

INTERCOUNTRY ADOPTION

Joan Bowers, October, 1983.

INTRODUCTION

Children adopted from overseas by New South Wales families since 1975 have come from many countries, and the welfare services of these countries differ greatly. Some have adoption laws similar to those in Australia, while others have no adoption legislation at all. The regulations governing what is required of the adoptive parents also differs from country to country. Some countries insist that the adoptive parents travel to the country for assessment or court hearings, while others prefer the adopted child to travel under escort to his new country and request that the parents abide by this rule. Some countries will only accept childless couples or those of a particular age, while others have less rigid application criteria.

Intercountry adoption is expensive. Depending on the country, an adoption can cost the family anywhere between \$3,000 to \$15,000.

For all countries the NSW Department of Youth and Community Services prepares a home study report, and this is supported by application documents prepared by the prospective parents.

Intercountry adoption differs from other adoption in that the Department assessment and approval are only the first steps along the way.

- Approved families must identify a programme whose restrictions they satisfy.
- Application documents are prepared and forwarded to the particular orphanage or Welfare Department with the home study.
- Depending on the country and the age and sex of the child requested, a family will wait from 3 months to 2 years for an allocation.
- That allocation must then be approved by the Department as a suitable placement for the family concerned.
- There are up to three court hearings, medical assessment is arranged, the passport and visa are issued and the child may then travel to New South Wales.

It is not uncommon for a child to die after an allocation has been issued and frequently the adopted child is sick on arrival in Australia.

Intercountry adoption is different from the adoption of an Australian born child, and the emotional strain on the adoptive parents is in many cases excessive.

Countries adopted from since 1975:

Vietnam, Cambodia, Laos, Bangladesh, Bolivia, Chile, Columbia, Hong Kong, India, Indonesia, Korea, Philippines, Sri Lanka, Taiwan, Thailand.

The object of this Report was to outline the development of Intercountry Adoption in New South Wales following the airlift of Vietnamese children in April 1975, and to highlight areas of needed change to existing practice.

The Report was prepared by Joan Bowers, Vice-president of the New South Wales Standing Committee on Adoption and an adoptive parent, for discussion by the Standing Committee.

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Nos. of Children

1975 - 119
76 - 30
77 - 36
78 - 89
79 - 59
80 - 66
81 - 85
82 - 107
83 - 87 (to Sept.)

The beginning of Intercountry adoption in New South Wales was seen as the Vietnam crisis and the subsequent fall of Saigon, resulting in the Airlift of Vietnamese children in April 1975.

* In the 1960's, the attention of the Western World was drawn to the Indo-Chinese War; for the first time in history, television and telecommunications brought that war into living-rooms at dinner time. Ordinary people, normally untouched and unaware of the despair and tragedy of a civil war, saw it, felt it and cared about it.

A major part of that media coverage was the exposure of the plight of the civilians in a war — the women and children. As a direct result, a groundswell of emotion began and with it came the beginnings of intercountry adoption in Australia. Australian families, in small numbers, responded to the effect of the war situation by offering themselves as families to the children left orphaned by that war.

As these people slowly gathered in number, and as they explored all avenues open to them, they learnt more about the children they were trying to adopt. They became familiar with the horrifying mortality statistics, with the graphic details of deprivation and overcrowded orphanages. They responded

with urgency, with frustration and exasperation as obstacles confronted them and they were thwarted in their drive to love and cherish a child, to create or extend a family, now fashioned into an urge to cherish a child not of their own or even of their own race.

Inevitably the families' sense of urgency and the authorities' sense of caution led to conflict.

That conflict was expressed in many ways. Some families defied authorities here and pursued adoptions in the child's own country. Some parents battled the system through. Some parents formed pressure groups and campaigned for changes in the system. Likewise, authorities battled families or attempted to communicate with families or parent bodies.

PARENT GROUP — DEVELOPMENT

Interest in Intercountry adoption in Australia was accelerated by the Airlift.

Many couples who may not otherwise have considered adoption were motivated to do so. Couples awaiting allocation of an Australian born child saw Intercountry adoption as a possible answer to their need to be parents. In the climate of reduced local placements, the adoption of children born overseas was seen as a welcome alternative to a long wait and possible disappointment. After April 1975, prospective adoptive couples sought avenues of adoption via embassies, churches, overseas aid organisations or travelled to the country of their choice.

Parent groups grew from the need for mutual support amongst parents with the common goal of adopting a child from overseas.

Little if any counselling or assistance was offered to the Intercountry adoption applicant by the Department of Youth and Community Services. After minimal assessment, the applicant was issued with a letter of approval, which requested the family to notify the Department when their child had arrived in Australia. The Department gave no guidelines or limitations, and the family was left to facilitate their own adoption by whatever means they could.

Parent groups took the initiative, and in the absence of interest and responsibility on the part of the Department, parents began to work for other parents in the social worker's role.

Where one family had achieved an adoption, the avenue of that achievement was pursued by the Parent group, and permanent Intercountry adoption avenues were established.

PARENT GROUPS — CURRENT

* There are a number of Intercountry adoption consumer groups operating in New South Wales — some larger than others — as well as individuals who act as adoption contacts for various countries. For the purposes of this paper it is impossible to deal with each group separately, and therefore all are under the heading of Parent Groups.

