.

Foucault’s analysis of power illuminates how this well-known fluidity becomes an object of regulation. For Foucault (1978: 47–48; 89–90), disciplinary and biopolitical regimes operate through the detailed management of bodies, pleasures, and capacities. They extract meaning from the “polymorphous conducts” of intimate and social life and transform them into simplified “juridico-discursive” categories that can be regulated, disciplined, and punished. In Sierra Leone, the current dual legal system of British common law and customary law reflects this. The state and its partners interpret and attempt to regulate intimate relations through legal codes, social work assessments, and rights discourses (Schneider, 2025) and task the nuclear family with reproducing normativity and policing non-normative intimacies and care structures (Lamble, 2011). So, while kin relations are multiple, their public acceptance is not, and “bonds of practical solidarity” (Lugones, 2023: 36) and networks of mutual support weaken as a result.

Carceral kinship goes a step further. It shows how kinship is not only regulated by law but used as a technology of carceral governance. Rather than focusing on how states produce or task kinship (Meinert and Grøn, 2019; Thelen and Alber, 2017, 2022), I ask what happens when kin are read as absent, illegible, or unfit. In Sierra Leone’s juvenile justice system, legal actors assess children’s relational lives. They ask to whom a child belongs

and translate these assessments into decisions about bail, remand, and transfer. Kin ties become sites where colonial norms of gender and family, neoliberal ideals of responsible citizenship, and local moralities of care intersect. Carceral kinship names this convergence: the use of familial presence or absence as a proxy for risk, social worth, and governability. Children who do not fit the normative template are rendered incomplete and dangerous, and become legible to the state primarily as bodies to be contained.

## **Childhood, war, and social exclusion in Sierra Leone**

Sierra Leone's juvenile justice system rests on ideologies forged through slavery, colonial rule, and uneven regional and ethnic governance, dynamics laid bare and intensified during the civil war (1991–2002). Postwar reform efforts aligned with international human rights standards meet the affective legacies of violence that shape how people act and react to one another, such that postwar trajectories hinge less on past acts than on whether children are recognized as socially embedded and morally recuperable, and therefore capable of being trusted, governed, and reintegrated. War transformed childhood, caregiving, and belonging (Coulter, 2009; Denov, 2010; Peters and Richards, 1998; Shepler, 2014; Wessells, 2009). Children without normative kinship ties, particularly those associated with the civil war, are more readily treated as dangerous, untrustworthy, or socially disposable. Longitudinal research documents how young mothers formerly associated with armed groups had to labor for recognition and support, while stigma rendered them and their children morally suspect and institutionally neglected (Veale et al., 2017; Worthen et al., 2010). More recent work traces how these exclusions persist into adulthood, shaping men's access to resources and recognition in parenthood (Klein et al., 2023). Indeed, whether a former child soldier was accepted by their community more strongly influenced their psychological and social well-being than the severity of wartime violence (Betancourt et al., 2010).

Responses to children affected by war illuminate the underlying moral assumptions about childhood that structure social and institutional life in Sierra Leone. Here, scholars have challenged simplistic images of the innocent, apolitical child, instead portraying children as relational persons whose moral trajectories are co-produced by kin, communities, and institutions. Ferme (2001: 198) describes Sierra Leonean children as possessing "powers of vision" and remaining partially oriented toward the spirit world. Their character is understood as ambiguous and malleable rather than being naturally innocent in a Rousseauian sense or morally corrupt as in doctrines of original sin. Caregivers and elders play a central role in shaping children's moral development. As Mdm Kaindaneh, a community elder, told me: "A child taught to kill becomes cruel. A child taught to love protects everyone." Fears about "unattached" children who lack durable relational anchors were central to wartime recruitment and continue to structure postwar anxieties around street-involved youth and former combatants (Schneider, 2025: 226). Economic precarity and the loosening of kinship structures pushed many children toward forming "surrogate families" within street groups and armed factions (Zack-Williams, 2001), a pattern that continues to shape marginalized urban youth formations (Abdullah, 2020). The severity with which the law now treats boys and young men reflects the afterlife of wartime logics in which unattached youth were governed as latent threats (Schneider, 2025).

