

To all Information & Tracing Service Providers

Framework for the Provision of a National Information & Tracing Service

The Adoption Board is pleased to present the first Framework for the Provision of a National Adoption Information & Tracing Service.

The Framework is a co-operative initiative of the Adoption Board, the HSE, the Registered Adoption Agencies, the Council of Irish Adoption Agencies and the adoption support and stakeholder groups. The Board wishes to thank all involved for the considerable time and effort contributed.

The Framework provides guidance and advice and sets standards for the information and tracing service nationally. It is intended to support the provision of a uniform, quality, and timely service across the country. This will both help Information & Tracing service providers in their work and benefit clients availing of the service.

Information and Tracing service providers are requested to comply with the requirements set out in this Framework document. Additional practice guidance for professionally qualified social workers is included. The guidelines are voluntary, pending legislative change, but the level of support and co-operation shown by all parties involved in their preparation is a clear indication of broad based service provider and service user support for this initiative.

The Framework will now be piloted across information and tracing services nationally to the end of 2008, after which it will be reviewed. That review will take account of the operation of the guidelines, the experience of service providers in delivering the service in that period, and feedback from persons availing of the service during the pilot phase. It will also identify any resource issues which need to be addressed,

taking into account the annual €1 million in on-going, additional, funding invested in the service from 2004 onwards.

There will be a number of information and training days held at the Adoption Board over the next six months to support implementation of the Framework.

John Collins, CEO
Adoption Board
November 2007

**Standardised Framework for the
Provision of a National Adoption
Information and Tracing Service**

Contents

Acknowledgements

Operational Protocols for Service Delivery

1. Service Context and Background.....12

- 1.1 Who this document is for..... 12
- 1.2 Service Context.....12
- 1.3 Background.....13
- 1.4 A General Service Framework..... 14

2. General Policies, Principles and Definitions.....16

- 2.1 Policy Considerations.....16
- 2.2 Operational Principles.....17
- 2.3 Definitions.....18

3. Who may avail of the Service.....20

- 3.1 Introduction.....20
- 3.2 Registered Private Adoptions.....20
- 3.3 Children placed for adoption abroad.....21
- 3.4 Children adopted from abroad.....21
- 3.5 ‘Informal’ adoption.....22
- 3.6 False Registrations.....22
- 3.7 Who processes enquiries.....22

4. Range of Services Provided.....24

- 4.1 Background.....24
- 4.2 Release of Information.....24
- 4.3 Non-Identifying information.....25
- 4.4 Identifying Information.....25

| | | |
|--|--|-----------|
| 4.5 | Dealing with an information or tracing request..... | 26 |
| 4.6 | Correcting or adding additional information to files.... | 28 |
| 4.7 | Search and Search Support..... | 28 |
| 4.8 | Providing an Intermediary Service..... | 29 |
| 4.9 | Contact with the person sought..... | 30 |
| 4.10 | Release of a Birth Certificate..... | 31 |
| 4.11 | The National Adoption Contact Preference Register...32 | |
| 4.12 | How the Register operates..... | 33 |
| 4.13 | First two years of operation..... | 34 |
| 5. Release of Information..... | | 36 |
| 5.1 | Release of Information..... | 36 |
| 5.2 | Identifying Information..... | 36 |
| 5.3 | Non-Identifying Information..... | 37 |
| 5.4 | Sensitive Information..... | 37 |
| 5.5 | Release of Birth Certificates..... | 38 |
| 5.6 | Agency Contact..... | 40 |
| 5.7 | Other Information..... | 43 |
| 5.8 | Sharing Information with other Agencies..... | 44 |
| 6. Operational Procedures..... | | 46 |
| 6.1 | Introduction..... | 46 |
| 6.2 | Advice on inter-personal contact with clients..... | 46 |
| 6.3 | Protocols for managing individual enquiries..... | 48 |
| 6.4 | The First Meeting..... | 49 |
| 6.5 | The Search..... | 50 |
| 6.6 | Outcomes..... | 52 |
| 7. Preservation and Maintenance of Records..... | | 53 |
| 7.1 | Introduction..... | 53 |
| 7.2 | Maintaining and Preserving Records..... | 53 |
| 7.3 | Confidentiality..... | 55 |
| 7.4 | Access and Disclosure..... | 56 |

| | | |
|------------|---|-----------|
| 7.5 | Transfer of Records..... | 56 |
| 8. | Staffing Guidelines..... | 57 |
| 8.1 | The Adoption Board Information and Tracing Service..... | 57 |
| 8.2 | The National Information and Tracing Service..... | 57 |
| 8.3 | Staff Training..... | 58 |
| 9. | Provision of Statistics and reporting requirements..... | 59 |
| 10. | Complaints and Appeals s Procedure..... | 61 |
| 10.1 | Commitment to Quality Customer Service..... | 61 |
| 10.2 | What should be covered by the Complaints Procedure?..... | 61 |
| 10.3 | How to lodge a complaint..... | 61 |
| 10.4 | Standards for Dealing with Complaints..... | 62 |
| 10.5 | Appeals Procedures..... | 63 |
| 10.6 | Complaints Procedures and the Adoption Board..... | 63 |
| 10.7 | Appeals Procedure at the Adoption Board..... | 63 |
| 11. | Registration of bodies providing information and tracing services..... | 64 |

Additional Practice Guide for Professionally Qualified
Social Workers

12. Stages in the Information and Tracing Process.....66

13. The Social Work Task.....69

14. Some Reasons for not meeting.....75

15. Siblings and other blood relatives.....94

16. The Adoptive Parents.....96

17. Social Work Procedures.....99

Appendices

| | |
|-------------------|---|
| Appendix 1 | Legal Background.....108 |
| | The Law |
| | Historical Context |
| | Key Legal Provisions |
| | Non Identifying Information |
| | Voluntary Reunion and Exchange of Information |
| | Siblings |
| | The Constitutional Position |
| | Third Parties |
| | International Obligations |
| | Freedom of Information and Data Protection |
| | Summary |
| Appendix 2 | The Adoption Board.....119 |
| Appendix 3 | Brief History of Adoption.....122 |
| Appendix 4 | Sources of Information.....128 |
| Appendix 5 | Forms used in Adoption.....130 |
| Appendix 6 | Agency/Support Group Contact Details.....138 |
| Appendix 7 | Public Information Booklets.....144 |
| Appendix 8 | Recommended Reading (Bibliography).....149 |

Acknowledgements

In accordance with the objectives of its Corporate Plan 2004-2007, the Adoption Board engaged extensively with its stakeholder groups in developing this Framework for the Provision of a National Information and Tracing Service. The Board would like to gratefully acknowledge the co-operation of the Health Service Executive, the Registered Adoption Agencies, the Council of Irish Adoption Agencies and the adoption support groups, who gave so freely of their time and expertise.

Two groups were established to carry out this work. The work of both groups was integrated into this Framework. The Framework was then approved by the Adoption Board.

The general framework was developed by the Advisory Group on a National Information and Tracing Service. The membership of this group was:

John Collins C.E.O. *Adoption Board*, (Chairman)

John Keegan, *Director of Services, Adoption Board*

Sr. Francis I Fahy, *Council of Irish Adoption Agencies*

Kiernan Gildea, *Registrar, Adoption Board*

Helen Gilmartin, *Adoptive Parents Association of Ireland*

Tom Joyce, *Manager, Information and Tracing Unit, Adoption Board*

Siobhan Kennan, *Childcare Legislation Unit, Dept of Health and Children*

Siobhan Keogh, *Health Service Executive*

Susan Lohan, *Adoption Ireland*

Rhoda McManus, *Natural Parents' Network of Ireland*

Ita O'Brien, *Health Service Executive*

Gráinne O'Malley, *Social Worker, Adoption Board*

Helen Scott, *Adoptive Parents Association of Ireland*

Anton Sweeney, *Adoption Ireland*

Colm Hassett, *Secretary to Group, Adoption Board*

Additional guidance for social workers has been prepared at the request of the Adoption Board and Managers of the Health Service Executive Adoption Services.

An Implementation Committee, consisting of representatives of the Adoption Board, the Health Service Executive and Council of Irish Adoption Agencies, was established to develop this additional guide for Professionally Qualified Social Workers.

Members of the Implementation Group are as follows:

| | |
|--------------------|---|
| Angela Loane | Team Leader, Health Service Executive |
| Paul McEvoy | Team Leader, Health Service Executive |
| Ruth Kelly | Social Worker, Health Service Executive |
| Sr. Francis I Fahy | Council of Irish Adoption Agencies |
| Patricia Smyth | Head of Social Work, Adoption Board |
| Grainne O'Malley | Social Worker, Adoption Board |
| Noreen Keane | Social Worker, Adoption Board |
| Heather Houston | Social Worker, Adoption Board |

The Adoption Board would also like to thank the following organisations for their support:

Barnardos

Cúnamh

PACT

St. Patrick's Guild

St. Attracta's Adoption Society

St. Brigid's Adoption Society

St. Catherine's Adoption Society

Sacred Heart Adoption Society

St. Mura's Adoption Society

Daughters of Charity of St. Vincent de Paul

Operational Protocols for Service Delivery

1. Service Context and Background
2. General Policies, Principles and Definitions
3. Who may avail of the Service
4. Range of Services Provided
5. Release of Information
6. Operational Procedures
7. Preservation and Maintenance of Records
8. Staffing Guidelines
9. Provision of Statistics and reporting requirements
10. Feedback/ Complaints and Appeals Procedure
11. Registration of bodies providing Information and Tracing services

1 Service Context and Background

1.1 Who this document is for

This Framework is for information & tracing service providers across the Health Service Executive and other registered Adoption Agencies who provide an information & tracing service.

It sets out guidelines for the provision of information & tracing services to adopted adults and their natural relatives. The Adoption Board welcomes feedback on all aspects of information & tracing services. A list of contacts is provided at Appendix 6.

1.2 Service Context

The Adoption Board is committed, in its Corporate Plan 2004 – 2007, to the development of a national information and tracing service. The first step has been the establishment of a dedicated Information and Tracing Unit at the Adoption Board. The Unit supports the work of, and provides a national advisory service to, registered Information & Tracing Service Providers. It can provide a first point of contact for people beginning their information search. A National Adoption Contact Preference Register (NACPR) has been established by the Unit to provide a mechanism for individuals involved in adoption to share information or make contact.

The Adoption Board is responsible for monitoring HSE adoption services and for the registration and monitoring of registered adoption agencies. It is a responsibility of the Board to provide guidance and set standards for the timely delivery of quality information and tracing services nationally. This Framework is designed to support good practice in the provision of modern information and tracing services and to promote consistency in the delivery of these services. It is a condition of

registration and receipt of public funds that adoption service providers fully adhere to these standards.

The Adoption Board will work with information & tracing service providers to assist them develop their practices in accordance with this Framework. This will involve the Adoption Board reviewing and auditing the work of service providers to ensure consistent provision of services in all parts of the State.