The issue of Intercountry adoption parent groups is a complex one. These groups have a vital role to play in overseas adoption. In respect of many countries, without the parent group, there would be no adoption programme.

The orphanage or care home in the overseas country is frequently solely dependent on the consumer group, not only to maintain the facilities necessary for the child available for adoption, but also for the auxiliary child care services offered by the organisation — e.g. sponsorship programmes, care of unmarried mothers, education and nutrition programmes etc. Without offering these auxiliary facilities, the orphanage may be prevented from placing children for adoption by the authorities of that country — overseas adoption programmes as such are rarely encouraged — however, they are accepted when viewed in the light of the total services offered.

Parent groups are manned by voluntary workers from diverse backgrounds, whose only qualification to equip them to work in this field is that they are adoptive parents of children born outside Australia. The direction and strength of the parent group is governed by the attitudes of the serving committee at any one time. Committee positions are likely to be held by persons who are themselves waiting for an allocation. Difficulties may arise that cannot adequately be coped with by people with a vested interest in one side of the decision. Parent groups by their nature, are concerned with finding a child for every family and not with finding the best family for the child available. The possibility exists that children who may be adequately cared for in their country of birth, could be sought for Intercountry adoption.

Intercountry adoption applicants are put in touch with parent groups by the Department of Youth and Community Services at pre-assessment stage. The Department encourages the family to work directly with the parent groups and does little to promote an applicant/Department relationship. Are the parent groups equipped to handle problems that may arise? And is this in the best interest of the adoptive family and the child that will ultimately come into their care?

Parent groups advise families of Intercountry adoption avenues currently open; the restrictions relating to those avenues; procedures they will be required to follow; issue the family with details of documents necessary to support their application for adoption to the overseas country; receive

confidential paper work from the applicants; and in some cases forward this documentation to the country concerned on behalf of the proposed adoptive parents; help with travel and accommodation arrangements for the family travelling to the child's country or arrange for escorts to travel with the child if required. With the exception of families adopting from Korea, who work with the Department to achieve their adoption, the family home study is the only involvement by the Department for most overseas adoptive applicants — all other aspects of the adoption are dealt with by the parent group.

The documentation is forwarded in the majority of instances to a person in the overseas country employed by the parent group and the child allocated comes from an orphanage or creche maintained or contributed to by that parent group. The adoptive parents pay the parent group to cover costs involved with the adoption and the expenses (care, medical, legal) incurred by the child. Details of the allocated child may be forwarded to the parent group and the parent group may advise the family of their proposed child. In some instances, the Department is unaware that a child has been allocated. The child may or may not fit the category that the Department has assessed as suitable for the family.

The system used by intercountry adoptive families in New South Wales is open to criticism from the authorities of the overseas countries concerned. If the Department endorses the role currently played by the parent groups, then this should be stated in writing to the relevant adoption authority overseas to protect the parent group, the adoptive family, the child and the orphanage or care home. It also suggests the question of should the parent group be licenced to operate as an agency to legally fulfill the role that they are already playing, as has happened both overseas and in one Australian State.

Intercountry adoptive parent groups play an important role in support of the family, both during the assessment and waiting period and long after placement. They give the adopted child ongoing contact with other intercountry adopted children and help him to realise that his or her trans-racial family is not unique. Parent groups further help to maintain the link with the child's birth country through interaction with friendship organisations, thus helping to strengthen the child's personal identity.

Parent group committees work long hours in a voluntary capacity to not only promote adoption, but to ensure that money is raised for the care and education of children who do not have this opportunity. Without the parent groups, the majority of children adopted by families in New South Wales would not have had this chance to a family of their own.

At no time has the Department attempted to assume responsibility for any aspect of

the necessary role that the parent groups play in Intercountry adoption.

DEPARTMENT ROLE — CURRENT

The Department of Youth and Community Services encourages, through current procedures, applicant families to seek help and advice outside the Department.

Department telephones are manned by staff who are either not informed of current avenues open for Intercountry adoption and the restrictions that relate to those avenues, or they do not feel that it is the responsibility of the Department to make available such information. Frequently, families feel that the Department is the last place that they should go for information and support.