These logics also shape institutional judgment, including within schools, where children marked by stigma are systematically excluded from spheres of protection and opportunity. Borisova et al. (2013) show that children with severe, intimate, or morally condemned war experiences were the most silenced and isolated, as caregivers underestimated or ignored their experiences and communities treated them as dangerous, untrustworthy, and socially expendable. Osborne et al. (2025) argue that institutional practices often reproduce, rather than mitigate, the social inequalities that pregnant students, students with disabilities, and economically disadvantaged students experience.

Building on these insights, I turn to the juvenile justice system as a key site where social exclusion is actively produced, and where assessments of social embeddedness directly inform decisions about custody, confinement, and release. While scholarship on postwar reintegration and education has shown how certain children are denied full membership in communities and institutions, I show how the law differentially recognizes or abandons children who come into conflict with it. In prior work, I have shown how boys from poor households are routinely criminalized for sexual relationships with peers, while wealthier boys are celebrated for comparable conduct (Schneider, 2025). Extending this analysis, I argue that children perceived as socially unaccompanied—orphans, street-involved youth, and rural migrants without legible local kin—are treated as incomplete persons and latent threats, with the absence of recognized kinship read not as a need for protection, but as justification for prolonged confinement.

## **Carceral kinship: definition and contribution to carceral theory**

Punishment extends beyond statutes, sentences, and prison walls, taking shape through dispersed institutions, moral judgments, and everyday bureaucratic practices (Fassin, 2015; Foucault, 1977; Liebling and Arnold, 2004; Simon, 2007). Race, class, labor, and political economy structure who is punished, how, and for how long (Wacquant, 2009). Kinship, I suggest, is central to this process. Yet within carceral scholarship, kin have largely been analyzed as those affected: families absorb carceral harm, resist it, live within its circuits, and are eroded by its reach (Comfort, 2019; da Cunha, 2008). Less examined is kinship as an operative instrument of carceral power. Carceral kinship captures how evaluations of kin relations function as a sorting mechanism within the justice system itself; a relational checkpoint through which children are slowed, stalled, abandoned, or moved forward.

In Sierra Leone, kin-based governance is inseparable from the postwar project of rebuilding the state through children. Global child-rights frameworks and the Truth and Reconciliation Commission (TRC) positioned the child as a figure in need of protection, care, and moral rescue, thereby producing an expansive legal architecture (Anti-Human Trafficking Act, 2005; Children and Young Persons Act, 1960; Child Rights Act, 2007). The TRC warned of the limits of this architecture. It noted that formal law struggles to “see” how care actually works and recommended the legal recognition and regulation of customary fostering, guardianship, and orphan care (TRC, 2004: 389–391, 402). These recommendations were never fully realized. Informal fostering and relational care remain central to everyday survival, yet largely unformalized and legally invisible.

Recent reforms, including the Child Rights Act (2025, not yet published) and the Diversion and Alternatives to Detention Framework, promise decriminalization and diversion but presume the availability of a family or community to act as supervisor and moral guarantor. How children without legible kin are addressed remains unclear. It is in this gap between protective law and unrecognized relational life that carceral kinship takes hold: while intimate relations are formally irrelevant to legal judgment, legality in practice is lived relationally, mediated through quiet inquiries and assessments of who stands behind a child. Carceral kinship renders visible this gap between law-on-the-books and law-as-practiced (Andreetta, 2024; Clarke, 2019).

Structural conditions shape who can appear as a “present” or “available” guardian. Carers who are poor, elderly, living with disability, geographically marginalized, or responsible for multiple children often cannot attend police stations, courts, or detention centers. By recognizing only kin who can perform visibility and respectability within bureaucratic timeframes, the justice system quietly imports hierarchies of poverty, gender, age, disability, and family structure into ostensibly neutral legal judgment, naturalizing inequality through familial absence. In the arena of juvenile justice, local moral worlds, interpersonal obligations, and global rights discourses collide (Clarke, 2009; Merry, 2006), producing what Moore (1978) called entangled moral infrastructures. Within this architecture, children whose relational lives fail to mirror legal and normative ideals are rendered incomplete, ungovernable, or dangerous. Carceral kinship foregrounds futurity rather than culpability: institutional attention shifts from what a child has done (past acts) to the future imagined for them (anticipated trajectories). Attachment to legible kin becomes associated with redeemability, while its absence signals surplus status and risk. These logics are deeply gendered: unaccompanied boys are cast as future criminals, while unaccompanied girls are framed as morally fallen or in need of containment through marriage, domesticity, or institutional care.