1.3 Background

Post-adoption information and tracing services have developed in response to the expressed needs of adopted people, adoptive parents, natural parents, and other relatives.

The growing body of knowledge on living with adoption has resulted in an increasing awareness of the impact adoption has on all the parties concerned i.e. the adopted person, the natural parents, the adoptive parents and other relatives.

The establishment of a National Information and Tracing Service that is responsive to its clients, that recognises the importance of all of the parties concerned and that seeks to serve all parties in accordance to their needs.

There is, as yet, no comprehensive legislation regarding the provision of information and tracing services. However, the legal framework already in place, along with various court determinations, does allow a wide range of services to be offered to adopted persons, natural parents, adoptive parents and other interested parties, whilst still maintaining appropriate confidentiality.

A pro-active stance on the part of information & tracing service providers working in this area can offer to each party the opportunity and capacity to determine for himself or herself whether they wish to participate in the process and the level or degree of such participation.

The very nature of the service being offered involves balancing the needs and rights of the various parties concerned. These needs and rights will not always complement or dovetail with one another and, indeed, at times, they may be at variance with one another. The challenge for the Adoption Board and Information and Tracing service providers will be how best to work towards an accommodation or reconciliation between these different needs and rights.

1.4 A General Service Framework

The development of a National Information & Tracing Service Network encompassing all information and tracing service providers and facilitating the sharing of experience and promotion of best practice requires that a broad general framework along the lines set out in this document be established and recognised. This framework needs to be robust but sufficiently flexible to meet the service demands arising. It should have the capacity:-

- To deliver a timely quality service to clients based on internationally recognised best practice.
- To ensure that such a service based on best standards, is delivered on a consistent basis across the different Information & Tracing Service Providers involved in the provision of information and tracing services.
- To engage all service providers in the process of working towards an agreed standardised set of procedures.
- To build on the level and quality of services currently provided.
- To develop an understanding of the cultural changes that have taken place in our society over recent years, whilst maintaining an historical perspective that will facilitate the work of the social workers, counsellors, mediators and administrators from the various organisations, agencies and groups involved in delivering and developing the service:-

- i. to handle the histories contained in the records in a sensitive and non judgemental manner; and
 - ii. to correct any errors or misinterpretations where these are discovered or emerge as the information or tracing enquiry is opened up.
- To acknowledge that, while updated legislation is needed, legislation alone cannot be tailored or shaped to fit every individual situation.
 - To develop mechanisms for client feedback.

Arising out of the above, there is a need to harness the knowledge, skill, expertise, and experience of each of the client support and practitioner groups in this area for the benefit of all involved.

This is the first set of comprehensive protocols and guidelines for information and tracing services. Their operation will be kept under review and they will be expanded and updated regularly in the light of experience of their operation and to take account of legal, legislative and policy changes in the area.

2 General Policies ,Principles and Definitions

2.1 Policy Considerations

The main purpose behind the development of this Framework is to support the provision of a quality service to clients by all information & tracing service providers, which reflects internationally recognised best practice, promotes an appropriate uniformity in service delivery across the country, and is in conformity with adoption legislation.

It is the policy of the Adoption Board that information & tracing service providers must take responsibility for the provision of quality services for their clients, and for how they operate this service within the Framework set out in this document. It is recognised that the Registered Adoption Societies are independent entities, but as registered agencies, they must conform to the requirements of the Adoption Board (and, where appropriate, the HSE, in relation to accountability for public funding provided).

To support these policy objectives, the Adoption Board will establish an Information & Tracing Network to comprise of the Adoption Board and Information & Tracing Service providers. The Network is to be co-ordinated by a network co-ordinator, appointed by the Adoption Board.

The role of the network co-ordinator is to support co-operative working between the individual parties comprising the Network, to oversee the implementation of this Framework, and to promote the development of a strong Network ethos.

2.2 Operational Principles

The following principles will govern the operation of the Framework:

- the confidentiality of individuals and their right of self-determination will be respected.
- the service will focus on the needs of the clients.
- the rights of all parties to the adoption will be respected in the delivery of services.
- openness, respect, and transparency will apply to service delivery to individual clients.
- the service will be fully accountable through the Adoption Board.
- the principle of proportionality will be applied in decision making about the release of information.
- decisions will be made on the basis of the law as it stands at the time of the decision.
- the service will seek to provide clients with all information available within the context of the law.
- adoption service providers will co-operate with each other to ensure that clients get the most appropriate service.
- the need to respond to clients seeking to avail of the service in a timely, efficient, and effective manner will underpin the delivery of the new service.

- all service providers should have clear and transparent complaints & appeals procedures.

2.3 Definitions

The definitions and terminology used in adoption has changed over time. As a result different words can hold different meanings for individual clients. In an effort to meet the needs of individual clients it is expected that practitioners will be guided by their clients use of language – using the words that their client is comfortable with.

For the purpose of this manual the following is a list of the key terminologies used throughout:

H.S.E: Health Services Executive, formerly Health Boards.

Natural Parent: Parents (father or/and mother) to whom a child placed for adoption was born.

Contact: Communication via letters, e-mail, text, telephone, indirect contact using an intermediary, meeting, photographs.

Reunion: Direct meeting between two or more parties

Adoption Circle/Relationship: Refers to the natural parents, the adopted person, the adoptive parents and extended family members

Adopted Person: Person who is the subject of an adoption order.

Relinquished: Refers to the termination of the natural parents' rights. (Other terms used in this context include 'placed', 'surrendered' and 'gave up')

Non-identifying Information: Information that does not reveal the identity of another party, such as age of natural parent, health status and occupation.

Tracing: Refers to looking for information and/or a person, can also be referred to as 'searching'.

GRO: The General Register Office holds records of births, deaths and marriages and also holds the register of adopted children.

3 Who may avail of the service

3.1 Introduction

The National Adoption Information and Tracing service will oversee a broad spectrum of enquiries from a wide range of people, including adopted people, natural parents, adoptive parents, siblings of adopted people and other natural relatives and people raised in long-term foster care. The service will operate on a non-statutory basis within the wider legal framework of the Adoption Acts, and will assist each of these categories of person with their information and tracing enquiries.

The service deals with information and tracing enquiries from persons aged eighteen years of age and over. In very exceptional or emergency circumstances, every effort will be made to assist a person under the age of eighteen.

The great majority of adoptions were arranged through a registered adoption society. If the society still exists, the placement file will still be held by that agency. If the agency has closed, the file will be with either the local Health Service Executive Regional Adoption Service or another registered adoption society. More atypical cases are referred to below.

3.2 Registered Private Adoptions

Some registered adoptions (particularly before the 1970's) were organised privately between the natural mother and the adoptive parents, or by individual nursing homes, doctors, priests and others, without an adoption agency having been involved. In these cases, the Adoption Board provides a service directly to the enquirer.

3.3 Children placed for adoption abroad

From the late 1940's to the early 1970's, many Irish children were placed for adoption outside the State. The vast majority of these adoptions were to the United States while very small numbers of children were adopted to Australia, Canada, New Zealand, South Africa and other countries.

These adoptions were not registered with the Adoption Board but the Board will assist an applicant in identifying if and where records are now held. Some Information & Tracing service providers hold records in relation to adoptions outside of the State. Details of what records are held are detailed in the agency/support group contact details at Appendix 6.

People adopted in the United Kingdom whose natural parents were Irish emigrants may also avail of assistance from Information & Tracing Service providers in Ireland.

The National Adoption Information and Tracing service will also make every effort to assist people adopted outside the State looking for information and seeking to trace. It is not necessary to be resident in Ireland to pursue such enquiries.

3.4 Children adopted from abroad

Since the late 1980's many children have also been adopted from abroad into this State. The 1993 Hague Convention on Intercountry Adoption recognises the need to preserve and protect information concerning the identity of children adopted from abroad. The new service will also seek to assist people adopted into Ireland from abroad with their enquiries.

3.5 ‘Informal’ adoption

Prior to the introduction of legal adoption in Ireland in 1952, some children were ‘informally adopted’. Some adoption agencies hold records in relation to these ‘informal’ adoptions. The new service will do all it can to assist such persons. Persons who were fostered or ‘boarded out’ but never legally adopted will also be able to contact the service for advice on how to proceed.

3.6 False Registrations

After the introduction of legal adoption in Ireland in 1952, some births were registered directly into the name of the ‘adoptive’ parents thus registering the child as if the child had been born to the couple. This practice had the effect of removing all reference to the natural parents from the official record and meant there had been no legal adoption in these cases. The new service will do all it can to assist in such cases.

3.7 Who processes enquiries

Enquiries will normally be dealt with by the organisation that arranged the adoption placement. If the placement agency has closed, the Information & Tracing Service Provider that now holds the placement records will deal with the enquiry. If an individual does not wish to pursue their enquiry through the registered adoption agency that organised the adoption, the National Adoption Information and Tracing Service will seek to make alternative arrangements. One alternative may be the local Health Service Executive (HSE) Area or another registered adoption agency. In other cases, the Adoption Board’s Information and Tracing Unit may be able to provide some of the information sought.

It should be recognised that different people will have different needs when approaching an information & tracing service provider.

- Some applicants may only require non-identifying information and not wish to seek any form of contact with their natural mother/natural family.
- Others applicants may wish to have contact with their natural family as soon as possible.
- Applicants may also seek non-identifying information and then seek further information and / or contact over a period of time, which may stretch to years.

The challenge for Information & Tracing Service providers is to recognise that ‘one size does not fit all’ and ensure that each applicant be given the space and time to decide how they wish to proceed.

4 Range of Services Provided

4.1 Background

In this section guidance and advice is set out in relation to the range of information and tracing services to be provided by the Information and Tracing Network. The Information & Tracing Network will provide services to clients with regard to:

- the release of information
- search and search support
- intermediary support services
- release of birth certificates by a decision of the Adoption Board
- the National Adoption Contact Preference Register.

The guidance and advice set out below is intended to ensure that best practice is applied uniformly across the Network. It is also there to support Information & Tracing service providers in making decisions in individual cases. The advice addresses common issues that arise. Where further advice is required or where an issue arises which is not addressed in these guidelines, information & tracing service providers should contact the Adoption Board's information & tracing Unit.

4.2 Release of Information

General

The Adoption Board and the relevant Information & Tracing Service Provider hold files on each adoption application made and on each individual adoption order granted, including those recognised following enactment of the Adoption Act in Ireland in 1952. Some adoption agencies were in existence prior to the enactment of adoption legislation and their records may have information on placements effected prior to 1952.

The details on the Adoption Board's files normally consist of the basic legal documentation in relation to the adoption, such as application forms, birth and marriage certificates, and consent documentation. The Information & Tracing

Service Provider files may contain additional information, including medical and general background information. The amount of additional information can vary considerably.

Where a child was placed for adoption but no legal adoption occurred there may be no Adoption Board file as no Adoption Order was made. Registered adoption agencies may have placement files in such cases.