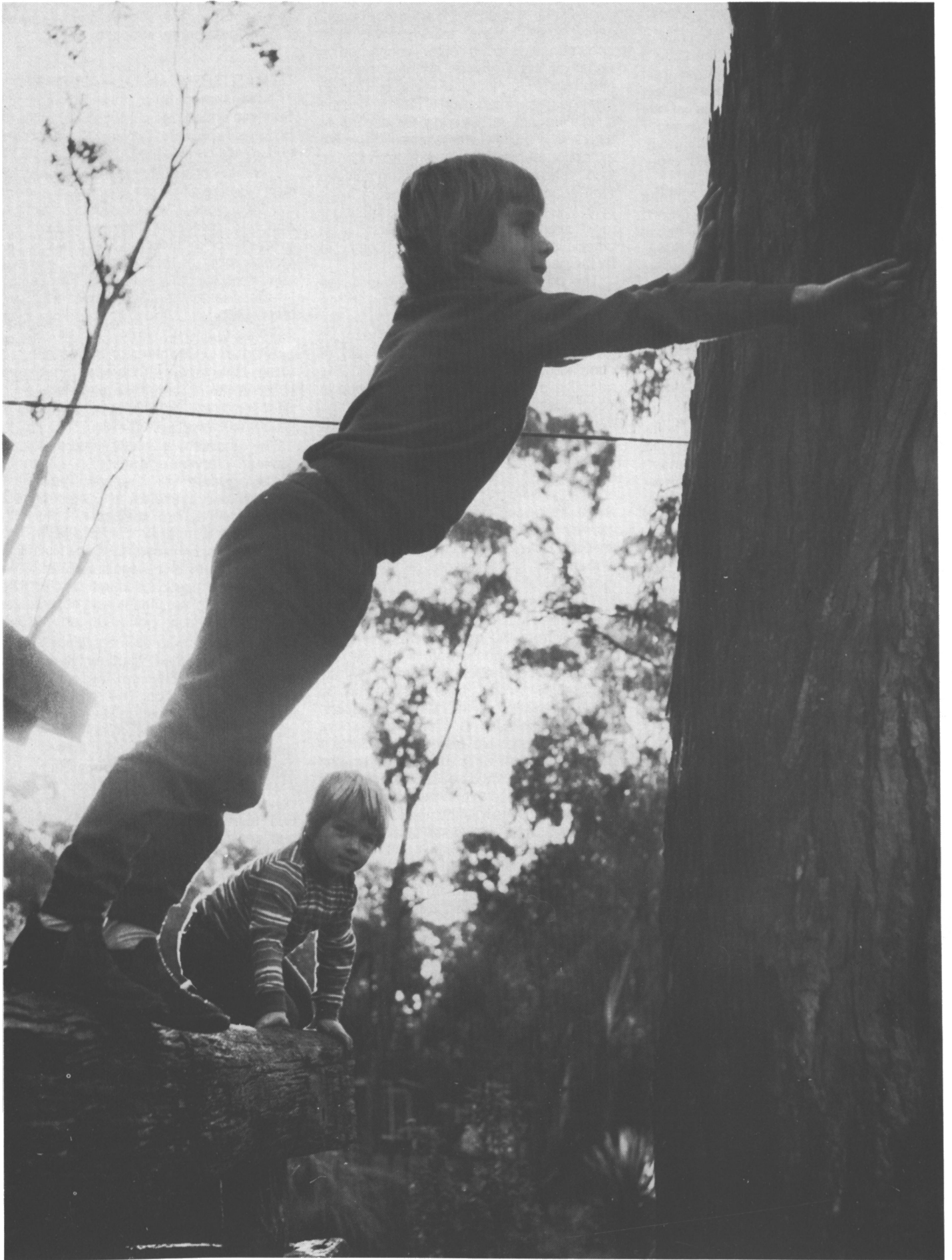
Alternatives to Intercountry adoption are rarely discussed with the applicant by the Department e.g. mixed-race local-born children, older child. The applicant remains ignorant of these possibilities.

The applicant is rarely encouraged to have an interview or discussion with an informed person at the head office of the Department. If this is requested by the applicant, they are advised to enter into discussion with their district officer. The district officer in most cases finds himself in the position of 'equal ignorance' with the family. The applicant must rely on the parent group as their sole source of information and support.

There appears to be a complete lack of liaison between the Department head office and district offices on the subject of Intercountry adoption. This may be due to the fact that changes in the Intercountry adoption area are so frequent that the district office can not, because of the current structure of the Department, be issued with constantly up-dated information. Whatever the reason, the fact remains that Intercountry adoption is a specialised and constantly changing area and correct information currently takes months to filter through from the Department head office to the district office, by which time it is already out-dated. Further, few district officers are skilled to assess applicants on to assess applicants on trans-racial issues.

- Does this suggest that there is a need for a special unit for intercountry adoption to be established at the Department head office? Social workers or trained officers of this Unit could conduct home assessments, besides offering the applicants a support and information service. Or should Intercountry adoption be passed to an existing private agency that is better equipped to give the attention necessary to this specialised area of adoption?

Since 1981, the Department has held information seminars for those interested in Intercountry adoption. These seminars are at pre-assessment stage and no application papers are issued until the applicants have attended a seminar. A percentage of



applicants choose not to continue with their adoption at this point.

When a child is escorted to Sydney for adoption, a Department officer is rarely in attendance at the airport. It is left to the parent group to arrange for the use of the Immigration room and to wait with the family until their child arrives, ensure that the escort hands the relevant documents to the family and to arrange for the family to take their child for a medical check, preferably directly from the airport. Most of the children arrive healthy and the experience is a positive one. However, some babies do not travel well and arrive ill, and occasionally the escorted child is in a serious condition on arrival. Whose responsibility should it be to support the family in such instances? . . . And in the event that a baby dies during the flight, should the parent group be expected to cope with this situation? If the child is the client of the Department, then surely he is entitled to professional service at the time of his placement.

Doctors at the Children's Hospital, Camperdown, in conjunction with the Department, have established an Overseas Adoption Clinic. It is advised that children be taken to this Clinic as soon as possible after arrival for a complete medical check.

Children are required to undergo medical examination overseas, prior to the issue of a visa. However, depending on the country and the facilities available to the doctor, many of these medicals are inadequate, and children may arrive with a medical problem.

DEPARTMENT ROLE — WHAT IT SHOULD BE

The Department should generate for the applicants a feeling of involvement with their adoption. Applicants should be encouraged to contact the Department for support and information. Information seeking about adoption generally and intercountry adoption in particular, should be encouraged as an integral part of assessment.

