



European Network of National Observatories on Childhood

## FRENCH SPEAKING COMMUNITY OF BELGIUM

### Form for the compilation of good practises in the post adoption phase for the Seminar on post adoption Art.9 c) Hague Convention

#### Post-adoption services

1. Do the social services promote the establishment of a trust relation with the prospective adoptive parents before the adoption is pronounced in particular in the meetings that are aimed at their training and preparation? (so that in case of problems in the post adoption phase the adoptive parents are more likely to contact the social services)

Yes

2. Please indicate the possible types of services (counselling, groups of mutual aid, psychotherapy, scholastic support, family mediation, etc...).
3. Who is the subject that has the responsibility of the service?
4. Staff employed in the Service (number, professional characteristics, etc..).
5. Duration of the Service (until when?, until the minor is 18 years old?)
6. Is there collaboration and integration among the different public subjects involved (services, school, etc..) and between these and the private bodies in the carrying out of the service?
7. Is there an evaluation system of the service? Are data on the use of the service by families available?

The services intervening with PAPs before the adoption are:

- teams of private professionals under contract with the A.C.C. (including supervision, training, programs conception,...) involved in the information phase;
- teams of private professionals under contract with the A.C.C. (idem) in the preparation of PAPs;
- multidisciplinary teams of A.A.B. involved in the evaluation of aptitudes of PAPs;

We don't have specialized services of post-adoption; the multidisciplinary teams of the A.B.B. are responsible for it, but don't have sufficient resources (human and material) to do it as well as needed.

8. Who elaborates the reports on the post-adoption phase required by the authorities of States of origin?

The A.A.B. (see above)



9. Are there good practices in the country relating with the beginning of the relation with the adoptive family on the immediately subsequent period after the pronouncement of adoption?

We made a training course for the multidisciplinary staff of the A.B.B. Last year on that subject and plan to go on and take again this theme next year. This period of 6-12 months immediately after the arrival of the child into the family is a very crucial one that has to be carefully supported by very well sensibilized and trained professionals.

### Access to origins

10. In the framework of the support services in the post-adoption phase, is there a service to support those who want to collect information about their origins? (Right to the access to the origins recognized also in the art. 7 (1) of the Convention on Rights of the Child).

Adopters willing to collect information about their origins can go to the A.A.B. who mediated their adoption in order to know more about this point.

11. Are there limits and conditions for the access to the information about the origins (age, consent of the adoptive parents and/or biological parents)?

In the Belgian law and tradition, there is no secret about adoption or identity of the biological parents when there are known (these data appear in the margin of the birth certificate of the adoptee). In case of national adoptions, the A.A.B. is responsible for all of the missions since the accompaniment of the birth parents up to the follow-up of the adoptive family. So in the moment the professionals accompanied the birth parents, they write and keep in files the information about them in direct agreement with them. So there is no need to obtain any consent of the birth parents afterwards.

When adopts are under 18, the consultation of their file should be in contact with their adoptive parents. But since all of the information the A.A.B. has was already given to the adoptive parents in the moment of the adoption procedure, this doesn't make difficulties: the point for the adopt is often to meet the intermediaries who met their birth parents, to discuss about them about the children's home from which they came, the people who took care of them before the adoption,... more than some "extra revelation" about their birth parents.

The process followed in international adoption is similar, except that the A.A.B. only has the information about birth parents given by the competent authorities and intermediaries in the country of origin, which as we know, is sometimes extremely reduced or non-existent. This makes a "de facto" limit to the access to information.



- 12.** Who is the competent subject to address the request (public services, the central authority, an administrative office, etc.)?

In case the adoption procedure wasn't mediated by an A.A.B., two cases can be possible: a) it can be a completely private procedure: the central authority receives the request and tries to help the person offering contacts with professionals of A.A.B. cooperating with the same country of origin, through the Belgian Embassy, or through ISS (International Social Service),...according to the case;

b) it has been mediated by a former adoption agency which stopped its activities. In the majority of these cases, the CA kept the files of the former A.A.B. and mediates the consultation of those files through the help of professionals of an A.A.B. working in the same area (national or international adoption).

