



## Fact Sheet N° 48

### Specific cases of adoption

#### THE ADOPTION OF CHILDREN WITH SPECIAL NEEDS

Millions of children and young people « with special needs » or « who present particularities » reportedly live in family or institutional placements around the world, both in developing countries or those in transition, and in industrialized countries. Too often, no permanency plan has been drawn up for them. Even if adoption is probably not the solution to the adequate permanent protection of each of them, a certain number of them are psycho-socially and legally adoptable. Many of them, however, do not find an adoptive family.

##### Who are these children?

Children with special needs are older children, carriers of a disease or disability, who have been in placement a long time, scarred by their past or living in a sibling group that cannot be broken up. The family integration of some of them certainly presupposes very specific capabilities for adaptation on the part of the children as well as the adoptive parents. But a lot of families bear witness to the success of such adoptions.

Moreover, some children called “with special needs” differ very little from the profile of the child the prospective adopters dreamed of: children just three years old, either carrying a disease or a harmless curable disability, who have lived through a trouble-free placement, or a sibling group of two healthy young children... To classify these children in the category of « children with special needs » undoubtedly sometimes unduly diminishes their chances of being adopted, when they could be integrated in a family, by means of professional support.

To be realistic about the state of domestic and intercountry adoption, one should underline that, at the global level, unlike the healthy young children the prospective

adoptive parents are waiting for – and will have to wait for longer and longer, and increasingly to no avail - these are the children with special needs who are waiting for families, in vain in most cases.

##### What is the desire for a child?

It is natural that prospective adopters, like all parents, want their child to avoid any major developmental problem. Some adopters, however, approaching the problem more from the perspective of giving a child a family rather than of « finding a child » for their family, are willing and able to face up to certain special needs of children. In any case, it is becoming more inevitable with every passing day to question the substance of the requests made by prospective adopters, to let them evolve, if they possibly can, in their portrayal of their dream child; to broaden their desire; and to set off in search of children really in need of adoption. This step is certainly not within the reach of all prospective adopters. Children with special needs probably need parents actively recruited and chosen according to adjusted criteria, and certainly parents counselled and supported in specific ways.

### The need for global awareness

This task of putting the requests of would-be adoptive parents in proper perspective necessarily presupposes a full awareness of the reality of children in need of adoption, in every country, on the part of the press, those in government, professionals and the public at large. In fact, how many people are still unduly convinced that « the Third World is swarming with healthy babies just waiting for a family »? Specific information, training and education are indispensable in this context, as well as targeted scientific research.

### Adapting professional practices

Together with this awareness-raising, professional practices, often still insufficiently adapted to the special needs of children, should evolve towards:

- Priority advancement, in *all* countries, of *domestic* adoption of children with special needs, who must be incorporated into a global policy of child protection and benefit from permanency planning like other children. In this regard, it is not in the best interests of children to declare them adoptable and then to leave them with this status, if no adoptive family can be found for them. After a period of active search for such a family, it is advisable to draw up an alternative life plan for and with them;
- Opening up all receiving countries to the adoption of foreign children requiring medical or psychological care, older children and siblings;
- Information for prospective adoptive parents, before their suitability is judged, about the reality of children in need of domestic and intercountry adoption;

- The active search, by professionals, for prospective adopters likely to respond to the special needs of children ;
- The evaluation of the suitability of prospective adopters in terms of the needs of children who are genuinely adoptable;
- Matching based on a case-by-case precise assessment of the strengths and weaknesses of the child and the potential adoptive families;
- Specific counselling of prospective adopters and of the child before they first meeting;
- The professional follow-up to the meeting and the period before the legal decision in favour of adoption;
- The offer of specific professional post-adoption services;
- The possibility of granting benefits in certain circumstances for the adoption of children with special needs;
- The possibility of simple or open adoption, which allows certain adoptable children to maintain their bonds with members of their family of origin.

In every country, developing, in transition, or industrialized, the present challenge posed by adoption – both domestic and intercountry - and an important part of its future undoubtedly reside in the search for suitable families for children with special needs, as well as in suitably adapted professional practices: different situations for children, different adoptive parents and reformed professional practices.

ISS/IRC, November 2007

### For more information:

CANTWELL Nigel; UNICEF Innocenti Research Centre, “Intercountry Adoption. A Comment on the Number of “Adoptable” Children and the Number of Persons Seeking to Adopt Internationally”, in “The Judges’ Newsletter of The Hague Conference of Private International Law”, Volume V, Spring 2003, 3 pp. Available from [www.iss-ssi.org/Resource\\_Centre/Tronc\\_DI/documents/CantwellIntercountryAdoptionENG.pdf](http://www.iss-ssi.org/Resource_Centre/Tronc_DI/documents/CantwellIntercountryAdoptionENG.pdf)

**We are interested in your opinion!** To tell us your experiences, ask us your questions about the themes addressed in this file, or to send us your suggestions for changes, don't hesitate to write to us at [irc-cir@iss-ssi.org](mailto:irc-cir@iss-ssi.org). We also invite you to share this file with other interested persons in your country. Thanks in advance!

The ISS/IRC would like to thank the Canton of Geneva, Switzerland, for its financial support for this Fact Sheet project and the Committee for Inter-country Adoption of the Presidency of the Council of Italy for its funding of the Handbook “The Best Interest of the Child and Adoption”, which is the basis of several Fact Sheets.