The Department should process all family files. Confidential papers and application documentation should be handed to a Department social worker or district officer by the family, and the Department must assume responsibility for forwarding this support documentation to the country concerned at the time the home study is sent.

The Department should advise the overseas agency concerned that the Department (and under no circumstances the family, parent group or other unauthorised person) must be advised of the proposed child. The Department having decided that the child is in fact a suitable placement, should then inform the family immediately, and the Department must cable acceptance of the allocation to the overseas agency without delay.

Up-to-date information on intercountry adoption must be passed on by the Department head office to the district offices as soon as it becomes available. The Department must ensure that district officers assessing applicants are kept informed of current information relating to all aspects of intercountry adoption. In many cases, the district officer has not assessed a family for intercountry adoption previously, and relevant questions are not asked, nor information given. To further add to the lack of Department credibility, the district officer concerned freely admits to the Applicants that he knows nothing about intercountry adoption.

When changes occur with programmes relating to a specific country, the Department must notify all applicants affected by those changes immediately.

Information pamphlets should be printed advising applicants aspects of intercountry adoption.

Where the overseas country requires the adopting couple to travel to the child's country to satisfy legal and welfare requirements, the Department must undertake to inform the family of the procedures that it is necessary for them to complete, e.g. where and how to apply for a visa, medical clearance and passport of their child. Information as to whether or not the family will be required to appear in Court for the Adoption Order of their child, or whether they will be interviewed by the welfare authority, should be given to the adopting couple along with details of what is expected of them in these situations. General information on, for example, how to treat common ailments such as worms, diarrhoea, scabies, giardia, head lice etc. should also be provided, along with some general cultural information to familiarise the family with some aspects of the country.

When the adoptive child is to arrive in Australia with an escort, the Department should make arrangements for private immigration room facilities to be available at the airport, and a Department representative, preferably someone who has worked with the family, should be in attendance. Information on minor medical problems (as previous) should be made available to the family.

When the adoptive child travels to Sydney with an escort, it may be practical for a department officer to act occasionally as the escort. In that way, the Department representative has the opportunity to ensure that the procedure used in the overseas country to facilitate the adoption is in accordance with acceptable social work practices, and the representative has a chance to meet with officers of the overseas welfare authority, thus strengthening the relationship between the Department and that authority.

The Department should be represented at conferences or seminars about intercountry adoption. These meetings are invariably instigated by overseas welfare

authorities and are therefore held in an overseas country. However, as these conferences are infrequent, it is not unreasonable to expect the Department to attend and in this way to be conversant with the trends in and concerns relating to intercountry adoption. Such meetings are attended by representatives of the countries that are placing children for adoption as well as (with Australia as a notable exception) receiving countries.

The assessment of applicants and post-placement supervision of the adopted children are only one part of intercountry adoption. Contact must be maintained with the overseas welfare authorities and their views respected if intercountry adoption is to continue.

The Department relies almost exclusively on the parent groups to facilitate adoptions overseas. As suggested earlier, the Department must support the position of the parent group to the overseas authority. Social workers in many countries criticise the involvement of parent groups and ask where is the commitment of the assessing agency. If the Department believes that the current structure is in the best interest of all concerned, then this must be stated in writing and forwarded to the various welfare authorities overseas immediately to prevent further confusion, criticism and the ultimate closure of adoption programmes.

When applicants are refused an intercountry adoption approval after assessment by the Department, the family concerned should be informed of this refusal and the reasons why, by a social worker in an interview situation. Sensitive counselling must be given. The current method of refusing applicants adds to their distress. A letter stating that they are unsuitable is neither a practical nor a compassionate way of refusing the applicants especially where no reasons or counselling is offered.

Where a Guardianship Transfer is the only document issued by the authorities of the child's birth country, the Department must ensure that finalisation of that adoption in New South Wales is achieved as soon as possible. There are children who have not been issued with an order of adoption a number of years after placement, leaving the children and parents concerned in a vulnerable and insecure position.

- In the case of such unfinalised adoptions, what is the nationality of the child?
- In the event of the death of one or both of the adoptive parents, who is the child's legal guardian?
- Where the child holds no birth certificate from his or her original country, the Department should supply the family with a letter giving the child's age, until such time as an Australian birth certificate can be applied for. Many occasions arise from school enrolment

on, when this document is needed for identification and proof of age.

- The identity card issued in lieu of a passport, to families of children without an order of adoption, when the child accompanies his adoptive parents overseas, is insufficient. This identity card is not recognised by a number of countries as being adequate documentation. Some embassies will not grant visa approvals or stamp these identity cards.

With some overseas countries, it is a condition of the welfare authority that post-placement reports be sent for a period of time after the child is adopted. The Department must honour this agreement. In the absence of Department concern in this area, the parent groups or the adoptive parents themselves have supplied these reports to ensure that the programme remains open. This must leave an unfavourable impression of the Department of Youth and Community Services on the welfare authority of the countries concerned.

The Department prepares a My Story for all children adopted in New South Wales. A similar booklet should be given to each child adopted from overseas.

An Information Register must be established for intercountry adopted children. If we accept that adult adoptees have a right to information about their background, then this right cannot be denied simply because the adopted child was born outside Australia. In many cases very little information is known. However, a birth place and date is better than no information at all.

Research on Intercountry adoption should be instituted by the Department as a matter of priority.

