



Submission to the Department of Children and Youth Affairs on Open Adoption

June 2019

Introduction

Barnardos welcomes the opportunity to make a submission to the Department of Children and Youth Affairs consultation on Open Adoption. Barnardos mission is to help transform children's lives through our services, support parents, and challenge society where it fails our children. In 2018, we worked with almost 18,000 children, young people and their families. Barnardos provides practical and emotional supports to children and parents in its 41 centres, in families' own homes, through the school environment, and within their communities.

Barnardos have developed a holistic understanding of adoption from the perspective of both children and adults (birth and adoptive parents and adopted adults) primarily through our Post Adoption Service and to a lesser extent our Guardian ad Litem (GAL) work¹. Barnardos analysis and insight on Open Adoption is informed by this experience with children and families.

Barnardos Post Adoption Service has been in existence since 1977 and began as an independent helpline, set up to respond to queries or concerns about adoption. In 1990 the service expanded with the establishment of support groups for birth mothers and to date we

¹ Previously, Guardian ad Litem work in the area of adoption would relate to perhaps one cases every two or three years. However, in the past eighteen months we have noticed a marked increase. These cases have related mainly to children who have been in long term care and who are approaching 18. Children in long term foster care whose parents were married can now be adopted. Barnardos have been asked to provide independent reports on the welfare of the child in cases of infant adoption where there are contentious issues. Currently there is no provision for a GAL to be appointed in adoption proceedings. But the Adoption Authority can ask TUSLA to commission an independent report on any issue relating to a child. This can be carried out by a person who was previously appointed as a GAL for the child or where a GAL has not been appointed previously, by a social worker.

have worked with over 400 women. In 1994 a support service was initiated for adopted adults with a similar number having been supported.

Since 2007, Barnardos has pioneered a model of therapeutic work with adopted children, young people and their parents in Ireland. In 2019 the expansion of our children's service means that we can offer a therapeutic service to all adopted children – both internationally and domestic, including those adopted from the foster care system

Context and overarching comments

Barnardos welcomes the reform of adoption law and the consultation process instigated by the department on open /semi-open adoption.

It is important to acknowledge that from about 1990 onwards, open adoption began to be offered in relation to infant adoption in Ireland. Such an approach was voluntary and dependent on the co-operation of both birth and adoptive parents and had no legal standing. In such arrangements the birth mother, or other members of the birth family would have contact with the child, primarily face to face and with a varying number of meetings.

In 2004, a member of staff from Barnardos Post Adoption Service conducted research, on behalf of Cúnamh, with birth and adoptive parents on the experience of open adoption. The study found that for both parents, matching was an important factor as this would influence how adults would relate on an ongoing basis. Initially, adoptive parents were apprehensive about the opening up of the adoption. They often had little family support and noted that professionals offered the most useful support. However, the main reason that adoptive parents were supportive of open adoption was the benefits for their child in the long run. Challenges in relation to a closed system of adoption were also influential in this regard. For birth parents, contact was more challenging and while it was welcome, they often reported that they had a sense of not knowing how to behave. The period after the initial visit was particularly difficult. Birth parents often had feelings of loss and in some instances regret. Parents who participated in the study noted that an unexpected bonus was the positive relationship developed between the adults involved which was described as being very positive and rewarding.

Overall the study found that where contact is facilitated in open adoption it needs to be both planned and supported. The reform of adoption law will see an increase in the cohort of children from care being adopted. The move towards making foster care to adoption more available in Ireland is a positive option offering permanency for children who cannot live with their birth families and open contact is an important element to this.

Adoption support plan

A support plan must be put in place for the child, the birth family and adopted family. As borne out in Professor Beth Neil's research in this area, a failure to adequately address the needs of one part leads to problems in supporting contact². A tailor made supported contact plan for each child based on an assessment of the situation, strengths and risks related to contact for their particular circumstances is essential in helping them with identity development and connection. The plan should address the needs of all of the partners in the process – the child, the adoptive parents and the birth family – as each will have their own support needs. It is critical that support for all parties is provided to ensure a positive outcome for the child. Models of adoption support plans are available from the UK.

There are a number of specific elements to an adoption support plan which can support contact as being in the best interests of the child. Examples of key components of the plan include:

- An assessment of needs should be provided across a range of domains including health, education, emotional and behavioural development, identity, family and social relationships, social presentation and self-care skills.
- Contact arrangements such as the name and relationship of the person to the child, type of contact (e.g. face to face), frequency of contact, whether contact is supervised or not, who will supervise contact and the overall purpose of the contact.
- Financial and practical supports such as those needed to facilitate contact should also be addressed.
- Basic support services – including workshops and training, group meetings with other adopters, support services for other individuals in the adoptive family and birth relatives.

The plan should contain a degree of flexibility and have key opportunities to review the supports put in place and whether they continue to adequately support all parties.

Arrangements need to take account of not only what is safe for the child but also what promotes the current and future emotional wellbeing of that child. What contact looks like needs to be open as well. Barnardos have worked with children and parents and foster carers who find the intensity of access time very stressful. However, in other circumstances it is an essential connection for the child that gives them a sense of rhythm and identity.

² See Slide 25 of Professor Neil's presentation at the Open Policy Debate on Open Adoption <https://www.dcy.gov.ie/documents/childcare/20190521BethNeilAfterAdoptionUpdated.pdf>

Recommendation: Adoption Support Plans must form the cornerstone of the opening up of adoption. The plan should be responsive to changing needs, have a dedicated professional assigned overall responsibility for the delivery of the identified supports and services as well as addressing the needs of all parties involved in contact.

Resourcing of the implementation of Adoption Support Plan

Supporting contact in an open adoption is emotionally challenging for everyone. Professionals engaged in such work need to come from a deep understanding of the impact of separation and loss & early trauma on children and how this can manifest in their behaviour before during and after contact and at times when contact may not be possible. Therapeutic support must also be able to take into account and work with the various, and sometimes contradictory, feelings and perspectives of children, birth parents and adoptive parents. The challenge is to support a contact process that gives benefits to all of the parties – children, birth parents and adoptive parents.

Since 2007, Barnardos has pioneered a model of therapeutic work with adopted children, young people and their parents in Ireland. Our expertise has evolved over decades of experience in supporting parents who have adopted, helping them to understand the impact of early trauma on their adopted children. We support parents to feel confident in understanding and responding to these complex needs so that their children can thrive and reach their potential. This is achieved through providing bespoke parenting support alongside specialist individual therapeutic work with the children and young people themselves and a programme of adoption specific group work. Barnardos Post Adoption Service is also supporting many intercountry adopted children and their parents who have ongoing contact with parents around the world. With the expansion of the service and our history of working with adopted children and young people, Barnardos is uniquely placed to support children, birth and adoptive families to manage contact in the situation of open / semi-open adoption.

Recommendation: It is critical that adequate resources (financial and human) accompany the introduction of open adoption. Increased investment in expert services currently delivered by the public and community and voluntary sectors is key to ensuring the required support for this complex situation.

Concluding Comment – Listening to Children

Finally, it is critical that children's voices and views with regard to contact and consent to adoption are heard. Supporting children to articulate their views should be a central feature of the open adoption process. Children's consent to adoption needs more work. Adult

consent has been worked on but we cannot assume that children want to be adopted. Irrespective of the views and consent of adults it is imperative that children are supported to both have their voice heard and to make informed decisions about consent to be adopted.

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