The emphasis on secrecy and confidentiality that prevailed in the early years of adoption, and up to the late 1970's in particular, meant that basic details such as the natural mother's age and full address were, at times, omitted or incorrect. It is important, therefore, to bear in mind that the information on the files may be limited and sometimes inaccurate.

4.3 Non-Identifying information

Other non-identifying information about the adoption can generally be released. Other "non-identifying information" could include information, which, while it may indirectly relate to another party or other parties, is of so general a nature that it could not be reasonably expected to lead to the identification of that other party or parties concerned.

4.4 Identifying Information

An enquirer is entitled to receive identifying information about themselves, which they would have had access to during the adoption process. For example, a natural mother is entitled to copies of all forms that she signed or copies of documents to which she was a party to at the time of the adoption. The names of other parties to the adoption which appear on the documentation should be deleted so that they do not appear on the copy.

Third party identifying information may only be released with the express written consent of the individual concerned. (The exception to this is the release of birth certificates - see below).The matter of identifying and non-identifying information is further set out at 5.2 and 5.3 below.

4.5 Dealing with an information or tracing request

When dealing with an enquiry the facilitator should advise the enquirer that:

- a) Registration on the NACPR is available (See section 4.11)
- b) The facilitator should explain their impartial role as a mediator between the enquirer and the person sought.
- c) The facilitator should carefully and fully explain the rights of the enquirer and the person or persons sought.
- d) If the enquirer asks for or agrees to receive information over the telephone, then this may be given over the telephone, subject to the discretion of the Information & Tracing Service Provider, and in accordance with the practice standards outlined in this document.
- e) All telephone conversations must be documented on file and any information given over the phone must also be given to the enquirer in writing.
- f) The positive aspects of talking with others who have had similar experiences should be conveyed, with information about self-help and support groups and their locations.
- g) The party asked to respond to a request (the person sought) to release information should not be pressurised. If the person sought is unsure of their wishes the facilitator should offer them time to consider the matter and ask them to make contact as soon as possible. Facilitators should obtain the phone number of the person sought (and also confirm the best time at which telephone contact may be made) if they are willing to provide it.

- h) The possibility of shock reactions and delayed reactions and the impact of these emotions on the other party should be explained to both the enquirer and the person sought.
- i) The facilitator should consider the person sought as a client in their own right.
- j) The facilitator should be receptive to the needs and wishes of the person sought.
- k) If a response is received by letter from the person sought, the facilitator should always acknowledge the response by letter, unless a specific request for 'no further communication' has been made. The letter should:
- acknowledge the wishes expressed in the letter;
 - note that the enquirer has been informed of the response;
 - reassure the person sought that their wishes will be respected;
 - encourage the person sought to feel free to make contact again if they require information in the future.
- l) The facilitator should work through the response of the person sought (including a negative response or a failure to locate the person sought) with the enquirer. The facilitator should consider the timing of this process and allow the person (the enquirer) time and space to come to terms with this.
- m) If a person opts not to come forward or if other potentially stressful information is involved, support mechanisms should be discussed with the enquirer.
- n) The person sought has a right to refuse the applicant's request. This should be accepted by the facilitator and properly recorded. Information on peer support groups should be offered in such instances.

- o) Where relevant, the facilitator must inform the person sought in writing that the enquirer can apply to the Adoption Board for release of their birth certificate.
- p) A party has the right to see and receive a copy of any documents that they were a party to or signed at the time of the adoption.
- q) A decision by the person sought not to release identifying information should be conveyed in writing to the enquirer. Where relevant, the enquirer should be advised of their entitlement to make an application to the Adoption Board for their birth certificate. This information is potentially distressing and should be conveyed to the enquirer in an appropriate manner and support mechanisms should be discussed with the enquirer.
- r) In all cases the processing of the enquiry should be fully documented on the file from the outset and should include an outline of the reasoning behind any determinations made by the facilitator throughout.

4.6 Correcting or adding additional information to files

All opportunities should be taken to correct or update information on files or to add new information to files. Any person wishing to trace should also be encouraged to join the NACPR. If there is a matching registration on file this can then be acted upon without delay.

4.7 Search and Search Support

Information & Tracing Service Providers can undertake searches for applicants and also provide assistance to individuals carrying out their own searches. The objective of the search services provided to enquirers should be to locate the person sought by the enquirer and ascertain their wishes concerning providing or obtaining information, or having contact with the applicant.

It is important in carrying out searches that there is a consistency in the approach used and that all reasonable steps are taken by the Information & Tracing Service Providers involved to find the subject of the application. It must be emphasised that in all cases proper written records of the actions and outcomes must be maintained and the applicant advised, on a regular basis, of progress and eventual outcome.

In carrying out a search Information & Tracing Service Providers must, at all times, have regard to the requirements, set down by the courts, to balance the rights of all the parties involved in the adoption. (See Appendix 1)

A facilitator will assist with or undertake a search only with the consent of the enquirer concerned. All enquirers should be made aware that Information & Tracing Service Providers will assist with or facilitate a search.

The search and, where relevant, any subsequent mediation process must be procedurally fair. Each party must have the opportunity to express their views and concerns and have them given due weight and consideration.

If, for example, one party expresses a clear wish for no contact with the other party this must be respected. This does not mean that there can be no further contact between the Information & Tracing Service Provider and/or the Adoption Board with the person who expresses such a wish.

4.8 Providing an Intermediary Service

When acting as an intermediary facilitators should be impartial and equally responsive to the wishes and needs of all parties.

Where agreement to contact between parties to an adoption may ultimately result in a reunion the outcome of any such reunion will partly depend on the preparation of the parties, and the extent to which their expectations are realistic and well founded.

Being well prepared includes feeling in control of the process and the pace of events. This is assisted by having as much information as possible, gained, for example, through exchange of names, letters, and photographs. It may involve time to absorb newly discovered information, and time to tell families of the existence of the other party to the adoption. Many people will also need to build trust in the other party before feeling sufficiently confident to meet.

Sometimes the enquirer (who initiated the search) is well prepared for contact, whereas the person sought is less prepared. Facilitators may need to encourage the searcher to be patient.

Relationships between the parties to adoptions after contact or a reunion may not always run smoothly. Facilitators should discuss the continuing availability of support, mediation, and facilitation services for all the parties concerned.

Although the precise reasons for difficulties experienced after reunion will vary with each case, it is likely that understandable feelings of loss and anger, which may resurface from time to time, may be partly responsible. Information & Tracing Service Providers should assure the parties concerned that the expression of such feelings may be necessary and positive and, ultimately, prove beneficial for their relationships.

4.9 Contact with the person sought

Contact with the person sought should follow the same general procedures as contact with the enquirer.

However, contact with the person sought who has been approached by a facilitator on behalf of another applicant has, in a sense, been imposed on that person. Therefore, there may be more hostility and resistance involved. A further difference is that the contact is more likely to occur on the telephone.

4.10 Release of a Birth Certificate

The following table sets out the position in 2005 in relation to the release of birth certificates and belies the view that birth certificates are not generally released. Applicants should be advised that birth certificates are usually released. The process of release is determined by the requirements identified by the Supreme Court set out at [Appendix 1](#).

| <i>Applications for Release of Birth Certificate</i> | | |
|--|-------------|----------|
| | 2005 | % |
| <i>Approved</i> | 57 | 95%. |
| <i>Retained for review at a later date</i> | 3 | 5% |

A birth certificate is a formal public document and can contain the name and sometimes the home address of a natural mother and, for this reason, every reasonable effort is made to consult her.

When the Board's Adoption Information & Tracing Unit receives an application for the release of a birth certificate, it is obliged to inform itself of the background to the case and take account of the views of the natural mother in relation to the application. In particular, the Board is required to consider the factors set out in by Chief Justice Keane in the IOT v B judgement. (See [Appendix 1](#)).

The Board may, on occasion, decide not to release a birth certificate in cases where a natural mother has been consulted, is opposed to its release, and where the Adoption Board considers a natural mother's privacy or safety might be put at risk by the release of the document.

4.11 The National Adoption Contact Preference Register

Background Information

The first State provided National Adoption Contact Preference Register (NACPR) was launched on 30th March 2005.

The purpose of the NACPR is to facilitate contact between adopted people and their natural families. Participation is voluntary and contact through the register will only be initiated where both parties register and seek contact. The Register allows parties to an adoption to choose what level of contact they wish to have. It includes an option to have no contact with the other party to the adoption if this is requested.

The NACPR is maintained by the Adoption Board. It is not open to public scrutiny. The information is stored on a secure computerised database and is subject to the provisions of the Data Protection Act. The information provided will only be used to facilitate the contact preferences requested by the parties concerned.

The NACPR is available to adopted people, natural parents, and any natural relative of an adopted person. Applicants must be 18 years of age or over for their name to be entered on the Register.

People who wish to join the National Adoption Contact Preference Register must complete the application form and send it together with one form of ID (see application form for acceptable forms of ID) by registered post to:- P.O. Box 9957, Dublin 4.

4.12 How the Register Operates

1. Administrative staff at the Adoption Board check each application to see that it is complete and add the application to the database.
2. “Matches” are referred to the Adoption Board social worker team to inform the parties and to discuss with them how they wish to proceed. Applicants are encouraged to use an intermediary.
3. Administrative staff at the Board send written confirmation of a match to both applicants and include information on preferences expressed by the parties regarding the level of contact requested.
4. The Information & Tracing Service Provider that holds the adoption placement file is notified of the match after seven days, unless either or both of the parties express a wish for an alternative intermediary.
5. Where an alternative intermediary is requested, the Adoption Board negotiate this with the holder of the placement file and make the referral.
6. The Adoption Board furnish the agreed intermediary body with details from the NACPR.
7. If both parties do not wish to use an intermediary they will each be given the others identifying information from the NACPR having had the issues and concerns associated with such an approach explained to them by Adoption Board staff.
8. In the case of sibling matches, the parties are referred to the original adoption agency whose task it is to inform the natural mother of any such match.

9. Where there is a match with a natural father the identity of the natural father will be checked and confirmed insofar as that is possible before a match is indicated. As a matter of course the natural mother will be advised of any such match.
10. Where there is a delay between the initial entry and the other party registering, efforts will be made to contact the first party to ensure that he or she is still alive and in a position to engage in a match.
11. Where there is a match on the NACPR this work will be given priority by each of the Information & Tracing service providers involved.

4.13 First two years of operation of NACPR

The National Adoption Contact Preference Register (NACPR) was operative for two years at end March, 2007. In that time 6,270 applied to join the Register and 249 matches involving over 500 applicants were made (some matches involve more than two parties). The NACPR is now a permanent feature of adoption services in Ireland.

87% of these applicants are willing to have some level of contact. The remaining 13% of applicants were not open to contact at the time of application. However, almost two thirds of this group ticked the box indicating that they wished to be discreetly advised by the Adoption Board if another party registered.