AUTHOR'S NOTE:

These statements were included in this Report to provide an overview of the confusion pertaining in Intercountry adoption. It is necessary to view these statements in the light of the contrast between government institutions and social workers in donor countries, and those in-country representatives of overseas organisations who have, by definition, a vested interest in the maintenance of intercountry adoption irrespective of the views of capabilities of donor countries to care for their children.

These extracts highlight, in particular, the obvious double standard applied to children placed for adoption in a second country. It is implicit in some of these statements that intercountry adoption children are considered to not need the pre- and post-placement services which receiving countries deem absolutely necessary for children placed locally, within their own borders.

ATTITUDES OF DONOR COUNTRIES

The following extracts are from papers delivered or statements made at the Intercountry Adoption Seminars of the ICSW Asia & Pacific Region Conferences held in Melbourne, August 1979, and in Bombay, August 1981.

Melbourne, 1979

MRS. FLORA EUFEMIO, Director, Bureau of Family and Child Welfare, Ministry of Social Services and Development, Philippines.

The limited availability of healthy, white infants has resulted in children from Asia being adopted, to meet the demands of adoptive applicants in . . . Australia, most likely as second choice.

It is reported that as of October 1975, besides licensed intercountry adoption agencies, there were ad hoc groups . . . originally operating in South Vietnam, that have moved to sixteen other countries of Asia, the Middle East and Latin America as 'child seekers'. Their sole purpose undoubtedly is finding children to be adopted by those in their waiting lists, who already have paid them their fees.

Almost all of the representatives of agencies we have dealt with dismiss our attempt at potential problem analysis or prognosis in relation to a child's adolescence and adulthood in the specific country they represent with the quip that even children who grow up with their own families go through this difficult stage of development. Further, some of the representatives of these agencies connect with influential political people, who know nothing about the factors that count in the service of a disadvantaged child, to achieve the welfare of their clients - the adoptive applicant.

Is it 'in the best interests of the child' to allow non-governmental agencies like these to handle intercountry adoption and for governmental agencies to be less competent and take a peripheral position?

Adoptive parents in most Western countries have organised themselves into associations to be able to share and advise one another even after the period of 'trial custody' and the issuance of the adoption decree without the intervention of the agency. Is this move an index to the failure of the adoption agency to provide the counselling service?

Is it in the best interests of the adopted child if the adoption agency is not as competent or committed to the provision of post placement service as it is in the conduct of home study?

H. Moh. Said Danuningrat, National Council on Social Welfare, Indonesia.

Many people in developed countries who have been waiting for years to adopt a child, now put their hopes in developing

countries. This situation results in intercountry adoption, and evidently developing countries have become the supplier of children, whereas developed countries become the receiving party.

Intercountry adoption from countries of the third world is a special form of intercountry adoption, because it not only crosses state boundaries, but crosses also racial, cultural and/or religious boundaries. Just because of these last three factors, intercountry adoption should be carried out very carefully, so that on the one hand it will ensure the happiness of the child and his adoptive parents, and on the other hand will not cause disturbance in the supplying a well as in the receiving country.

Facts presently faced by intercountry adoption are:

- the urgent need in developed countries to adopt a child as shown by the long waiting lists at the adoption agencies of prospective adoptive parents who have been selected and approved;
- after intercountry adoption has been carried out on a large scale from Korea and Vietnam, as a result of many years of war which left a great number of orphans and deprived children not equal to the facilities available in the countries concerned, the interest in developing countries to give away children for intercountry adoption is only slight. In certain countries intercountry adoption is even criticised strongly.

Since intercountry adoption involves human beings, there are many factors which have become the obstacle in developing countries, for instance:

- . . . there arises also the hesitation on the future of these children, whether they will be fully accepted by their new society when they have become adults. And what are their chances to get married and to get a job? Because anyhow the adopted child is a non-white among white people. - In many developing countries there is as yet no regulations or laws on intercountry adoption available. This situation enables improper implementation of intercountry adoption. It would even give chance to irresponsible parties to gain material benefit for themselves by supplying children in exchange of money, by giving as reason the cost of child care which according to standards of the supplying country reaches far beyond realistic figures, and tends to become a traffic in children. This gives a bad image of intercountry adoption and has an unfavourable impact on the society.

From the above examples it is obvious that a good and noble purpose does not always receive a good response. What counts is the implementation.

Due to the existing differences of social, cultural and/or religious values, intercountry adoption is considered by most developing countries as the last alternative of various means of children's

welfare service. Developed countries should pay respect to such different values, and should not force their values and institutions, no matter how well it is meant.

Apart from that, developed countries should also pay respect to the dignity of the people of the Third World. This is a very sensitive matter and has a great impact on the people. For instance, developed countries should not interfere with the internal adoption affairs of developing countries, either directly or indirectly. As an example is mentioned here: the financing of a home for abandoned children in a developing country to be made counterpart, whereas the policy on intercountry adoption is stipulated by an organisation in a developed country.

As counterpart in developing countries should be appointed organisations under the supervision of the government, and on no account should individuals take that place.

It has been explained earlier that intercountry adoption crosses racial, cultural and/or religious boundaries. Consequently this requires developed countries to set up programs to introduce the culture of the child's country of origin for prospective adopting parents. Their good understanding into the traditional customs and culture of the child's country of origin is very important in taking a decision whether or not they are going to adopt a child from a certain country, and would be also very useful in achieving early adjustment of the child and themselves, and in giving guidance to their child at adolescence when the child has to face identity problems.