Carceral kinship reveals a moral logic of carceral governance in which legal actors embedded in Sierra Leone’s social and moral worlds approach children as relational beings who must be seen, supervised, and socially anchored to qualify for release. Within this framework, kin absence registers less as a gap in protection than as an index of risk. Detention often takes the form of bureaucratic suspension: extended remand, stalled case files, and confinement that stretches as the relational conditions for release fail to materialize. Carceral kinship thus exposes kinship as a material and moral infrastructure of confinement, the mechanism through which institutions sort, delay, and differentially abandon.

## **Longitudinal, multisited ethnography**

This article draws on 17 months of ethnographic fieldwork in Freetown, Sierra Leone, conducted intermittently between 2012 and 2024.<sup>2</sup> I lived with families and young men and conducted sustained observation in homes, neighborhoods, and street spaces to examine how children are cared for, disciplined, and held to account. I worked closely with child protection practitioners and caregivers and, between 2016 and 2017, observed over 100 criminal hearings and interviewed magistrates, lawyers, social workers, and

police officers. I accompanied children through court and detention processes with local organizations, tracing how cases moved—or stalled—across legal, welfare, and carceral institutions. Fieldwork also included research in Pademba Road prison (2017) and the juvenile detention site Dems (2024). My multisited, longitudinal ethnography enabled analysis of legal and social change over time. I obtained ethical approval from the University of Oxford (SSH\_SAME\_C1A\_16\_006) and VU Amsterdam (Nr. 7-29-444), held a national research permit, and was affiliated with the Department of Sociology and Social Work at Fourah Bay College. Access to detention sites was granted by relevant authorities and facilitated by Don Bosco and Defence for Children. I treated consent as an ongoing, relational process (Pels et al., 2018), explaining the research in age-appropriate and locally meaningful ways. Many children had no legally recognized caregivers, making family-mediated consent impossible; while institutions granted access, children's own assent was ethically primary. I met children away from custodial staff and made clear that participation was voluntary and could be withdrawn at any time without explanation. No incentives were offered, and all names and identifying details have been changed. My positionality shaped both access and responsibility. As a European researcher with long-term ties to Sierra Leone, I was granted access to institutional spaces that would have posed greater risk for local researchers. This position required sustained attention to power, representation, and accountability. I worked through a feminist, relational ethics of care, grounded in long-term collaboration with local practitioners, organizations, and families, treating children not as data but as people whose safety and trust mattered more than any information they might share.

### **Relational absence and the bureaucracy of containment**

In Freetown's juvenile detention, children count days more than case updates. At Dems, the children I interviewed knew when they were arrested and how long they had been held, but rarely why or what would happen next. They answered in a steady rhythm: "one month and twenty-two days," "five months and three weeks," "since July," "for a long time." Asked about charges or court dates, they deferred to guards or social workers, replied vaguely, or shrugged. What they did know and spoke about was who visited and who did not. Most were not without kin, but their kin were unrecognized and they consequently became stuck in a system that no longer saw them. For 19 of the 22 children I interviewed, relational absence shaped institutional delay. Musa, 16, accused of larceny, lived with his grandfather, an elderly man with a severe knee injury who could not travel to court or visit the prison. For over a month, Musa received no visitors. He told me he went to court eight times. Seven times, the magistrate asked, "Has anyone come for Musa?" Seven times, the room fell silent and the file returned to the pile. On the eighth appearance, the magistrate sighed and postponed the case again. Nothing in the file had changed, no new evidence, no procedural obstacle. The case stalled because no one was, as Musa put it, "following it." When I asked what the delay felt like, he answered after a long pause: "I am out of education and away from my grandpa." This illustrates how carceral kinship operates not simply as a social backdrop to legal proceedings, but as a condition of procedural movement itself.