15% of applicants did not wish to use the original adoption agency when notified that a match had occurred. In most cases a preference not to use the original agency was for geographical reasons, because the applicant had already been in contact with another agency and wished to continue working with this agency, or because the applicant had a personal or professional relationship with a person working in the original agency. In only a small number of these cases was this because of previous negative experiences with the agency involved.

The various adoption service providers, adoption agencies and adoption support groups have undertaken to inform all new clients about the existence of the Register

and to strongly encourage registration by those seeking information, to trace, and/or to make contact, as well as those who do not want contact. Completing an application to join the register is now a routine part of any enquiry from adopted people or their natural families who are seeking information or to trace or make contact with each other.

The National Adoption Contact Preference Register's first two year's in operation has been a success. There has been a significant and largely positive response from all of those involved.

5 Release of Information

5.1 Release of Information

In the area of adoption, initially no identifying information can be released without the consent of the parties involved.

Medical information pertaining to the adopted person or their natural parents may be extracted from documentation held on file and released to the parties concerned on a non identifying basis.

Existing legislation does not provide an automatic right of access for an adopted person to his/her birth certificate or adoption file. Similarly, there is no automatic right to information for natural parents or relatives.

Irish Adoption Law is governed by the Adoption Acts, 1952 – 1998. Disclosure of the Board records is dealt with in the following legislation:

Section 22 (5) of the Adoption Act, 1952.

Section 8 of the Adoption Act, 1976.

Adoption Law does not permit the release of any identifying information except by order of the High Court or by the Adoption Board. The legal position is set out in greater detail at [Appendix 1](#).

5.2 Identifying information

Is information which would or could possibly identify another party and can include:

- Forename
- surname
- address
- town or city
- place of birth
- exact ages/dates of birth.

5.3 Non-Identifying information

Is information by which another party could not reasonably be expected to be identified and can include:

- Forename
- religion
- approximate age
- occupation, if general
- birth details
- interests, hobbies, educational history, family history and medical history (of natural parents)
- reasons given for adoptive placement
- natural family and/or others awareness of pregnancy and birth
- natural siblings, if any are known and the enquirer has specifically asked about them or other family members
- province of origin e.g. midlands, urban or rural
- general background details.

5.4 Sensitive information

Circumstances may exist where non-identifying information contains details of a particularly sensitive nature e.g.

physical and/or sexual abuse

incest

rape

inherited medical conditions

alcoholism

psychiatric history

learning disability

extra marital pregnancy

The accuracy of such information may need to be confirmed before it is actually shared with the enquirer. Also, some assessment of the enquirer's emotional ability to deal with such information is required. Due care should be exercised in relaying any such information when positive verification cannot be obtained and in all cases where difficult information has to be discussed. It is not considered advisable to share difficult information at a first meeting as enquirers should be given time to assimilate all the information at a pace at which they are comfortable.

Following the disclosure of non-identifying information an enquirer may not wish to pursue their application or they may wish to postpone it for some time. Preparation is important as the enquirer may also wish to impart sensitive information themselves.

5.5 Release of birth certificates to adopted people

An adopted person who wishes to apply to the Adoption Board for a copy of their birth certificate must apply in writing with identification. The applicant will be referred to their original placement agency to have their enquiry processed. Until such time that new legislation is enacted the adopted person must be interviewed and, where possible, the natural mother located. The agency then compiles a report with a recommendation on its findings which is furnished to the Adoption Board to assist it make an informed decision on the application.

Guidelines on preparation of reports to the Adoption Board on the release of birth certificates

When the Adoption Board considers an application from an adopted person for release of their birth certificate it has to balance the right of the adopted person to know of their origins with the right of a natural mother to privacy. Under the guidelines set out in IOT and *H v Father Doyle* and the Rotunda Girls Aid Society (see Appendix 1) the Adoption Board has to consider the following points:-

1. The circumstances surrounding the natural mother's loss of custody of the child;
2. The current status and circumstances of the natural mother and the potential effect upon her of the disclosure of her identity;
3. The natural mother's own wishes and attitude regarding the disclosure and the reasons behind these wishes and the aforementioned attitude;
4. The current age of the natural mother and child respectively;
5. The attitude of the adopted person including the reasons why he or she wishes to seek the disclosure of his or her natural mother's identity;
6. The present circumstances of the adopted person; and
7. The opinion of the adoptive parents or other interested persons.

Procedure followed by the Adoption Board

When an adopted person first contacts the Adoption Board they will be given the opportunity to join the National Adoption Contact Preference Register (if they have not already done so). If a match occurs on the Register, the outcome of this should be dealt with in a timely fashion prior to processing the application for the birth certificate as contact with a natural mother may result in the adopted person receiving the identifying information required to obtain their birth certificate through the GRO.

When an adopted person formally applies in writing for the release of a copy of their birth certificate they are referred to their placement agency (or the body that now holds its records), and provided with an information note outlining the current legal position on the release of identifying information.

The Adoption Board will await the findings, which are provided in a comprehensive report from the agency to assist it make an informed decision on each individual case. As already set out at section 4.10 above, in the vast majority of cases the decision of the Adoption Board, having considered the agency report submitted, is to release the birth certificate to the applicant.

5.6 Agency Contact

Where this is an adopted person's first contact with the agency their application should be managed in the same manner as a person seeking to trace, in terms of provision of non-identifying information. (The Adoption Board would welcome notification that the adopted person has contacted the agency).

The natural mother, where possible, must be informed of the application and that the Adoption Board has a responsibility in making its decision to balance the rights of the adopted person to know their identity with the right to privacy of the natural mother. She should also be advised that if the Adoption Board agrees to the release of the birth certificate despite her objections, the adopted person will be requested to write a statement respecting the privacy of the natural mother and her family and that any further effort to make direct contact will be made through the Adoption Board or the relevant adoption agency.

Possible Outcomes of a Trace

- a) A natural mother, when located, is open to contact. As contact proceeds the adopted person may obtain enough information to source their birth certificate through the GRO.
- b) A natural mother provides written permission for the release of the birth certificate even where there is no contact.
- c) A natural mother cannot be traced.
- d) A natural mother objects to the release of the birth certificate.
- e) A natural mother is deceased.
- f) A natural mother's family members have been consulted and the natural mother's circumstances clarified.

The Report to the Adoption Board

The report to the Adoption Board should outline the efforts the agency has made to trace the natural mother and address each of the points below;

1. *The circumstances surrounding the natural mother's loss of custody of the child;*

If there were particular circumstances (e.g. that a natural mother was very young, or had specific difficulties at the time).

2. *The current status and circumstances of the natural mother and the potential effect upon her of the disclosure of her identity; e.g.*

- * If a natural mother has no objection to the release it is advisable to obtain her written authorisation to the release of identifying information.
- * If a natural mother objects to the release of her son/daughter's birth certificate, outline her reasons, her current circumstances and the potential impact this may have on her and/or her family.
- * If a natural mother cannot be contacted, information on the efforts made to locate her; e.g. GRO search, local records, contact with another source etc. is required.
- * If a natural mother suffers from ill health or disability the application needs to be managed with added sensitivity and discretion.
- * If a natural mother is deceased, details of who provided this information and proof of death ,or the date of death, is required so that an extract from the Register of Deaths may be obtained.
- * Where natural family members have been contacted, refer to their attitudes and wishes regarding disclosure.

- * Other relevant information.
3. *The natural mother's own wishes and attitude regarding the disclosure and her reasons for same;*
- If the natural mother does or does not have objections and is or is not open to contact from the adopted person this should be stated.
4. *The current age of the natural mother and child respectively;*
- * There may be situations where because of, for example, age or ill health, the natural mother is in the care of medical professionals. Extra consideration needs to be given to the impact of a direct approach on an elderly natural mother.
 - * In exceptional or emergency circumstances where assistance is provided to an adopted person who is still a minor (under 18 years of age) the initial approach must be made through the adoptive parents or guardians.
5. *The attitude of the adopted person including the reasons why he or she wishes to seek the disclosure of his or her natural mother's identity*
- * Effort should be made to ascertain the adopted persons' reasons for requesting access to their birth certificate and his/her natural mother's identity.
 - * An adopted person through their own efforts may already have in their possession the information contained on their birth certificate. If this is the case it should be stated in the report. (The social worker is not in a position to confirm or deny the validity or otherwise of such information).
 - * Where an adopted person has stated that they will respect a natural mother's right of privacy then this should be submitted in writing and included in the report.

It should be made clear that where the Adoption Board releases a copy of the birth certificate it may require that the adopted person give a written commitment that they will not initiate direct contact with the natural mother or her family without using the agency or the Adoption Board as an intermediary.

6. *The present circumstances of the adopted person;*

e.g. indicate family circumstances, employment, health etc.

7. *The opinion of the adoptive parents or other interested persons.*

In recent times the Adoption Board has not sought the opinion of adoptive parents where the enquirer is an adult, but a case may arise where an adult adopted person is still under the care of their adoptive parents (e.g. due to illness/disability).

Other interested parties could be natural family members, medical, legal, social work and/or other professionals. There may be cases where other parties to the adoption, because of ill health, age or mental health are in the care of professionals. This should be stated in the report, especially if release of identifying information has an impact on the person concerned.

5.7 Other Information

Every report to the Adoption Board should include details such as

- * when the adopted person first contacted the agency.
- * whether the adopted person has other natural siblings adopted, if known.
- * when the natural mother was informed about the application for the release of a copy of the birth certificate.
- * where the birth certificate contains a home address or other potentially sensitive information.

5.8 Sharing Information with other Agencies

Inter agency co-operation is often a vital part of any tracing. In times past it was not uncommon for women to leave their local communities prior to the birth of their child in order to conceal the pregnancy. In many cases they would then return to their families and homes following the placing of their child for adoption. This section of the guide details the areas to consider when working with other agencies.

There is, accordingly, a long tradition of co-operation between agencies working in the field of adoption in Ireland. This joint approach can happen in a number of ways. In some cases it makes sense for two agencies to become actively involved in one case, each taking responsibility for working with one of the parties to the adoption process. At other times information is passed between agencies on a non-disclosure basis. Where one agency takes the lead in the trace this is a straightforward process, as all agencies within Ireland are governed by the same legal system.

Adoptive files held by registered Adoption Agencies and the Adoption Board are not subject to the provisions of the freedom of information acts.

In some cases women travelled to England to have their babies, placed them for adoption and then returned to Ireland. Others emigrated to England, having first placed their babies for adoption in Ireland. Others who relinquished their babies for adoption discovered that they were subsequently placed in the U.S.A. Thus in some tracing work, co-operation is required across other legal jurisdictions. It is important for service providers in Ireland to bear in mind that they are at all times subject to abide by the laws of the Irish State. In sharing information with legitimate parties in other countries it is vital to ensure that no breach of Irish law occurs.

