



European Network of National Observatories on Childhood

## PORTUGAL

Direcção-general da segurança social, da família e da criança

### 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)

A trust relation with the adoptive family is promoted through the contacts established by the adoption team of the social security organism working in the family's area of residence, which is the responsible for selecting the candidates. After being notified about the intention to adopt a child and before the selection process begins, the adoption team advises the candidates against the difficulties and risks that an adoption involves.

2. Please indicate the possible types of services (counselling, groups of mutual aid, psychotherapy, scholastic support, family mediation, etc...).

Not applicable.

3. Who is the subject that has the responsibility of the service?

The responsibility of this service falls on the social security organisms which are present in every district (administrative division) of the continent and in every autonomic region (Açores and Madeira).

4. Staff employed in the Service (number, professional characteristics, etc..).

The adoption teams' staff must have multidisciplinary skills and be qualified and adequately dimensioned. These teams are composed namely by professionals in the fields of psychology, social work and law, which are specialized on advising the candidates as well as on providing all the support they need or request during the adoption process.

5. Duration of the Service (until when?, until the minor is 18 years old?)



In general, these teams monitor the children's situation and their integration in the new family, during all the process, from the pre-adoption phase until the adoption is declared. Post-adoption phase monitoring is merely occasional and specific services do not exist.

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?

All the implicated public and/or private officially authorized services can articulate whenever necessary.

7. Is there an evaluation system of the service? Are data on the use of the service by families available?

Not applicable.

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

The Portuguese legislation does not rule the production of these reports. However, if they are required by the authorities of the State of origin, the consequent responsibility will be determined under the candidates' and the services' agreement.

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?

Not applicable.

### **Access to the 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).

The Portuguese legislation does not determine which service is responsible for this support. However, if such a request is formulated, the services involved in the adoption process will apply to the qualified court, which is the responsible for permitting the consults to the process or for emitting any certificate.



- 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)?

Due to the secret nature of the adoption process, the access to this information is limited according to the terms established by the court that received the request.

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

The court.

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

Such specialized services do not exist in Portugal

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

In Portugal, any central organ responsible for collecting and preserving this type of information does not exist.

- 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?

Not applicable.

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

This type of information is part of the documents integrating the judiciary processes that must be permanently preserved.

- 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?

In Portugal, there is no entity with the mentioned competences.



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

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### **Adoptive failures**

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

In case of a national adoption, the involved entities are the social security organism and the court. In case of an intercountry adoption, the central authorities or other competent entities from the concerned States are also involved.

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

These supports are established according to the concrete situation

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

In case of an adoption failure, the central or the competent authority from the State of origin is informed about the situation, the measures implemented aiming the child's protection and the alternative life project that will be developed to guarantee the child's interests.

- 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?

According to the Portuguese legislation, the adoption can not be revoked.

- 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?

The adoptive families in difficulty may apply to the social security organism of their area of residence.