Last but not least is worth mentioning to undertake research studies on the development of adopted children until they become adults. This concerns his development in his adolescence, the community acceptance of his presence as a youth and as an adult, and what his chances are of getting married and getting a job. The data obtained will provide the basis for the evaluation of intercountry adoption, and may wipe off the worries of the developing countries on the future of their adopted children from the psychological point of view.

Mrs Renu Jotidilok, Deputy Director-General, Department of Public Welfare, Thailand

Thai children have become the subject of exploitation and trafficking. Thousands of them were unnecessarily separated from their own parents, purely by economic conditions and ignorance of their mothers or parents. The broker roamed the villages, and sought after children for adoption.

The public was alarmed and shocked about the world-wide BBC TV programme on the topic of how babies were acquired and arranged for intercountry adoption,

mainly regarding our children of Thailand and those of Korea. Moreover, a nursery in Bangkok which has children in their care purely for sending abroad for adoption, was broken up by the police. This news brought much criticism and incited anger in public, because it appeared that out of 33 children who were sent to our care, many of them had been stolen from their parents, and the rest could not be identified.

Now I wish to emphasise and add some points regarding this matter of intercountry adoption.

First, the adoption process, whether in-country or intercountry, takes time and is a lengthy one. We have to make a very careful study in every case to ensure that the interests of the child are protected from both legal and welfare points of view. I want to make it clear that we cannot overlook the rights of natural parents and others who may have rights and the responsibility for the children. From our point of view it is a humanitarian aspect - as well as a legal and social one - to try to return the child to his own kin.

The second point is that I wish to make it known that we do not have very many totally abandoned children available for adoption, as it was publicised by some private agents. To answer the question of why these children in children's homes are not being provided for adoption, it is because they are waiting to return to their families.

Another essential point regarding intercountry adoption is that when we deal with the lives of human beings we do not look at the matter only at the current time, but we have to look beyond the present to their future. We should have no doubt or uncertainty that we have changed their lives for the better, even if when they grow up and have to be on their own. Can we be assured that the difference in race and in appearance will not be a handicap to them? Will they be able to maintain their own identity when they grow up? Can they be fully accepted by the society which they do not naturally belong to? These aspects are our constant concern.

We believe that adoption outside a child's own country should be considered only when suitable plans cannot be made for him in his own country.

The final point I would like to make is that intercountry adoption will be able to continue only if it is arranged within the framework of the welfare authorities system. The authorities of both ends have to control and supervise in order to protect the children from being the subjects of exploitation or trafficking in some form. When the demand and supply of children are not in proportion, it is easy and natural that somehow, somewhere, money comes to be involved. No welfare authority of any country, developed or undeveloped, can tolerate this violation of the right of the child.



BOMBAY, 1981

The Intercountry Adoption Seminar at Bombay was held on the two days prior to the ICSW Conference and an Adoption Workshop continued through the week. The following are statements made in the open session of that Seminar. As the Conference was held in Bombay, the majority of statements are by Indian delegates and about Indian adoption. The forum was in two parts - one for 'giving' and one for 'receiving' countries.

Chairperson: Mrs. Tara Ali Baig, President, International Union of Child Welfare, New Delhi.

TARA ALI BAIG

I stress that the rights of the abandoned and destitute child must be paramount.

1. To grow up in an orphanage only offers a child disadvantage and isolation.
2. Foster care does not work well in India.
3. Intercountry adoption. The liberation of women in industrialised countries has resulted in fewer children being born. There are long waiting lists for adoption in all Western countries. Developed countries now look to countries of the Third World to satisfy the adoption client.

I would like to express my grief that funding has been reduced for child welfare services in developed countries.

Prejudice exists against adoption within India. A child without parents is a lost child. At the moment there are not enough Indian adoptive parents to take all our available children. Speed is what is needed, but the speed must be within the framework of good social welfare practice. Every child deserves and has an absolute right to his own family.

With regard to intercountry adoption, it cannot be stressed strongly enough that only one Government approved agency from each receiving country should be allowed to operate in India.

Representative Juvenile Court, Bombay

We are concerned at the age of children being taken from India for adoption.

Receiving countries have age limits for children adopted locally. Why are not these limits applied to their families when adopting intercountry? Please, no child six years of over should be adopted by foreigners without special permission.

Intercountry adoption has been of immediate benefit to many abandoned Indian children. We do not deny this. But what of their future? Where are the research documents?

We have parents waiting on our local register, but let us be honest, Indian adopters will only take a boy, not a girl and always fair not dark. However, let us first try to place at least fair skin baby boys in India. These children should not go to foreigners before they have been given every chance to remain in India with Indian parents.

Children's aid society, Bombay

We need to strengthen domestic adoptions. Intercountry adoption only touches the tip of the mountain. We ask advice from the overseas countries represented here on how to place our children in India.

India must urgently have a uniform adoption law and it is now before Parliament. Let there also be a National Body for intercountry adoption with branches throughout India. Foreign parents have money. Children are taken out of India before locals are even considered. The evidence of that is clear from the number of families waiting on our local register. How long do foreigners wait? There should be a half-way home where all children available for adoption stay for some time.

Andal Damogaran, Indian Council Council for Child Welfare, Madras.