Requests from other jurisdictions for assistance in tracing should come in writing. Links should be developed with a named social work practitioner or other legitimated professional within the requesting organisation. Information should be

shared with the agency on the basis of a written non-disclosure agreement, which is consistent with Irish law.

6 Operational Procedures

6.1 Introduction

In the past adoption was seen as a final break between a mother and her child. However, it is now recognised that adoption is an evolving life long process for all concerned. The number of people, and, in particular, the number of adopted people and natural parents, seeking information or looking to trace has increased dramatically in recent years.

The Adoption Board promotes the provision of information to adopted people and their natural relatives. The Board is taking a number of practical measures to facilitate those seeking an Information and Tracing Service. The purpose of this section is to offer some guidance to those assisting people wishing to seek information or to begin the tracing process. This section:-

- (i) provides advice to Information & Tracing Service providers to bear in mind when speaking to adopted adults and other parties to an adoption;

and

- (ii) sets out protocols and procedures for managing individual adoption enquiries.

6.2 Advice on inter-personal contact with clients

Whilst remembering that each person making an adoption related enquiry is an individual, research shows that many anxieties and experiences are common to most people affected by adoption. These can include feelings of loss, distress, guilt and a strong need to know. It helps to be aware of such possibilities in order for the facilitator to empathise with the enquirer quickly.

This advice is not a substitute for appropriate training and hands on work experience in this area. Information & Tracing Service Providers must provide appropriate training and work experience opportunities for staff in this regard, and the Adoption Board can provide advice and assistance.

Some of the points to bear in mind when speaking with adopted adults and other enquirers with adoption-related enquiries are that:

- Adopted adults often complain of being treated like children. The phrase ‘adopted child’ appears to be more common than that of adopted adult even when that person is well into their adulthood.
- For many enquirers this may be their first contact with an adoption service and it could be the first time they have spoken to anyone about their adoption despite thinking deeply about it for many years.
- Adopted adults may be concerned about the feelings of their adoptive parents when they look to search for their natural family and so may have felt unable to discuss these matters with their adoptive parents and siblings.

There may have been a recent life event, such as the birth of a child or the death of a parent, that has triggered a desire to initiate an enquiry; or there may be a specific need for medical information or concern for the natural mother or just a strong need to know.

Inappropriate use of language can adversely affect the terms under which adoption and related matters are considered and discussed. The person tracing or the person sought should be allowed to use the language that they are comfortable with. This should always be borne in mind.

6.3 Protocols for managing individual enquiries

On receipt of a written or telephone enquiry, written advice on the information and tracing process should be forwarded to the applicant.

The applicant should be requested to apply in writing stating who they are and what they wish to obtain. The applicant should also be advised to provide a copy of photo ID with their application.

Applicants will have the opportunity to explore what their wishes are at the initial meeting with the facilitator.

Confirmation that their written request has been received should issue immediately. A more substantive reply should issue within 30 working days providing the following:

- a) where applicable, basic non-identifying information that is immediately available;
- b) the applicants case number and the estimated waiting time before the client can expect to have their first appointment with a facilitator;
- c) a description of the next steps to be taken by the Information & Tracing Service Provider to advance the enquiry.

On receipt of their written enquiry, the client should be added to any waiting list for the information and tracing service.

Applicants should be informed about the National Adoption Contact Preference Register and should be strongly advised to register.

No material may be removed from the file. If any evidence of alleged illegal or criminal acts relating to the adoption are manifest, then the Adoption Board is to be informed. It is the policy of the Board to advise the Garda authorities of any illegality that comes to light in relation to individual adoptions or adoption procedures and practices.

6.4 The First Meeting

- 1) Prior to the first meeting, the facilitator shall have listed the documentary contents within the file.

- 2) At the first meeting, the facilitator should establish the client's stated preference. It is possible that what was initially an information request may have been changed to some form of contact request (or vice versa). If there is a change to the original request, this should be clearly documented. The facilitator should also explain the procedure usually followed as well as the (current) legal constraints on the provision of identifying information. Both parties should be encouraged to make contact with peer groups to provide peer support during this time via support meetings, telephone advice lines, etc.

- 3) Natural parents (or other natural relatives) should be offered photocopies of all documents on the file in relation to themselves and, where necessary, invited to place any relevant additional and/or up-dated information on the file (such as, for example and where applicable, the name and other details about the natural father).

6.5 The Search

- 1) The search for the individual sought may only be carried out by trained researchers or genealogists following the established protocols set out in this document. The search of public records can be carried out independently of facilitators on all files on the waiting lists.
- 2) The first stage of the search shall consist of the procurement of the relevant birth, adoption, marriage, and death certificates (as applicable) both for the client and person sought.
- 3) A written record of the search must be kept (of records accessed; phone calls made; emails sent; letters written; visits made).
- 4) The search aim should be to locate the present place of residence of the person being sought, while recognising the need to respect the privacy of the person concerned, and letters or other communications should not be sent/made to adoptive or natural relatives in order to fast track the process.
- 5) When the location of the person sought is confirmed, the file should be passed to the facilitator who should write a letter according to a format agreed with the client. A copy of the NACPR application form should be enclosed with this letter. No other person should be informed or alerted about the search.
- 6) The client should now be furnished with a copy of the letter sent to the person sought with the address and any other identifying information blanked out and the report of the search process undertaken thus far. A conversation at this stage will be helpful to explain the various responses, which the letter may elicit.
- 7) If a reply is not received within four working weeks, a second letter should be sent, subject to the wishes of the enquirer.

- 8) If no response is received after a further four working weeks have elapsed, the social worker facilitating the search may consider an attempt to speak to the person sought by phone. Visiting the person sought in their home or place of work would not be advised and should only be considered in the most exceptional of circumstances.
- 9) If the person being sought feels unable to welcome personal contact at this point then various options should be outlined to them such as letters, phone calls, or emails at a frequency of their own choosing, or using unidentifying 'mailbox' facilities, or availing of intermediary assistance.
- 10) In cases of a refusal to contact or a failure to find the relative, a further report should be furnished to the enquirer setting out the outcomes of the second stage of the search process. Clients should be encouraged to seek support from relevant support and peer groups.
- 11) Both parties should be encouraged to make contact with peer groups to provide peer support during this time via support meetings, telephone advice lines, etc.
- 12) Facilitators should set aside time for both parties to discuss problems that may arise during the process - particularly if contact is cut off without warning, or a party is reluctant to share information or introduce one party to other relatives and friends.
- 13) If the person sought has died or is seriously ill, the applicant should be advised to seek counselling from trained counsellors including trained bereavement counsellors. Information on such services can be obtained from http://oasis.gov.ie/death/counselling_and_support/grief.
- 14) Subject to the client's wishes, a further search should be carried out for close adoptive or natural relatives to the deceased person.

6.6 Outcomes

Clients are to be provided with a report of the final outcome of their enquiry, and, where the outcome is negative, the steps taken to address the enquiry.

Where any parties are not satisfied with the service provided by the Information & Tracing Service Provider they should be referred to the complaints and appeals procedure set out in Section 10.

7 Preservation and Maintenance of Records

7.1 Introduction

The Adoption Board is currently indexing and scanning its adoption records. When completed, the Board's electronic index of records will form the core of the National Adoption Records Index (NARI). The NARI will link Adoption Board records with local Information & Tracing Service Provider adoption records.

NARI will enable searches to be greatly speeded up. The Adoption Board's Information and Tracing Unit will be the only body with access to the full index and it will use it to search inter alia for current addresses. Information & Tracing Service Providers will be able to contact the Unit to avail of this facility. This service will greatly reduce the time spent finding up to date addresses.

The Adoption Board will be meeting with Information & Tracing Service Providers to discuss computerisation of adoption records generally.

7.2 Maintaining and Preserving Records

Information & Tracing Service Providers must maintain and preserve their paper records in accordance with the requirements set out below. This in an absolute obligation on all Service Providers.

Maintenance Requirements:-

- 1) Each Information & Tracing Service Provider is required to ensure that adoption case records, and all their contents, for the adopted person, the natural mother/father and the adopter(s) are maintained in secure conditions at all times. This is an absolute requirement that applies to all service providers. Any breach of this requirement would be viewed as a very serious matter by the Board. In particular, measures should be taken to prevent the theft, unauthorised disclosure, loss or destruction of, or damage to, these records or their contents.
- 2) The storage of the whole case record includes any information that may be stored electronically, digitally, or by other means; cards, or letters; the child's life storybook; and photographs or audio-visual media. Where it is not practicable to keep this other information with the case record, this should be noted on the case record.
- 3) Where a case record is not in active use, it should be maintained in a lockable security cabinet or secure room that can only be accessed by authorised staff.
- 4) Where information from the case record is stored electronically or digitally, the Information & Tracing Service Provider should ensure that appropriate systems are in place to safeguard it. Confidential information stored on computers should be password protected. Where information from the case record is stored on disk, CD-ROM or microfiche, these items should be securely stored when not in use.

Preservation of Records:-

Information & Tracing Service Providers must preserve all adoption records in perpetuity.

In circumstances where an agency is seeking to end delivery of service it should inform the Adoption Board and seek the Board's advice in taking the necessary steps to ensure continuity in the delivery of service and the maintenance of records.

Where the Information & Tracing Service Provider is satisfied that all parties to the adoption are deceased, it should advise the Adoption Board, which will arrange for the permanent archiving of the adoption records.

No adoption records should be destroyed. In addition, where an Information & Tracing Service Provider is considering destruction of general/duplicate files or other general adoption related material it must advise the Adoption Board in advance so that an evaluation of its archive value can be made.

Where such records are deemed to be of possible historical value, arrangements must be made to have them archived.

7.3 Confidentiality

The relevant Information & Tracing Service Provider is required to treat the contents of case records as confidential, subject to the requirements of the Adoption Acts.

7.4 Access and Disclosure

Service Providers are required to provide access to, and disclosure, of records (subject to keeping a written record of any such access and disclosure) to :

- The Adoption Board, when required by the Board under Section 38 of the Adoption Act 1952.
- Any person appointed by the Information & Tracing Service Provider to consider any representations, including complaints. This requires each Information & Tracing Service Provider to establish a procedure for considering representations, including complaints, and for involving an independent person in that consideration.

7.5 Transfer of Records

An Information & Tracing Service Provider may, with the knowledge and permission of the person to whom the record relates, transfer a copy of a case record, or part of that record, to another service provider when it considers this to be in the interests of the applicant. The service is required to keep a written record of any such transfer.

The Information & Tracing Service Provider is required to seek and get the Adoption Board's prior approval for the transfer of all or a major part of its adoption records to another service provider and then to make the transfer, if approved.

8 Staffing Guidelines

8.1 The Adoption Board Information & Tracing Service

The Information & Tracing Unit in the Adoption Board was established in 2004, although an information and tracing service was provided prior to this by the Board. The Unit comprises of a mix of administrative and social work staff. The Unit assists with information and tracing requests and provides a referral service to Information & Tracing Service Providers for those wishing to pursue such enquiries. The Unit will play a key support role in establishing the new National Information & Tracing service.