Across the cases I followed, the same sequence recurred: court appearance, the question of visitors, silence, postponement. Legal time moved only when kin did. Where kin were absent or illegible, no socially recognizable future could be imagined, and cases stalled not in law but in relation. This logic extended to geographic distance. Sammie, 17, had spent 18 months in detention. Although granted bail, he was not released because he was “from upcountry.” With no family nearby to assume custody, bail became unusable. As one magistrate put it: “Bail is a right, but someone must hold the child.” Even caregiving children were treated as relationally unanchored when no carer appeared in court. Osman, 17, accused of stealing a phone, spent 16 days in a police cell before being charged. After his parents’ deaths, he lived with his grandmother, who depended on his care. “Who fetches water for her now?” he asked repeatedly; a cellmate added that Osman feared she would die and he would be left homeless and unable to return to school. Yet this care was not legible to the court. His grandmother was too ill to travel, and her absence rendered their relationship invisible. In community-based mediation, such caring relations often establish moral standing and character (Ibrahim, 2009; Schneider, 2025). In court, absence was read not as structural constraint but as moral suspicion. As one judge told me in 2017: “When no one comes, we must assume something is off with the child.”

This slowed legal time was widely recognized by justice workers. When I pressed a court clerk about repeated delays, he brushed the question aside with a flick of his hand: “It’s not really about the case. It’s about whether someone comes.” A social worker at Dems told me he stayed in the job despite being unable to live on his salary. “If I leave too,” he said, “who will be left for them?” He described the children in his care as “forgotten.” Abdulai, 17, accused of stealing rice and a PlayStation, waited 3 months before his case was even charged. After 5 months, nothing had changed. Sitting on the bare concrete bed in his cell, he said without looking up: “No one comes for me, so they don’t call my case.”

Presence became a precondition for legal movement, absence a bureaucratic void. Across my observations in court and detention, these were not exceptional failures but routine institutional practices. Where kinship was not visible, legal time stretched; where it could not be performed, detention became the default. Postponements were rarely framed as punishment. Legal actors described them as logistical necessity: “No one to take the child.” “No one to guarantee return.” “No one to monitor.” Children were suspended not because of what they had done, but because no one could be made to stand behind them. As one boy put it: “They say I should stay here until someone comes.”

## **Kin as proxy targets of risk and punishment**

When under-resourced police lack capacity for systematic searches, legible kin become leverage. Idris, who said he was 15, came forward only after his mother and older brother were arrested and held at the police station. By the end of the day, word had reached his hiding place at a friend’s house. After 2 days, the friend asked him to leave. After 4 days, Idris walked into the station himself, asking that his mother and brother be released. He was charged with murder.

His family became the means through which the state apprehended him. Their kinship exposed them to detention despite no allegation of wrongdoing, yet it also subtly improved Idris's treatment. Prison staff allowed him to remain in juvenile custody, noting that although he appeared older than 15, he could stay at Dems if he "behaved" and if his mother continued to visit. Here, age became a flexible category shaped by conduct and caregiving ties (Christiansen et al., 2006; Honwana, 2014; Schneider, 2025). Across cases, kinship functioned as both trap and resource: proximity subjected relatives to stand-in punishment while increasing the child's legibility as governable.

In other cases, kinship is recognized by the court but experienced by children as a source of harm. Bintu, 17, had fled a violent home and survived as a housekeeper. Accused of stealing a school uniform and shoes, her bail was set at 200,000 leones (under seven euros) and required a family member to stand as surety to vouch for her, receive her, and, if necessary, serve time in her place. Bintu refused to contact her parents. "I cannot go back. It would be worse than prison," she said. This refusal was read not as self-protection but as further evidence of risk. Without a recognized adult willing to "hold" her, Bintu's case stalled for nearly a year. Confinement followed not legal complexity but the absence of a kin relation that could be safely mobilized. Even where kin were violent, estrangement was read as suspicion. Kin thus became carceral by becoming a condition of release that could not be met.

