

ADOPTING THE FUTURE SPEECH – 4 July 2006

Good morning everyone and thank you for taking the time to attend the launch of 'Adopting the Future' .

Everyone wants what's best for children - and the best is to make sure that – as far as possible – they enjoy a happy, healthy and secure family life. This is the foundation on which children thrive, achieve, and develop the confidence to meet the many challenges ahead.

For the vast majority of children, the family into which they were born is the best family for them. But there are a small number of children whose families, for whatever reason, are unable to provide them with the consistency of care they need. These children may need to be taken out of their family environment and be 'looked after' by the State. For many, this is a temporary arrangement and when circumstances change, they return home. Some looked after children spend longer periods in the care of foster families but still retain strong family

ties that are essential and important to their well-being.

However, there is another group of children. These are the children who cannot return home to their parents or the wider family. These children urgently need a sense of permanence and belonging. They need the chance of a new family now - They need to be adopted.

Adoption is, however, much wider than just the service provided to children. Adoption affects birth parents, adopters, brothers and sisters, grandparents and other relatives and I believe that more can and should be done to reflect the complex needs of those affected by adoption.

Given the complexities of adoption and the huge impact it has on the lives of children and families, it is the duty of Government to develop laws, policies and procedures which ensure that the welfare of the child throughout his or her life is the paramount consideration of adoption agencies and the courts.

Adoption now is very different to what it was in the past. The children who need adoption today are usually older, and with the exception of intercountry and step-parent adoptions, usually from the care system.

Adoption in today's society presents enormous challenges for everyone involved. Like no other service, adoption challenges social workers to assess children and families with the utmost expertise and make timely decisions with certainty. It challenges family courts to place the welfare of the child at the heart of their deliberations and never to forget the child's own timescales in the process.

It challenges birth parents at the very core of their being - and we should never underestimate their own support needs. It challenges new adoptive families to bring to the child additional qualities over and above what we would normally expect of birth parents.

Most importantly, adoption challenges the child. It challenges the child to make sense of the past, adapt to the present and prepare for a new future. I am determined that the adoption service of the future

will take into account all of these challenges and meet them with firm resolve.

Adoption is a complex legal process, which tries to deal with very human problems and emotions. It has a life-changing impact on the people involved, an impact which extends well beyond the time of the formal legal process.

It invokes a range of intense and complex emotions; the pain of loss and separation; the stress and anxiety of uncertainty; the joy of a new family; apprehension for what the past holds and what the future might bring. We have a duty to recognise the tremendous impact adoption has for everyone involved and to put in place services which support people throughout the adoption process and for the whole of their lives.

Social services are at the forefront of work with these often vulnerable children and families. I recognise that the people who work in social services - and those responsible for managing social care - do so under real pressure. I know that you are on the front line of many of the major challenges which face our children and their parents today - addressing

the problems of drug abuse, alcohol dependency, poverty and deprivation. Balancing this with the need to keep families together in all but the most exceptional circumstances is a formidable task. I want to place on record my gratitude for the work of all those agencies involved. Too often, there is too little regard for what you do. I want to assure everyone in this room that my officials and I recognise and deeply appreciate all the excellent work that is carried out by a range of agencies and carers - all in the best interests of children.

‘Adopting the Future’ outlines the Government’s vision for adoption services in Northern Ireland. The strategy highlights the dilemmas and problems faced by families, practitioners and the judiciary in operating and interpreting the current Northern Ireland adoption legislation, in today’s society.

In developing the strategy, the Department has listened to key stakeholders who believe that adoption should be more widely used as a permanent option for looked after children. But, as we all know, current adoption services in Northern Ireland are founded on legislation that is now

outdated and out of step with developments in other parts of the UK.

The challenges posed by the current framework are numerous:

- Our adoption law was developed before the Human Rights Act became law. This means that the courts and adoption agencies are faced with real conflict in making decisions that balance the rights of children and their parents in the most difficult and emotional circumstances.

For example, where parents clearly love their children but are not able to keep their children safe from harm: Whose rights should be paramount – the mother's or the child's? Where should the court's focus be? How best can the child's need for family life be served?

- There is currently no way a child in care can have a permanent family except through adoption – this applies particularly to older children, cared for by a foster family. These

children may not wish to cut their birth family ties completely, yet they want the security of a loving family that is free from supervision by Social Services

- For many years adoption was in effect a closed system - with no contact between the child and their birth family. What we need are more flexible arrangements where those children who may benefit from contact, are able to maintain it – recognising, of course, that for others contact may never be possible. Our current law does not give sufficiently clear direction to adoption agencies and the courts in helping them deal with the dilemmas facing adopters and birth parents, in determining whether contact should take place;
- The Eligibility criteria we are currently working to reflect the norms of the 1970's - since when there have been dramatic changes in family structures and social attitudes. We must address the needs of today's children in ways that reflect the society in which they live.

- A further anomaly is that birth parents who have remarried have to adopt their own child in order for their new spouse to become the child's adoptive parent. This is nonsense and particularly upsetting for all concerned.

- These are some of the reasons why the law needs to change. But the fundamental reform we must make is to change the law in order to put the child at the very heart of the process, by making the child's welfare the paramount consideration in all decisions.

I hope we can all share this vision for adoption in the 21st Century;

- where the needs of the child are placed firmly at the centre of the process.

- where agencies will make greater use of adoption as an option to meet the needs of looked after children, and
- where children and families can expect the highest standards of professional advice, effective permanence planning and support.

The strategy sets out proposals for the changes needed to make this vision a reality at every level.

We will introduce:

- New legislation which places the best interests of the child above all other considerations
- Comprehensive standards, guidance and training for agencies to ensure efforts are maximized to achieve the best results for children.
- A principle in law that delay in decision-making is likely to prejudice the child's welfare

- Guidance for all those involved in adoption about the appropriateness of contact and the way in which it should be managed.
- Options to find a family for a child through a regional system where it has not been possible to do so locally;
- Placement orders to enable children to be placed more quickly with a prospective adoptive family;
- Introducing new eligibility criteria that will:
 - Extend joint adoption to civil partners and unmarried couples whether of different sex or same sex – who are living as partners in an enduring family relationship
 - Allow step-parent adoption without the need for birth parents to adopt their own child;

- Set an upper limit to ensure that very young infants are adopted by people who will be able to care for the child throughout childhood and beyond
- A new “Special Guardianship” order to meet the needs of children for whom adoption is not appropriate;
- A requirement that agencies must provide a comprehensive range of adoption support services; and
- A charge for the work carried out directly by Departmental officials for the processing of inter-country adoption casework.

I know that some of these proposals will be regarded as controversial. But I firmly believe that the changes we are bringing forward are absolutely necessary. The adoption process must place the

welfare and best interest of the child above all other considerations.

If we have to choose between the views and interests of particular individuals or groups and the welfare of a child, we should have no hesitation in choosing the child every time. All our children deserve the best start in life that we can give them. They all deserve to be brought up in happy and stable homes.

None of this will be easy. Much of it will take time. All of it requires a huge amount of effort. These proposals are rightly based on the need to be ambitious for those children who cannot be cared for at home. They are based also on our belief that these services can be better - and must become better than they are today. Birth families, adoptive families, and above all the children themselves expect and deserve no less.