8.2 The National Information & Tracing Service

The National Information & Tracing Service will need to be staffed with an appropriate mix of persons with management, professional and administrative expertise and experience. The Service will need to put in place proper management and reporting structures to oversee its operation. These reporting structures will also be utilised to gather and share information across the service and to disseminate information and tracing best practice on an ongoing basis.

It is also essential that the new service appropriately balance its professional advisory, mediation, intermediary and social work requirements with appropriate administrative back up and support. This will be a key management responsibility within the new national service.

International experience demonstrates that well structured and appropriately resourced administrative support systems can effectively and efficiently deal with the vast majority of information and tracing enquiries. This approach needs to be taken on board by the new service with a view to freeing up professional advisory, mediation, intermediary and social work resources from day to day administration

duties and focusing these resources where they are most needed and where they can add most value.

8.3 Staff Training

Information & Tracing Service Providers should develop formal and on the job training for their staff in consultation with the Adoption Board. The Adoption Board will develop practical training services for staff working in the area of Adoption Information & Tracing.

9 Provision of Statistics and Reporting Requirements

The Adoption Board is charged with producing an Annual Report on adoption and adoption related activities. Following the establishment of the Board's Information & Tracing Unit, the Board is expanding the section of the Report dealing with information and tracing developments to reflect the significantly increased levels of information and tracing activity over recent years.

In particular, it is considered important that the information and tracing work carried out by Information & Tracing Service Providers is fully reflected in the Report. The Adoption Board will issue guidelines to these bodies setting out the information it requires to compile a national data set. The bodies concerned will be required to comply with this request.

Broadly, the information sought will include comprehensive statistics on information and tracing activity levels and on the waiting times that apply across the service. The Report will also review service developments on a year-to-year basis and set out progress towards agreed standards of service provision as set out in the Board's annual Business planning process.

An annual progress report on the application across the service of the standards, protocols and procedures set out in this document, and approved by the National Information & Tracing Network Advisory Group and the Adoption Board, will also be included. This review will focus on the application of these procedures and practices at a local level and will place a considerable emphasis on the need to develop and deliver the levels of service required in a timely, efficient, and effective manner.

The Annual Report will also seek to highlight cases of good practice and report on progress made by the Information and Tracing Network in disseminating best practice at a regional and local level. Areas requiring further improvement will also

be identified. Progress in the area of identifying, securing, storing, and maintaining all adoption records will also be set out.

The Report will also annually review the operation of the National Adoption Contact Preference Register (NACPR) and the resource implications underpinning the successful development and delivery of quality and timely adoption Information and Tracing services to the public.

The provision of a comprehensive annual review of information and tracing services along these lines will require Information & Tracing Service Providers to submit annual statistical returns on their operations via the HSE and to utilise the Information and Tracing Network to develop and deliver improved levels of services. The Adoption Board will determine the format of the statistics that will be required and the reporting mechanisms that will apply. All HSE Adoption Services and Registered Adoption Agencies will be advised accordingly.

All Information & Tracing Service Providers will be required to carry out a general review of their Information and Tracing caseload and report the findings to the Adoption Board. This review will examine all cases on hands and document the number of cases involved, the waiting times, the categories of persons who have applied for information, the types of information applied for, the nature of the enquiries made, and their geographical location. Once this initial review is completed, bodies will be required to submit ongoing quarterly returns to the Board updating developments.

10 Complaints & Appeals Procedure

10.1 Commitment to Quality Customer Service

The Information & Tracing Service is committed to providing all its clients with a high quality service. The standards of service expected are set out in this Framework.

It is recognised that Information & Tracing Service Providers work hard to provide a quality service to clients. However, at times the service is not as good a service as may be expected. The timeliness of the service can be an issue. As a result, it is important that each service provider has a Complaints and Appeals Procedure.

10.2 What should be covered by the Complaints Procedure?

The Complaints Procedure covers complaints about issues such as delays, mistakes, and poor client services, - i.e. instances where a client did not receive the quality of service they are entitled to.

The Complaints Procedure does not cover

- Matters of government adoption policy
- Matters which are the subject of litigation (Matters which have been referred to the Courts, the Ombudsman or the Information Commissioner)

10.3 How to lodge a complaint

If a client is dissatisfied by some aspect of the service they should feel comfortable about expressing this to the person with whom they are dealing with and all efforts should be made to resolve the problem without delay. All clients should be advised that they can speak to a manager who will also try to help. Section 9 of the Health

Act 2004 outlines complaints for the HSE and agencies funded by them. The aim should be to resolve all difficulties at local level where at all possible.

Many complaints can be quickly resolved by way of a telephone call or written communication. All telephone communication should be documented and added to the relevant file. The procedures below are intended to address major complaints, which require a formal approach. Such complaints must be made in writing.

If the client remains dissatisfied and wishes to make a complaint, they should request that the complaint be formally investigated.

The person complained about should not assess the complaint against himself or herself. In smaller organisations, this may not be possible and in such circumstances the Information & Tracing Network Co-ordinator or an alternative independent facilitator can act as an independent arbiter.

10.4 Standards for Dealing with Complaints

Complaints should be treated properly, fairly and impartially. A complaint should have no implications for the client in dealing with the Service Provider. An official other than those originally involved should examine the complaint. The Agency should examine and review the complaint and send a reply to the client within 20 working days of receipt of the complaint. Where it is not possible to meet this target, the client should be informed in writing. The body concerned should apologise for any mistake made, explain what happened, and put it right wherever possible.

If the complaint relates to a decision on the release of information, the Information & Tracing Service Provider should provide a written explanation of the reasoning for the refusal to release the information. The Information and Tracing Service Provider should clearly document this process.

10.5 Appeals Procedures

Clients can appeal to the Adoption Board where:

- 1) They have exhausted the local Complaints Procedures but feel they have not had their complaint fully addressed in a fair and appropriate manner.

The C.E.O of the Adoption Board will investigate their appeals. The outcome of the appeal will be sent to the client and the Agency concerned.

- 2) A client believes that adoption information they are entitled to receive has been withheld.

This class of appeal will be considered by the Registrar and the Adoption Board. The outcome of the appeal will be sent to the client and the Agency concerned.

10.6 Complaints Procedures relating to the Adoption Board

Complaints about the service provided directly to clients by staff of the Adoption Board should be made to the C.E.O. of the Adoption Board who may delegate the matter to the relevant Head of Section (except where that person is the subject of the complaint). The Adoption Board is subject to the same service standards as all Information & Tracing Service Providers.

10.7 Appeals Procedure at the Adoption Board

Decisions of the Adoption Board can only be appealed to the High Court on a point of law.

11 Registration of bodies providing Information & Tracing services.

A body that wishes to provide an Information & Tracing service will be required to register with the Adoption Board as a provider of information & tracing services.

Bodies applying to register will be required to

- a. Agree to comply with the provisions of the Adoption Acts 1952 – 1998 and any subsequent Adoption Acts.
- b. Agree to provide the full range of Adoption Information & Tracing Services in a timely, efficient, effective, and transparent manner.
- c. Agree to comply with the operational procedures as set out in this document.
- d. Maintain their records in good condition according to the protocols outlined in Part 7.2.
- e. Commit to an ongoing level of human and financial resources for the service agreed with the Adoption Board.
- f. Provide the Adoption Board with statistics on service provision in a format to be set out by the Adoption Board (See Part 9).
- g. Provide a complaints and appeals procedure as set out in Part 10 above and to agree to comply with decisions of the Adoption Board.
- h. Agree to co-operate with monitoring by the Adoption Board in their assessment of the level and quality of service provided by the body.

The Board may cancel the registration of a body on any ground which would require or entitle the Board to refuse an application for the registration of the body, or if it appears to the Board that the requirements of the Adoption Acts 1952 - 1998 are not being adequately complied with by the body, or if an offence under these Acts is committed by the body or by any person acting on its behalf.

Additional Practice Guide for Professionally Qualified Social Workers

12. Stages in the Information and Tracing Process
13. The Social Work Task
14. Specific Issues in Relation to Natural Parents
15. Siblings/Relatives
16. The Adoptive Parents
17. Social Work Procedures

12 Stages in the Information and Tracing Process

Introduction:

The journey through Information and Tracing is an individual one for each person. This section of the guide seeks to describe the stages through which people may pass on their journey. Despite the process having many common features for the different people involved, it will always be a journey that is particular and unique for each person.

Process:

The process of information and tracing work can be considered as a journey. It is commonly motivated by a desire to develop a greater sense of 'knowing'. For an adopted person that 'knowing' can be about a greater understanding of their origins and family heritage. For natural parents it can be about finding out how the child they placed for adoption is doing and how life was for them growing up. The process takes the individual(s) through a number of different stages, each with their own challenges and emotional significance.

Stages in the Information and Tracing Process:

Within the process of finding more information about the adoption experience, it is useful to identify the different stages through which people may pass. These stages can be identified as:

- Contemplation Stage

- Initial Action Stage

- Initial Preparation Engagement/Disengagement Stage

- Preparation for Reunion Stage

- Reunion Stage

- Post Reunion Engagement/Disengagement Stage
- Post Reunion Relationship Building Stage

Not all individuals involved in the process reach or desire to reach all of the stages outlined. Some may only wish to engage to the extent required to receive information and may never seek to meet the other person(s) concerned.

Contemplation Stage:

This contemplation stage occurs prior to engaging with an agency or commencing a search. The individual concerned acknowledges some need within themselves to fill in the “missing pieces” / personal history in order to complete their identity. It may be a private experience or one which they have shared and discussed with others to whom they are close.

Initial Action Stage:

During this stage the individual engages with the agency through which they seek to have their wish for information facilitated. It can evoke powerful emotions, from great excitement to apprehension and fear. All of these are normal responses to the circumstances of search and reunion.

Initial Preparation Engagement/Disengagement Stage:

For those applicants who are seeking to make contact, during the process of preparation an applicant may move between stages of engagement and disengagement with their worker. This can happen for a number of reasons. The process of preparation may prove more challenging and emotionally charged than they had expected. The applicants may need time to reflect on the process at times in order to integrate the emotional experience involved and/or information received. They may wish to reassess the timing, their motivation and commitment to the process and the challenges of the process. Disengagement can last from relatively short periods of time to a number of years. For some people dealing with the emotional impact of the journey may prove so overwhelming that they disengage

permanently from the process. At each step of the process the person's right to move from engagement to disengagement must be respected and acknowledged at being what is right for them.

Reunion Stage:

Good planning and open exploration about expectations before the actual meeting will most often enhance the experience for all involved. It is essential to have thought through and discussed the practicalities as to how the meeting will be conducted, how long it will last and what information will be exchanged.