Marriage too can function as a carceral threshold that reorganizes a girl's legal and moral visibility. Once married, a girl's natal family recedes from view, while her husband's household becomes the site of responsibility, suspicion, and risk. Tenne, whom I met at 15, had already spent more than 5 years in detention. She was extremely shy and avoided eye contact; neither she nor her social worker could say exactly how old she was when first arrested, only that she had been "very small." She had been forced into marriage with an elderly man as his third wife, spending her days fetching water, cooking, and sleeping without a mat. During a quarrel with a co-wife, she stumbled backward and knocked into the 3-year-old daughter of the second wife, who fell into a well and drowned. At that point, Tenne ceased to appear to the justice system as a child. Her birth family, having given her away, was no longer considered responsible. Her status as a wife rendered her socially illegible as a minor. Because the death occurred within her husband's household, she was framed not as a child caught in violence but as a threat to that kinship structure. She was criminalized before reaching the legal age of responsibility and placed in juvenile detention rather than protective care. Her case reveals three operations of carceral kinship: natal kinship erased through marriage, childhood overwritten by marital status, and harm reframed as criminal threat. Across other cases of early marriage I documented (Schneider, 2025: ch. 6), similar shifts occurred as girls were reclassified from children to wives long before the law permitted such a transition. Recent reforms, including the Prohibition of Child Marriage Act (Government of Sierra Leone, 2024), allow marriages to be annulled even through a "next friend" where families are complicit. Yet the core dilemma remains. While the law can void marriages and punish those who arrange them, it cannot automatically undo the social reclassification that marriage produces. Once positioned as wives, girls are read by families, communities, and justice actors as socially adult, responsible, blamable, and outside the

protections of childhood. Altering outcomes for girls like Tenne therefore requires unsettling the deeper social logics through which marriage signals maturity and moral capacity and transforming how age, dependence, and kinship are recognized in everyday practice.

Taken together, these cases reveal three carceral operations of kinship: absence, dangerous proximity, and relational reclassification. Family itself becomes a carceral mechanism. Read through a normative nuclear lens, kinship redistributes punishment across relatives: one stands in for another, marital ties override blood, and estrangement justifies continued detention. Kinship does not merely mediate legal outcomes; it produces them.

### **Orphans and street-involved children: absence of kin as a mark of dangerousness**

In Freetown, children who fall outside intelligible kinship structures are governed as dangerous. Orphans, street-involved children, and those from deeply impoverished households are routinely confined not because of what they have done but because there is nowhere for them to go. What emerges is a system of warehousing: institutions that function as holding zones for children who cannot be socially placed. At Dems, a social worker with whom children had one of the warmest relationships pulled me aside to explain:

The street children we just keep them here. It is too dangerous for them outside. People fear them; they may be attacked, recruited by gangs, or drawn into theft and dealing. If they leave, they usually end up worse and then back here.

Here, detention functions as a substitute kin relation: an institution becomes the “holding” mechanism when families cannot be made legible. Seeing my skeptical expression, a colleague added, “Better for them and for everyone if they stay here.” Such confinement is framed as protection. Yet this “care” rarely includes education, training, or meaningful rehabilitation. Instead, it produces waiting, stagnation, and deepening exclusion.

Kabba, 15, an orphan with no stable home, was arrested for selling kush<sup>3</sup> for a bossman in exchange for food and shelter. He spent over a month in a police cell where, like many children accused of drug selling, he was tied, beaten, forced to stand through the night, and doused with cold water. He speaks little English and could not explain what he had been charged with. After 2 months in Pademba Road adult prison, a human rights lawyer secured his transfer to Dems. His case has not progressed since. Before his father died and his stepmother turned him away, Kabba had been in school preparing for secondary exams. When I met him, he arrived holding the hands of two cellmates as witnesses. He repeatedly lifted his shirt to show the scars on his back. His body had become a visceral archive of his case. In the absence of legible kin, time stopped; violence did not. Sei, 17, also orphaned and living on the streets, stole a cane to sell for food. Unlike more socially anchored children, he did not protest his innocence but expressed deep shame. He described spending 20 days in a police cell without food or water as a punishment he believed he deserved for stealing from an elder. His remorse preceded any legal judgment. Ibrahim, 16, living on the streets of Kabala with his brother, stole

a handbag out of hunger. Both were severely beaten. After more than a month in a police cell, they were charged with larceny and sent to Dems. Five months later, they had still not appeared in court. Ibrahim spoke repeatedly of regret and of wanting to leave the streets to train as a welder. Similarly, Chernoh, seventeen, dropped out of school after his father's death and lived precariously with distant relatives who saw him as a burden. Accused of stealing trainers he said he had bought, he was jailed for weeks before being sent to Dems, where his case has since stalled. "The timeline does not matter," he told me. "I do not matter. Nobody wants me."

