



European Network of National Observatories on Childhood

IRELAND

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 in Ireland are delivered on an informal basis as there is currently no statutory entitlement to such services under the Adoption Acts although article 9c of Hague imposes an obligation to promote the development of those services. Existing pre-adoption services for natural/birth mothers in a crisis pregnancy and for prospective adoptive parents include information sessions, assessment, and education and preparation courses. Pre-adoption information and advice for all others affected by the adoption are provided on an informal basis. Open adoption is currently practiced on an informal basis also and proposals for future legislation are to include the recommendation that the Adoption Board can attach provisions to adoption orders permitting access to the child by natural/birth relatives where this is considered to be in the best interests of the child.

The constitutional primacy of the family in Ireland limits the extent to which interventions can be made once the child is adopted into the family, as the child then becomes like a child of marriage to the couple so they are encouraged to return to the specific adoption agency that placed the child if an adoption issue arises. In the event of a child welfare issue arising, the family use the broader range of services available through local authorities, voluntary organisations or through the primary care sector which can be accessed through the family's General Practitioner. In other words "once the adopted child becomes a member of the adoptive family, the normal arrangements for health and social services apply as they do to all children, with the exception of post placement (pre-adoption) and post adoption reports carried out (by the Health Services Executive social workers local authorities, voluntary organisations or through the primary care sector which)...in respect of children adopted from countries of origin which demand them" and "No post adoption reports are prepared in respect of domestic adoptions" local authorities, voluntary organisations or through the primary care sector which (p43 Consultation Paper).

Post adoption services are therefore available in Ireland on an informal basis and include counselling in relation to grief, loss and identity issues, mediation and information and contact services (Practice Guidelines for Domestic Adoption in Ireland). Services may need to include early assessment and intervention to deal with "complicated patterns of language delay, atypical attention deficit disorder, learning disabilities, attachment difficulties, behavioural disorders, post traumatic stress disorder and medical problems... (because) standard medical, psychological and educational evaluations can often lead to an inaccurate diagnosis" (p46, Consultation Paper). To this end, the Irish Adoption Board has commissioned research into the long-term effects on children adopted from abroad. This research is vital to the identification and prioritisation of pre- and post-adoption service needs in respect of both intercountry and domestic adoption.



Access to Information on Origins:

There are approximately 47,000 adopted people in Ireland and there are legal files held centrally by the Adoption Board on each adoption and the private adoption agencies hold the original social background information on each child placed by their agency with an adoptive family. It is both private agency and Adoption Board responsibility to maintain these records and there is no time limit on the preservation of those files. Therefore adoption files are retained indefinitely.

Existing legislation allows for adopted people to have non-identifying information on their origins and this work is carried out regularly on an informal basis by social workers of the private adoption agencies, the Health Services Executive and the Adoption Board. All adoption agencies provide an information and tracing service although the legislation limits access to identifying information unless the adoption agency has the agreement of all parties to release such information. The Adoption Board established a National Contact Preference Register in 2005 which allows adopted people and natural/birth relatives (once aged over 18 years) to register their interest in contact.

Adoption failures:

The statutory Health Services Executive childcare services have responsibility for follow-up in all cases of adoption breakdown and each local authority follow procedures for the safe care of children at risk. The Health Services Executive decides on the appropriate action to take depending on the individual case. This can involve support for the family to keep the child, foster placement, out-of-home care placement and in the long-term, re-adoption. There is not an immediate placement in a new family. The Adoption Board is informed of intercountry adoption failures and the Board informs the State of origin.

References:

Department of Health & Children, 2005 : Consultation Paper/Legislative Proposals
Adoption Board, 2006: Practice Guidelines for Domestic Adoption