Post Reunion Stages:

Following the initial meeting all those involved can experience a broad range of emotions. If the meeting matches all parties expectations people will generally feel very positive. Where the reunion fails to realise expectations, feelings of loss, rejection, abandonment, isolation, anger or deflation may be more prominent.

Post Reunion Time Out / Disengagement Stages:

Feelings post reunion can be intense and confusing. People may find that following an actual meeting they may need to re-negotiate for themselves how they wish to proceed, and also in what way they wish to continue to have a relationship. They may need time to integrate their feelings and reassess their commitment to the process. They may need time to think about the impact of the new relationship in relation to their partners, children and other family members. Alternatively, they may want to disengage completely from the process, not wanting to continue any form of contact. Irrespective of the path taken by either person, this part of the journey can be a confusing one, and people may find it beneficial to use the counselling services of a social worker in an Adoption Agency to assist them in considering their feelings and wishes.

Post Reunion Relationship Building Stage:

In the post reunion period, as people integrate their new experiences into their lives and make decisions to form new relationships, there are often social issues which present themselves e.g. invitations to weddings, christenings or other major events. Social work support, can be very beneficial at this stage.

13 The Social Work Task

Introduction:

This section of the Framework sets out the key social work tasks involved in Information and Tracing work. It is subdivided into seven parts:

- Part 1: Preparation
- Part 2: General issues
- Part 3: Specific issues in relation to natural parents
- Part 4: Suggested areas to be covered in preparatory meetings with natural mothers
- Part 5: Specific issues in relation to adopted people
- Part 6: Suggested areas to be covered in preparatory meetings with adopted people
- Part 7: Some complex issues to be considered during preparation for contact.

Preparation

An essential starting point for social workers involved in information, tracing and reunion work is to ensure that their own knowledge base is sufficient to fulfil their task of assisting all those involved.

It is important therefore that social workers become familiar with both historical and current literature on adoption and on information and tracing (see various sections in this Framework and those on recommended reading).

The first part of this section will identify issues that are common to all clients availing of information and tracing services. Issues which are specific to the different client groups will then be identified and outlined.

General Issues:

For each individual the process of tracing, contact and possible re-union will evolve at a different pace, and it is important that each person feels well prepared and ready for what will be a major and significant life event. In providing a social work support service the key areas to address with any person presenting for an information and search service include:

The process of contact and, if it is to come about, reunion, is invariably an event which is emotionally charged. It can, at times, act as a trigger for the emergence of feelings associated with the original separation (such as loss, anger, rejection, abandonment, guilt, and blame). Where people have a realistic understanding of the emotional position from which they are approaching contact with the other, and an appreciation of how their contact may impact on that other person, there will be the possibility for greater openness and growth in the reunion process.

Confidentiality: The importance of confidentiality needs to be discussed openly and with due regard for all those involved. One party may require a higher degree of confidentiality than the other and applicants need to be assisted to understand differences in the level of confidentiality.

Feelings, which may emerge upon contact and post contact: The intensity of the impact of contact may have an impact on the de-stabilisation of a person's close relationships and they may need help to re-negotiate and stabilise these relationships.

The intense feelings which frequently accompany a face to face reunion can sometimes lead to a confusion of roles and relationships. In a small number of cases, a sexual attraction (generally referred to as "genetic sexual attraction") between the adopted person and the natural relative may develop. It is essential to have explored the possibility of these feelings arising during the reunion process, to explain that it has happened to others in the past and to outline the reasons why they might develop. It is especially important to ensure that the person understands the importance of seeking assistance and support to recognise what's happening.

It is important to emphasise that, in general, contact between people separated by adoption does lead to emotional growth and the majority of experiences are positive. However, it takes time to integrate new relationships in each other's lives (often a number of years) and it is a time when patience, understanding and respect for oneself and for the other person involved are important. Resilience and the ability to take the time it requires to absorb the new reality are important, and the social work task in this part of the process is to offer support and counselling when required.

Preconceptions: it is important to explore with the parties any preconceptions that they may have built up over the years about the person with whom they are seeking contact. Depending on their life experiences, they may have developed in their own minds, idealised pictures of the other. Those involved in the information and tracing process need to explore such feelings with both parties as they may impact on their capacity to engage in future contact with the person they are seeking.

Expectations: It is important to explore with the applicants what expectations they have of engaging in the process. This seeking of clarity of intention is an important pre-requisite to successful tracing and reunion work.

Pacing: It is important that at each stage of the process the parties concerned feel they have control over the pace at which the process proceeds from one level of contact to the next. The reality is that the pace of the contact will be dictated by the slowest pace of the two people involved and this needs to be clearly set out with both sides early on in the process. Failing to do this can result in either or both people having a sense of their expectations not being realised or valued and can lead to feelings of disappointment, rejection, loss and anger.

It can be useful to begin the process of contact by exchanging information between the searcher and the person contacted through the exchange of letters, photographs, tapes or videos. This should be negotiated with each person involved and be a method of contact with which they are comfortable. This kind of contact provides

for people to begin to get a sense of each other prior to a meeting. Discussion around what personal and identifying information each person is ready to share is important at this stage, and each person needs to take into account their own right to privacy, their personal circumstances and what they believe will be right for them.

Follow up to initial contact: In order to assimilate the experience of first contact (letter/phone call, information exchange through adoption agency) both the searcher and the person being sought, very often need time to reflect on their feelings before deciding on the way forward. It is important for both parties to have an awareness of the need for reflection in order to ensure that any protraction is not misinterpreted as rejection. The package of support which can be offered by the social worker involved needs to be clearly established with both parties prior to the initial contact taking place, and may need to be re-negotiated subsequently.

Practicalities: Principally the key function of the first reunion is to provide a safe space for those involved to meet together for the first time; where any form of contact is contemplated, the ‘practicalities’ of how it will occur need to be negotiated and agreed so that all parties involved are as comfortable as possible with the plans and arrangements. Where contact is mediated by a social worker it is essential to provide a service that is timely and informative. Where a reunion meeting is agreed a range of practicalities need to be discussed with both parties in order to make the first meeting a meaningful experience for both. Practicalities to be considered include:

Venue – The kind of venue to be used should be discussed with the people who are to meet, and it should be comfortable, afford appropriate privacy and be neutral for everyone involved. It is important to remember that Adoption Agency premises are often not seen as neutral or a comfortable place for meeting.

Time – agree a time that is suitable for both. Discuss with those involved whether they wish to put a boundary on the duration of the first meeting. Two hours can be a good guideline. Be clear on arrival times to avoid people inadvertently meeting in reception areas.

Who attends the meeting – Decisions in relation to who will attend the first reunion meeting must rest solely with those directly involved. Different structures and procedures suit different people so a variety of different situations should be explored beforehand. People often look for advice in relation to this aspect of the process. Possible scenarios such as privacy versus support should be explored.

How to address each other – As with the meeting place and structure, it is important to have addressed issues in relation to how people will address each other prior to the meeting.

What to wear and what to bring– never underestimate the possible anxiety that can be experienced by people waiting to meet for the first time. They may be very conscious of every aspect of their initial presentation to the other. They should be encouraged to wear comfortable clothes, which help to make them feel good about their appearance. They may wish to bring photographs as a means to initiate conversation. They may also request guidance on whether or not bringing gifts is appropriate.

What questions they want to ask – The emotional impact of the first meeting can be so profound that it can literally leave those meeting for the first time almost speechless. Writing questions down can act as a prompt for such an occasion.

Information exchange – The sharing of personal information such as exchanges of names, addresses and telephone numbers need to be considered beforehand with both parties. Issues such as potential follow-up meetings are best explored prior to contact.

The social workers role – It is essential that social workers discuss at length with those directly involved in the reunion what exactly they want the social work role to be in terms of support and assistance. This can vary from being asked to be at the meeting, to being in the background whilst at the same time ensuring that people know you are available if needed. It is important that those involved know and

believe that they are responsible for the meeting and that they feel they have control over how it will take place and who will be there.

Support Network (before, during and post contact): An important aspect of preparation for contact and reunion is to establish with those involved what support networks they have in place. The possible impact of the reunion on the close relationships of everyone involved (mothers, fathers, children, partners, siblings, grandparents, etc.) also needs to be explored. The intensity of the feelings, which can be evoked especially for those directly involved following reunion, can result in tensions generating in their close relationships. Open discussion within the preparation stage about the issues which can arise in extended relationships can assist those involved should difficulties emerge during the reunion process.

Post Reunion Support: Although those involved may not initially wish to avail of post reunion support, ensure that this is offered into the future and that parties understand that they can come back in months or years ahead to access support. However, if your agency has a waiting list for services, this will need to be mentioned to the client so as not to create the expectation that a service will be immediately available to them in the future. A list of support services and groups are provided in the appendix.

14 Some Reasons for not meeting

Background

It is now widely acknowledged that the relinquishment of a child by natural parents has life long repercussions in terms of loss, guilt and grief experienced throughout a lifetime Winkler & Van Kepple (1984)(Australia); Bouchier, Lambert & Triseliotis (1991)(England); Conway (1993) & Kelly (2005) Ireland.

Most of this research relates to natural mothers. Little research has been done into natural fathers' response to losing a child by adoption. One study on fathers (Deykin, Patti & Ryan (1988)) (U.S.) did reveal evidence of 'exclusion' from the decision-making, planning and proceedings in the adoption process, with feelings of 'guilt', 'grief' and 'a desire to search'. More recent publications e.g. " Ever After: Fathers and the Impact of Adoption" by natural father Gary Coles (2004) and "Birth Fathers and their Adoption Experience" by Gary Clapton (2003), offer valuable new insights into the repercussions of adoption on natural/birth fathers and on the implications of search for them, and challenges the "myth" that, by their marked absence from the literature, that they were immune to the consequences of adoption.

Clapton's study, though limited, is the only one which explores experiences of contact and subsequent relationships between natural fathers and their adult children, and therefore offers some valuable insights. Overall the results point to very positive meetings and on-going relationships. He makes the point however, that practitioners need to be aware that a gender bias in family literature, policy and social work practice generally e.g. March (1995), Grief and Baily (1990), Lewis (2000) and Daniel and Taylor (1999) was borne out in his own study, with men reporting active exclusion from the adoption process "despite a willingness to be involved" .He found that because of such exclusion, and consequent ignorance of the most basic information about their children, some men's motivation to search was tied up with their need to complete their own life histories. Otherwise,he found many parallels in motives to search between natural fathers and natural mothers e.g.

a need for reassurance about the “child’s” welfare, expiration of guilt and a hope of making some restitution.

Professionals need to be aware of the nature of this loss and grief before engaging with natural parents in their attempt to reunite with their ‘lost child’.

It is now accepted that few, if any, natural parents relinquished their babies easily or willingly and also that there was little or no recognition or understanding of the nature of this relinquishment. There was little or no understanding that a person who had lost their child to adoption could suffer grief and need to mourn their child. There was therefore no acknowledgement of the ongoing experience of loss and the needs of a natural parent. Evelyn Robinson (2000) describes it as a grief which “differs in fundamental ways from other grief experiences” (pg 95), in that, in being encouraged to ignore or suppress their loss, they were deprived of the possibility of facing and mourning it and of, therefore, coming to any level of resolution of it. In effect, the practice of closed adoption created for them a lifetime loss and bereavement situation without a death.