- 13.** Are there centres and/or services specialized in the assistance in this sector?

The multidisciplinary teams of the A.A.B. (see 12).

- 14.** Does a central organ exist which has to collect and preserve the information on the origins?

Each A.A.B. is responsible of the collection and preservation of the information related to the cases they mediated. The CA keeps information of former A.A.B.

- 15.** What are the modalities of functioning and access to the service? What are the professional roles engaged in the support phase in the research on information on the origins?

See 12. The process begins on basis of a written request. Then interviews with social workers and/or psychologists of A.A.B.

- 16.** How long has the information on the origins to be preserved?

50 years. After this period the files have to be remitted to the State archives.

- 17.** Is it possible to check if and how the valorisation and the preservation of the links with the origins is promoted (cultural and social events with other adoptive parents group, travel opportunities to the country of origin with other adoptive family, etc.)? Is this kind of activity carried out by public or private bodies?

The valorization and preservation of the links with the origins in international adoptions is managed by the A.A.B. (private bodies).



**18.** Are there good practices in the country relating to the support to adopted adults who wish to collect information on their origins?

Generally talking, we are satisfied with this way of proceeding, which combines administrative and psycho-social work. There is never a simple transmission of administrative data. The process always includes a listening of the person making the request, the circumstances of this request, what are the expectations of the person while doing so, the representations he/she has on the birth parents, the motives of abandonment and adoption,... The request is always considered as a request for some help which might include transmission of information, but not necessarily in all of the cases...

### **Adoption failures**

Preliminary remark : through the reading of the questionnaires, it seems to me that we might have a different conception of what is a “failure”. This term appears to be almost systematically linked with revocation of the adoption in the questionnaires. In our approach, things are different. I think “failure” refers to two types of realities that don’t necessarily coincide : a legal or judicial reality, and a psycho-social one. We have to face a certain number of family situations which appear to be difficult, where the link between adoptee and adoptive parents is not built or is very weak and don’t resist to stresses like adolescence crisis. The inscription of the new adoptive link is realized purely “on the paper”, at the legal level, but not at the psycho-affective level. I would call those situations “failures”. Some situations conclude in the physical separation, “de facto” breaking of the link, but when this separation takes place during the adolescence crisis, it might be temporary and doesn’t signify automatically a “failure”. Anyhow, in our experience, very few of those problematic situations conclude to the termination of the legal link.

**19.** Who is responsible of the child in case of an adoption failure?

The general social services of child protection intervene in the same way in any situation where a child is considered to be “in danger”, no matter if the child is adopted or not. First a negotiated solution with and within the family is been searched. In case this would appear to be impossible, the judicial way is used.

**20.** Which kinds of support and accompaniment for the child and the adoptive family are realised in these hypothesis?

The general social services are not really sensibilized to specificities of the adoptive link. We made some efforts in that way (seminars, working groups,...) but a lot is still to be done in that respect. The coordination between those social services and the A.A.B. is not yet optimal.

**21.** Are the authorities of the State of origin informed in the case of intercountry adoption?



When the difficulties in the adoptive family happen during the period of the follow-up required by the authorities of the country of origin, these authorities are informed and, if necessary, consulted in case a decision about a new family placement is taken. Revocation of a simple adoption or revision of a full adoption and decision of a second adoption are very rare. Authorities of the country of origin are informed and consulted since this happens usually during the first months or years after the arrival of the child.

- 22.** What are the interventions for the minor protection carried out in case of revocation of the adoption? Is an immediate placing in a new family provided or is a first insertion in a welcome structure for children considered?

We don't have yet a determined procedure, but one of our goals during the next years is to work on it with specialized small institutions, emergency foster families,...

- 23.** Are there good practices in the country relating to the interventions of support to the adoptive families in difficulty and/or support in cases of removal of the child from the adoptive family?

Not yet. We worked a lot on prevention until now but the strategy and the resources to be used in extreme situations of removal of the child from a family are still "home made" and more or less improvised case by case, sometimes directly by the A.A.B. This is one of our weak points and one of our next challenges in the near future. We are very interested in exchanging ideas with European colleagues and listening good practices.