There should be an immediate standstill on adoption. It should be closed completely. When all has been sorted out and the publicity has ceased, then let us begin again within a National structure. One bad case with malpractice has closed programmes in the past and will again in the future. There should be no malpractice when dealing with children's lives.

It must be the responsibility of the Government agency in the receiving country to satisfy itself on the background of the child and to ensure that the child is indeed abandoned and available for adoption. It is scandalous for the Government agency of the receiving country to turn a blind eye to the activities of its consumer groups. Adoption outside India must be the last choice for any child. Please delegates from overseas, do not work with individuals. Please deal only with government agencies in India.

Consumer groups of foreign parents have money. Whichever agency offers the most money gets the child. One agency only from each country should be allowed and if this agency cannot be a Government agency, then let us have a clear statement that the agency operating is at least doing so with the full sanction of the Government of the receiving country.

Local families are waiting. Why do the children go out of India before these families have been considered? Is the child's interest paramount or that of the foreign adopting parents? It is not true that local families will only take boys, many families are also waiting for girls. Should these children not be given at least a chance to stay in their country of birth.

Foreign adopting families must not financially help the relinquishing family. Would this be allowed to happen if they adopted a local child from within their own country?

Proxy adoptions are best. When foreign parents come for their adopted child, they invariably cause problems. Please let the agency do the work and process the adoption.

Mr Nageswaran, Indian Council for Social Welfare, Calcutta.

The baby racket continues in Calcutta. Consumer agencies from many countries compete with money for the child. To the foreign adopters, children are indeed a commodity to be bargained for.

Urgent service must be given for family support so that fewer children will go out of India. When a child has no alternative to adoption, please let us consult our local parent register first. Intercountry adoption should always be the last resort.

Bertram Sheno, Solicitor, Bombay.

What has been done by the Indian Government to look after the thousands of abandoned children in India?

The Institutions I am connected with would like to see local adoptions. However, very few local families come forward for this. Indian families will not pay for the medical expenses of a child. Foreign organisations will. Is this wrong? An Indian family does not have the right to a child that would have died without foreign help. Surely these children should go abroad to families who obviously care.

Tara Ali Baig

Experience says that very poor children do not become available for adoption. The poor need their children in order to survive.

While I agree that Indian families for the most part won't pay medical expenses and foreign families will, might this not be a question of economics? Anyway, if it is a truly noble gesture on behalf of the foreign agencies to pay such expenses, why should the child still not be given the chance, if it is possible, to remain in his birth country?

Is this further evidence of the child as a commodity?

Indira Dey, Indian Council for Child Welfare, New Delhi.

It is high time that we all gave paramount interest to the child.

The child, not the adoptive parents, not the country, not the money.

Malpractice abounds. For every happy story, there is a sad story. We are a poor country, but we do not want to see our children leaving our country. If intercountry adoption is to continue, is it too much to ask that only one Agency representing each country be established in India? Further, is it asking too much for the Government agency to be the one to represent the receiving country, or at least, for the Government agency to indicate its support for an Agency to represent its approved adoptive applicants? Is it a question of the number of children each Agency can supply to its clients? Is there competition in the receiving countries that is measured in children's lives.

In North India, Indian families will adopt girls. But our register of local families

remains full, while we stand by and watch our children leave India by the hundreds. Is this in the best interests of the child, or in the best interests of the foreign adopting families?

Is it ever a concern to the Government Assessing Agency in the receiving country that foreign parents may not be in the best interest of an Indian child?

Religious groups operate for fellow religious groups. Is it in the interests of the child to keep him in his birth religion?

The Indian Council for Child Welfare has set down clear guidelines for intercountry adoption, yet rarely do we see these guidelines followed by foreigners adopting Indian children. Why is this? Do the Government Agencies of the receiving countries have such small respect for our standards that they neglect to supervise the operations of their consumer groups? Or is it an indication, by the very fact that it is the foreign consumer group and not the Government agency that conducts these adoptions, that there is less care given to intercountry adoptions than to domestic adoptions in the foreign countries?

This is perhaps the real reason behind the lack of valid research documents - the complete lack of interest as to the future of our children. They merely are a commodity to satisfy the needs of the agency's clients.

I repeat that we are a poor country. However, the poor too have self respect, and the poor have one possession - their children.

We want definite results and we call for urgent research. We demand that a national body be formed to control the movement of children outside India and that the standards and guidelines of such a national body be rigidly adhered to by foreigners adopting our children.

Maharashtra State Orphanage

We give children to parents. There should be no argument between local or foreign. A child should be placed where he will be given the most love. Is this not child welfare?

Is it fair to the child to give priority first to the Indian family, then to the Indian Institution and only then to the foreign family? A child should not be treated like this. Children need families more than nationalities. Children need parents' love.

Meera Desai, Indian Association for the Promotion of Adoption, Bombay.

In India, we see so many agencies competing. The onus must be on the Government Agency in the home country to control the activities of the consumer groups and individuals working in India. This lack of interest is the cause of much confusion. Our local families are forced to wait behind foreign adopters.

An open register must be maintained for local Indian families and only when this

register is clear should children be available to foreigners. In the absence of such a system, we have chaos and children are the casualties.

No individual adoptions should be entertained. Government Agencies only. Social Workers should facilitate adoptions, no one else is qualified, and please no lawyers.