Across cases, children spoke of guilt rather than injustice. They blamed themselves, not the structures that confined them. "They think they are bad. No one ever told them they are good. But these orphans, they are usually not bad," a social worker explained. "I know them well. When you spend time with someone every day, you come to know who they are." When I asked why children who had done so little wrong remained confined for so long, another social worker pointed to a continuum of violence: "They are beaten in police cells, but the same happened to them on the streets before." Internalized blame obscured the structural forces shaping their confinement. Remorse marked the narrow moral space they were allowed to inhabit. Without knowing security, children lacked any sense of entitlement to protection or care. Self-blame redirected attention away from criminalization and deprivation. Several professionals noted that these children rarely know their rights, and even when they are explained, struggle to believe they have any. Police routinely take statements without social workers present, and children often confess to make questioning stop, not because they understand the charges. During my research in Pademba Road prison, 38 of the 53 people I interviewed in 2017 did not understand what they were charged with and had confessed to crimes they barely comprehended, and 49 never received a visitor (Schneider, 2025: 203).

When no family is present or deemed suitable, institutions serve as shelters ("keep these children somewhere") and sites of exclusion ("keep them away from society"). This reflects an implicit belief: children without family are children without futures. Even when charges are minor, unproven, or dropped, the absence of "suitable" kin turns bureaucratic limbo into prolonged confinement. Here, punishment is ambient. It appears as waiting, delay, and forgotten files. It is an institutionalized abandonment. Carceral kinship reveals prison not only as punishment but as social sorting. Children are divided into those imagined as having families and futures, and those deemed already outside society. The former are treated as reformable, the latter as expendable. Some children come to see the streets as the true carceral space and fear release despite institutional violence and neglect. This reflects a moral economy of punishment structured by beliefs about who can be saved. In some cases, carcerality no longer requires justification: children internalize it so deeply that they accept their own exclusion.

### **Kinship as visibility, advocacy, and legal currency**

If kin absence stalls legal time, kin presence can accelerate it. In Sierra Leone's juvenile justice system, visibility is advocacy. Cases move faster when kin wait outside courtrooms, pay transport, bring food, and signal that a child is claimed. Legal and social

professionals read this presence as evidence that a child can be supervised, that responsibility will be assumed, and that a future outside custody is imaginable. Kinship becomes legal currency. It operates as both moral evidence and infrastructural capacity, shaping the speed and intelligibility of the legal process.

Kaloko, 16, accused of murder, arrived at Dets accompanied by neighbors and relatives who insisted on his innocence. Staff referred to him as “a boy who does not belong here.” One officer told me, “With that kind of family behind him, he surely could not have committed murder.” A magistrate even prepared to dismiss the case before it was transferred for review. Kaloko received medical care, legal follow-up, and regular visits; his embeddedness as son and community member softened the accusation’s force. Darren, now in his thirties, recalled how his treatment shifted once his mother and aunt began visiting daily. “When they know people are visiting you,” he said, “they answer you differently.” Officers began calling his name, passing messages, and allowing longer visits. Cellmates without visitors were ignored. Some had not even had statements taken, despite arriving earlier. Darren’s case was eventually dropped.

The same dynamic appeared in court. During my research on sexual penetration cases (in 2017), accused persons almost never had family present: of more than 100 hearings, only 17 included a relative. Yet in all 17, kin presence altered proceedings. Instead of being rushed, cut short, or dismissed, the accused were allowed to speak fully, to pause, and to present their account. The room softened. They were treated not as anonymous defendants but as people to whom someone was visibly tied.

