



Fact Sheet N° 51

Specific cases

ADOPTION BREAKDOWN

A major fear of all those affected by an adoption and those involved in the process is that the adoption fails to create an attachment and that, despite the efforts provided by all, an assessment of the child's situation may conclude that his separation from the adoptive family is in his best interests. Furthermore, it has become evident that countries of origin feel particularly concerned by these possibilities in the context of intercountry adoptions, and question the roles, which may be played by the authorities in both countries. The present Fact Sheet intends to provide some guidelines as to how these situations may be prevented and responded to.

Preparation and monitoring are prevention to disruption

The selection in accordance with set criteria as well as the preparation of prospective adoptive parents and that of adoptable children is a key factor in the success of an adoption. Indeed, both parties should be properly informed of the process and its implications, feel supported in addressing any potential difficulties of attachment or behaviour, and have been provided with a forum of reflection and discussion prior to the adoption, in order for them to be able to deal much better with any challenges they may encounter and to know where to turn to, if and as soon as these arise.

The establishment of post-adoption support programmes and services play an important role in responding to these early concerns and in preparing the adoptive family for a positive development of the parent-child relationship. These are, of course, complementary to, and should be incorporated into, the administrative process of professional and quality monitoring of the adoption by the authorities (or accredited bodies) of the receiving country, which should identify any issues of concern in the adoptive relationship in its earliest stages and provide an adequate follow-up and response to these. Together, these should provide an environment of support to the adoptive family and prevent any serious difficulties from developing.

Throughout this process, close communication between the social services of the receiving country and the authorities of the country of origin, as well as indirectly with the former care providers, may result in positive outcomes, given that the latter may provide additional information which offers answers to questions arising from the child's particular behaviours, habits or values. For example, a child presenting a particular behaviour in specific situations may be explained by the fact that these situations were particularly traumatic in the child's past. If close communication enables the provision of such explanations, the problem may be addressed more easily and efficiently.

Mechanisms of response: the role of child protection services

Where, despite the provision of support, advice, counselling and other services, the child protection authorities undertaking the follow-up of the adoption identify serious concerns for the child's well-being, these are responsible for responding to the situation. Indeed, once the child has been adopted in the receiving country, he falls under the jurisdiction of the authorities of the receiving State, which therefore become responsible for his well-being.

Thus, child protection services ought to address and respond to the difficulties experienced by these families and children in accordance with

the general principles of child protection : search for additional support and for subsequent alternatives which take account of the child's needs and best interests, and in particular of this new traumatic experience. Although it is usually strongly recommended to search for family-type and permanent solutions for children in need of alternative care – including a new adoption placement, the breakdown of an adoption may also call for a reconsideration of these principles in this particular situation, given that it raises issues as to the true appropriateness of a family and permanent environment for the child's well-being and needs.

In the case of children with special characteristics and an already very traumatic past which has resulted in a lack of trust or confusion of roles (abuse, multiple placements, etc), the adoption may have indeed not be able to truly respond to the child's needs, best interests and wishes. For example, an older child who has lived in an institution for a long period, and despite wishing to have a family, may not be able to adapt to such an environment, and would rather benefit from living in semi-independent living arrangements or under a rather temporary measure such as foster care. The individual situation of each child and the particular factors leading to the difficulties in maintaining a long-term placement and to the breakdown of the adoption will determine the form of alternative care best suited to respond to the child's needs and best interests.

The role of the country of origin in the provision of alternative care

Although the authorities of the receiving country will be responsible for the care of the child who has experienced an adoption breakdown, these might consider consulting the authorities of the country of origin, depending on the factors and the potential solutions to this breakdown. Indeed, where the assessment of the child may raise the possibility of him benefiting from a return to his country or closer contacts with his relatives or friends – i.e. where the child expresses this wish – the authorities of the receiving country may consult the services of the country of origin on the opportunities for providing the child with such care or contacts. However, these situations are very rare and such solutions could only be considered where the country of origin has the ability to provide the child with appropriate alternative care, which would adequately respond to his needs, best interests and wishes, or can play an active role in doing so.

Decisions on the subsequent care of children who have suffered from an adoption breakdown must therefore take particular account of this traumatic experience in order to ensure that these children's needs and wishes are adequately responded to. Important efforts should also be drawn to mechanisms of support to adopters and adoptees during the pre-adoption and post-adoption process.

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For more information:

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EVAN B. DONALDSON ADOPTION INSTITUTE, *What's working for children: A policy study of adoption stability and termination*, 2004

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We are interested in your opinion! Let us know about your experiences, ask us your questions about the issues addressed, or send us your amendment suggestions. Please do not hesitate to write to us at irc-cir@iss-ssi.org. We also invite you to share this fact sheet with other interested persons in your country. Thanks in advance!

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