Poverty is not a valid reason for the adoptive placement of children. Foreign agencies are critical of our poverty and believe that our children belong with the foreign families they represent. What right do they have?

Foreigners make it easier for the Indian Social Worker to place a child with them rather than a local family. Foreign agencies can afford to pay higher wages to their representatives than they would receive if employed by a local agency. I deplore the social worker who would use his profession to exploit children to the highest bidder.

For every child that is taken out of India for adoption, let the agency concerned give a donation to help promote the climate for most children to be absorbed in India.

I personally have three families waiting to adopt girls. I have to compete with foreign agencies for these families and the foreigners always win. Those of you representing foreign adoptive parents, examine your consciences. Do you really care about children?

Dorothy Lobo, Terre des Hommes, Pune.

I also stress strongly that before considering intercountry adoption, all alternatives must be explored. However, there are not many suitable local parents. If we are to give priority, then we must first educate our local people. At the moment they are not good enough. They are either too old or too fussy or have too many prejudices. Pre and post adoption counselling is not available to most of our local parents.

As a contrast, intercountry adoption is strong with an informed network for its adoptive families to draw on for support. Local families cannot fight this without coordination. We cannot say that foreign adoption is corrupt. Where is the research to support this? Adoption needs to be financed - who will give the support for local adoption?

The child mortality rate is high in India. Children frequently need hospitalisation. Who will pay for this if the foreign agencies cease to do so? And where does the child belong when local families would see him die and foreign parents will pay his medical expenses?

Mr Y.T. Takh, Social Welfare Society, Korea.

It takes time to have ideal adoptive placement. Without experience and a long period of time, this is not possible.

Without economic growth, it is impossible

to place your children locally. Also you need education. Without understanding of adoption, it is impossible to place children for adoption.

In Korea, we have been very successful. We now place one child locally to every two foreign adoptions.

Professional Social Workers are essential to good adoptive placement. Never use lawyers. Work only with Government Agencies, never with individuals or consumer groups.

Don't look to overseas for your funding. You have to rely on yourselves and your own resources so there is no feeling of obligation. It must always be by your rules. Without good adoption laws, you cannot deal with good adoption placement. If you sincerely believe that a child's rights are important, then you will do this.

I am very proud of my Government for making strong policy - very strict for foreigners, very encouraging for locals.

Attitudes of receiving countries: Rudolf de Bou, President, Board of Intercountry Adoption, Netherlands.

My Organisation promotes and funds projects for children. We also promote intercountry adoption.

We spend the bulk of our funds on sponsorship and child projects.

Research is currently going on in the Netherlands, as to the success of intercountry adoption. A number of children are being charted from placement to 20 years of age, with interim reports. The first of these reports has been published. The findings are that children, at least in the pre-school and early primary school age, do not meet prejudice. The first children came to the Netherlands for intercountry adoption in 1969.

Ministry for Social Affairs, Norway.

In Norway, we have a difficulty in relation to up-dating family reports after placement. This needs to be explained to correct any misunderstanding.

We need research into the individual child. However, the family is not obliged to receive a Social Worker to do a follow-up report. The family must seek to do this voluntarily. Once placed, the adopted child belongs to the family. We have no further formalities within Norway once the child is with the family. We believe that the child must be a member of the family as if born to that family.

We believe that the child should be Norwegian completely. We do not feel that contact with the original culture is necessary and we believe that such contact may be disruptive. Children, once adopted, take on the nationality of their adoptive country.

We do not have enough children adopted from outside Norway yet to conduct valid research. So far only 3,500 children have

come to Norway for intercountry adoption and of these, we have had only ten breakdowns. Our families are thoroughly assessed on rigid criteria.

John Williams, Holt International, USA.

International adoption is not a remedy. It is only an interim measure.

Some consideration needs to be given to joint guardianship of the child between the Agency and the family, or the Agency instead of the family.

Holt conducts adoption studies as opposed to family home studies. The family needs first to understand what it is to adopt a child transracially.

Adoption should only be conducted through approved agencies and not individually and certainly never by consumer groups. Social Workers only

should work with children for adoption, the lawyer has no professional knowledge in this area.

Holt views itself as a children's agency. We facilitate adoptive placements only to help the child. We do not find a child to help the family.

Jane Baun, Society for International Adoption, Denmark.

In Denmark, individual adoptions are forbidden by law. We have no consumer agencies. there are three licensed Government Agencies, one for each region of Denmark. The Minister has ruled that only one Agency can work with each orphanage in an overseas country. The name and address of the orphanage must be registered with the Minister for his approval before any programme can commence. The Minister meets yearly with

the Agencies to discuss problems etc.

Approximately 500 children are adopted from outside Norway each year. Strict investigation lasting 6 - 12 months is conducted on the applicants by a Social Worker and a Psychologist. The same Social Worker works with the family from the initial interview to the end.

The allocation is sent to the Agency and we insist on a thorough Medical Report and Social History. The Agency considers the placement and if we believe it is suitable, the Social Worker tells the family. We have had no breakdowns.

* Rosemary Calder. Paper delivered at the Intercountry Adoption Seminar of the ICSW Asia & Pacific Region Conference Melbourne. August, 1979.

Cont'd from p. 12

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VENUE: Lincoln College — Christchurch

DATES: January, 1985.

INFORMATION: Mrs. A. Price, 17 Mottram Street, Christchurch, New Zealand.