These contrasts reveal a shared logic: the law responds to social attention. Presence operates as pressure, signaling that someone is watching. Families perform this visibility deliberately. As one social worker explained, kin “share food with the guards and wait all day in court” not only as care but as strategy: this child belongs, and any neglect will be noted. This labor is most often performed by women, who quietly monitor the state. Kinship also enables informal resolution: judges and police told me they sometimes act “because they see the woman is serious.” A child who is claimed, fed, and supervised becomes legible as governable and morally recoverable; a child without kin becomes a risk with no receiver. In such cases, detention follows the absence of a social container capable of absorbing responsibility.

Under-resourced institutions outsource moral labor to families. Police ask, “Who will take him?” Judges ask, “Who will stand for her?” Social workers describe kin as “receiving bodies.” Release depends less on innocence or time-served than on whether a child can be returned to a recognizable moral world. Kinship is infrastructure. It determines who moves through the system, who is stalled, and who is warehoused. Presence becomes power; absence becomes abandonment by family and by law. Seen against children deemed unaccompanied, the pattern is clear: confinement turns less on alleged wrongdoing than on whether a socially imaginable future can be projected for the child.

## **Discussion: carcerality, kinship, and relational governance**

Recent reforms in Sierra Leone are articulated in the language of protection. The government has announced and signed a new Child Rights Act (2025), intended to strengthen child protection and align domestic law with international and regional standards

(Bangura, 2025). At the time of writing, however, no publicly accessible version was available. The analysis that follows therefore draws primarily on the diversion framework and the ethnographic material presented in this article. The National Framework for the Diversion of Children in Conflict with the Law (2025) is unusually explicit about what it seeks to prevent. It insists that detention be a last resort, that eligible children be kept out of police stations and courts, and that they be protected from abuse, corporal punishment, and humiliation. Crucially, it names the very mechanism traced in this article: it prohibits detention due to the absence of a probation officer or social worker, the inability to locate a child's family, or institutional reliance on monetary bail. This is not a minor reform. It is an explicit attempt to sever the link between kinship visibility, institutional capacity, and custody. At the same time, the framework makes clear how central family and community remain to diversion. It treats kin and community as "social capital" (2025: 9) and centers diversion on a Child Panel that includes a parent or guardian alongside community actors and welfare officers. The aim is not to simply return care to families but to mobilize informal relations and local institutions to keep children out of custody. Carceral kinship clarifies the dilemma that follows. On paper, reform seeks to delink detention from family presence. In practice, the system must still decide whether a child is holdable, who can supervise them, and whether any social future exists beyond custody. These questions do not disappear under diversion; they migrate into new procedures, assessments, and sites of discretion, where familiar relational tests re-emerge in profiling, suitability determinations, and judgments about who can monitor a child. This article does not argue that law is indifferent or reform meaningless. It argues that punishment in this field is administered as relational governance. Children are sorted through kinship readings that render futures imaginable or foreclosed. When legible kin appear, time moves and children become thinkable as reformable. When kin cannot be performed—through poverty, distance, danger, illness, estrangement, or death—legal time stretches into suspension. Procedure thus becomes a moral technology, deciding who may circulate and who must be confined. In this sense, abandonment is not only a social condition outside prison but an institutional method. Carceral kinship names the process by which relational illegibility is translated into custody, delay, and warehousing, often under the language of protection. The diversion framework itself recognizes this risk, explicitly prohibiting detention on the grounds that family cannot be found (Government of Sierra Leone, 2025). This ethnography shows how deeply entrenched the underlying logic remains and why implementation will matter as much as statute. More broadly, carceral kinship bridges work on surplus governance and moralized punishment by identifying the mechanism that links them in everyday justice practice. It is not simply that families supplement the state; the state uses kinship visibility as evidence, supervision, and substitute infrastructure for release. Where that infrastructure is absent or deemed unfit, confinement becomes the default.

## **Conclusion: the relational punishment of futurity**

This article has shown that children in Sierra Leone's juvenile justice system are governed not only through the facts of an offense but through the futures legal actors can—or cannot—imagine for them. Those futures are read off kinship. Children with

recognizable, persistent, and holdable relations are treated as returnable. Those without are cast as risky, ungovernable, or already outside the social order, and are more readily stalled, warehoused, or left to wait.

Carceral kinship renders this legible as punishment that operates through relation. Custody is extended not only through sentences but through silence, postponement, missing visitors, and the routine administrative judgment that nothing can proceed until someone comes. Justice thus hinges less on law alone than on relational visibility, with kinship's absence becoming a condition of confinement. If recent reforms are to alter outcomes for the children described here, they must do more than expand rights on paper. They must interrupt the everyday moral readings through which care is recognized, responsibility assigned, and childhood either sustained or socially overwritten.

### **Limitations and future directions**

This study is ethnographic. It does not claim statistical representativeness or offer systematic quantitative comparison. Its strength lies elsewhere. Long-term institutional and relational observation makes visible practices that rarely appear in official records, including how delay is produced, how guardianship is assessed, and how children become unplaceable through ordinary procedure. Future research could build on this by combining ethnography with structured case-tracking. One approach would be to follow cohorts of children through arrest, charging, bail, diversion eligibility, and final disposition, comparing trajectories for those with and without legible kin. Another would examine how diversion is implemented in practice, particularly given the framework's explicit prohibition on detention due to the absence of family or institutional capacity (Government of Sierra Leone, 2025). It is in this gap between principle and practice that carceral kinship is most likely to persist—or be disrupted. Further work is also needed on gender as an operative dimension of carceral kinship rather than a downstream effect. The cases here suggest that kinship not only sorts children by presence and absence but reshapes what childhood means for girls and boys and the futures projected onto them. Comparative research across other post-conflict and postcolonial settings could clarify whether these relational tests of belonging are specific to Sierra Leone or reflect a broader condition of contemporary juvenile punishment.

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**Ethical approval and informed consent statements**

This research adhered to established ethical research practices, and informed consent to participate and publish was obtained from all participants, whose identities have been strictly protected. The study received formal approval from the University of Oxford's Ethics Committee and the School of Anthropology and Museum Ethnography (Ref. No SSH\_SAME\_C1A\_16\_006) and underwent an ethics self-check review at the Vrije Universiteit Amsterdam (Ref.7-29-444).

All research activities, including visits to the Dems Juvenile Detention Centre, were co-designed with local partners and undertaken at their invitation. Field visits emerged organically through sustained collaboration and trust-building with participants and their caretakers, rather than being pre-determined or externally imposed. This participatory and context-responsive approach reflects best practices in ethnographic research, where ethical safeguards are developed collaboratively with community stakeholders rather than relying solely on foreign institutional review boards or governmental approval processes that may not adequately protect participants' interests.

The study included participants under 18 years of age; however, no individuals younger than 15 were interviewed. Research was conducted in contexts where obtaining written parental or guardian consent was neither feasible nor appropriate, as it could have introduced risks to the safety and privacy of minors. Many children had no legally recognized caregivers, making family-mediated consent impossible. In alignment with the Declaration of Helsinki's principles of respect for persons, beneficence, and cultural sensitivity, while institutions granted access, children's own assent was ethically primary. Clear, age-appropriate explanations of the study's aims, procedures, and intended outcomes were provided to all participants. Participation was strictly voluntary and participants could withdraw at any moment without explanation or consequence. Consent was understood not as a single event but as an ongoing, negotiated process that was revisited and reaffirmed throughout the study.

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**Declaration of conflicting interests**

The author declared no potential conflicts of interest with respect to the research, authorship, and/or publication of this article.

**Data availability statement**

This data contains vulnerable material and is therefore strictly protected. Upon request access to research processes and interview themes can be made available.

## Notes

1. Fluidity has a long history in Sierra Leone. Even gendered institutions, such as the Bondo (for women) and Poro (for men) secret societies make exceptions that reflect the enduring elasticity of social categories in Sierra Leone. The *mabole*—a woman who oversees the initiation of boys and men—is a respected authority within the Poro (Little, 1951: 164; Vitalis Pemunta and Tabenyang, 2017: 8). Women seeking to become paramount chiefs have historically renounced Bondo and joined Poro, assuming an honorary male status.
2. Two months (2012), 1 month (2013), 13 months (2016–2017), 1 month (2024).
3. A highly addictive synthetic drug blend that contains opioids and chemicals.

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