Silverman (1981) who has written one of the few works which tackle this subject directly, describes how many natural mothers suppressed their grief, and how this manifested itself so often in feelings of guilt, anger, tension and fear of discovery. She describes the impact of breaking the secrecy as a “thawing out”, with natural mothers describing themselves after disclosing their status “as having been in a deep freeze, sometimes for years” (pg 66). Winkler & Van Kepple (1984) found that the effects of the loss of a child were both negative and long lasting, and that, unlike most other types of loss, their sense of loss increased, rather than decreased over time. While society normally offers rituals and supports, religious and otherwise to the bereaved, to help deal with loss of relationships and deaths of loved ones, no such assistance was deemed necessary for loss through adoption. As Melina (1990) puts it “Birth parents are expected to forget their loss, or made to feel that they don’t deserve to feel their loss”. Kelly (2005) described the need for natural parents to “close down” following relinquishment and the subsequent numbness and denial experienced. Unlike a loss by death, which is final and irreversible, the continued existence of the child, but without access to knowledge of its welfare or

circumstances, made denial the only coping mechanism possible. The added denial by society of their experience, and even of their very existence, in for example the issuing of the Adoption Certificate, replacing their names with those of the adopters, also lent an air of serious unreality to the experience for them. Kelly (2005) also described how the respondents in her study “were constantly engaged in the management of the impression that there was no child and that adoption did not have an impact on their lives”.

Meagher’s “Disenfranchised Grief”(1989) and subtitled “Recognising Hidden Sorrow” is very useful in trying to understand grief and loss in relation to adoption. He says that “the most difficult loss to support occurs when the assumption is made that people who make anomalous life choices do not deserve support” (pg 313).

Natural parents have been very aware that for many people, the ‘choice’ to give away one’s baby is certainly considered an anomalous life choice and that as a result of this judgement, many people, including those in the helping professions, have been unable to offer appropriate emotional support. Instead, natural parents were advised to forget about the child, and to move on with their lives ‘as if nothing had happened’.

Secrecy and silence were imposed. “It was never, ever, discussed. It was as if it had never happened” and “we will never speak of this again” were typical quotes of the respondents in Kelly (2005).

The difficulties which are inherent in achieving some or any resolution of such grief are apparent. To re-establish equilibrium after a loss, mourning must take place. Natural parents did not have any concrete focus for such mourning. Many never even saw their babies, and for those who did, separation was too traumatic for any response other than deep denial. Many therefore remained ‘stuck’ at this first stage of bereavement, unable to move on to and through the stages conceptualized by Parkes (1970) and Worden (1984) as necessary for grief resolution e.g. anger, yearning, despair or depression before being able to move on to a level of acceptance. Some may have become stuck at any of these stages. They may have become engaged in patterns of behaviour aimed at avoidance of grief, such as,

compulsive or addictive behaviour (alcohol or drug abuse); avoidance of intimacy, to ensure protection from further loss; avoidance of further pregnancy and experience of motherhood. [Robinson (2000) (pg 117) quotes a 40% rate of secondary infertility in relinquishing mothers]; avoidance of the pain of grief which often resulted in depression (Worden 1984).]

A task, therefore, in working with a natural parent towards reunion is to recognise and acknowledge such unresolved grief and offer appropriate counselling or referral for same. Practicing within various theoretical perspectives, social workers, offer a space for “addressing, acknowledging, re-experiencing and helping to put into perspective the pains and traumas of one’s life”, that have been “hidden under the rubble of self-doubt, the blame of others and, in some cases, the wearing of a diagnostic label” Saleeby (1992) (pg 90).

The Role of the Agency

It is important to remember that an initial enquiry by a natural mother has probably taken a lot of courage, and only been made following long and painful consideration. It is imperative therefore to respond with sensitivity and understanding to such an enquiry. A number of studies have found, historically, that natural parent’s experience of agencies at the time of relinquishment was often negative and variously described as “unhelpful” “pressurizing” “disempowering” and “disrespectful” (Howe et al 1992; Sullivan & Grodon 1995, Kelly 2005), and “the perception was that even the agencies colluded in compelling them towards adoption” (Kelly 2005). Parental, societal and agency pressure was perceived as so strong, that natural parents to a large extent did not even consider that they had the right to take control over their situation. Some, while having no memory of even the birth or of signing consents, had no difficulty remembering clearly directives from the agency not to make any further contact. A common perception was that agencies had no interest in their ongoing welfare following relinquishment (Howe et al 1992) with efforts by natural parents to enquire about the welfare of their child or leave up-date information about themselves often ignored (Kelly 2005)

When in the process of establishing a relationship with a natural mother who has presented as a searcher or a person being sought, it is important to be mindful that she may have considerable ambivalence about the agency and the social work services. Many natural mothers come expecting responses that will continue to be negative and judgmental. It is important to remember that some natural parents would never have felt sufficiently empowered to initiate a search themselves and “might never have had the opportunity of reunion if their child had not been willing to initiate contact” (Kelly 2005)

It is imperative therefore to acknowledge and address experiences if a positive working relationship is to be established. It may be that the initial association with the agency was so distressing that some may now prefer to work with a different agency. Such a request should be respected and every reasonable effort made to accommodate it.

Suggested Areas to be Covered in Preparatory Meetings with Natural Parents:

The list below is comprehensive but not exhaustive. The sequence in which the topics will be covered will be case specific and will emerge as the file is read and the natural mother’s history is taken.

As will be evident from the introductory section above, the feelings and emotions of each natural parent presenting will vary according to their direct experience. It is essential therefore to review each file and note some specific circumstances, which may be of particular significance to that natural parent. It is important to be aware that the first interview may be the first opportunity of the natural parent to discuss the loss of a child to adoption. It may therefore trigger very deep-seated and intense emotions, which may need to be addressed through further counselling. If the agency is not in a position to offer this, appropriate referral should be discussed. It is essential that natural parents be provided the opportunity to acknowledge and express past and present feelings about the adoption, to help them prepare for the range of emotions that may arise should contact be made with the adopted person.

Seek to establish natural parents own account of the circumstances of adoption (and pregnancy) as they reflect on it now as compared to what may or may not be in the file. Give the natural mother the opportunity to correct any error or add new information. It is also important to remember that many natural fathers were never informed of the pregnancy or existence of the child. In such cases DNA testing may be the only reliable recourse open to both parties to establish proof of paternity. Where an adopted person has met with their natural mother and has been given identifying information about him, the agency may then be able to confirm or deny this according to the information on record.

Explore natural parents' perception of their own grief and bereavement in relation to having had to part with their child.

Establish the natural parents expectations of service that can be offered and clarify agency policy/level of support offered/advised. Outline the current legal situation and clarify the position regarding information which can be shared. Non-identifying information to be shared should be written and given to natural mother, as they may not remember all the information given verbally. As there is usually a marked absence of identifying information on the natural father's record where he is the subject of the search, natural mothers may need to be approached to provide such information before responding to a request from an adopted person (or natural father). Where identifying information is on file it is important to remember that incorrect information was sometimes given at the time of placement. Where possible get the natural mother to confirm information and the natural father's identity.

Clarify current circumstances i.e. marital status; knowledge of child by spouse/partner and level of support for search; other children and likewise knowledge and support; health, physical and mental; occupation.

- Acknowledge level of fact/reality of adoption in intervening years.
- Clarify reason for natural parent(s) instigating search at this time and their hopes and expectations.
- Clarify what information natural parent already has about child and/or adoptive family and clarify what is correct or incorrect about this.
- Establish natural parents understanding and insight into the possible impact of contact on the adopted person's family and level of sensitivity to same.
- Expectations of contact. Explore possible outcomes and scenarios both positive and negative.
- Explore circumstances with which natural parent would find it difficult to cope or which might deter them from making contact e.g.
 - death of the child/suicide
 - child not aware of his/her adoption
 - death of adoptive parents
 - divorce/separation of adoptive parents
 - serious health, emotional, psychiatric or addiction problems
 - 'child' may be a single parent
 - sexual orientation issues
 - criminal convictions/serving prison sentence
 - child may have had unhappy adoption experience
 - initial placement may have been disrupted
 - more than one child placed for adoption

Explore any exceptional circumstances relating to natural parent's family which may be difficult for adopted person e.g.

- circumstances of conception
- medical/psychiatric history
- continued non-acceptance of the existence of the adopted person by the extended family
- drug/alcohol abuse
- natural parents married with existence of full siblings

Enquire whether the natural mother has any other children and whether any of these have been placed for adoption. Seek her permission to share this information with the adopted person or agency should they request it.

In the event of the natural mother having reservations or refusing to share this information, she should be advised that she cannot have a veto over the rights of two adult adopted people to know about their common identity. She should also be advised of her right to appeal to the Adoption Board stating her reason for her refusal. Each case will have to be decided on its own merits having regard to the privacy of the natural mother and the rights of the siblings.

In the event that it is not an information and tracing service that is being requested, but confirmation of well-being and / or the provision of up to date information, non-identifying information can be provided from the file of the adoptive family at time of placement or any inaccuracies of information given at the time now corrected.

It is well documented that natural mothers' recall of much of the detail around the adoption can be very limited. All the respondents in Kelly's study (2005) recounted how, because of their need to 'close down' at the time of relinquishment, "they now had difficulties recalling many of the details around the birth of their child" e.g. length of labour, the time of birth or weight of baby, the signing of the consent. It can be presumed that details given of the adoptive family were often similarly suppressed.

A natural parent with the permission of the other party should be informed if their child's name has been changed. Likewise permission will be sought from the natural mother prior to sharing her first name.

If natural parents do not wish to proceed to a search at this point, they should be encouraged to share information about themselves including medical history. Contact details remain confidential to the agency.

It is not unusual for some natural parents to be married to each other and they may make a joint approach to the agency, or one may initiate the enquiry independently of the other. They may have very different needs and very different hopes or expectations regarding contact. It is essential to ascertain these and their level of support for one another at the outset.

Specific Issues In Relation To Adopted People:

Background Information and Research:

The following are a number of factors to be borne in mind when commencing work with an adopted person.

- a) A number of studies have found that twice as many women as men appear to search (Gonyo and Watson, 1998; Stevenson, 1996; Pacheco and Eme, 1993). Possible reasons put forward from the research suggest that women are more interpersonally oriented than men, and Sachdev (1992) suggests that women are more interested in their natural family because of pregnancy and identity issues.
- b) A small number of studies have found that adopted people with low self esteem and poor self image are more likely to search (Aumend and Barrett, 1984; Sobol and Cardiff 1983)., however Howe and Feast (2000) suggest that since, self esteem is a difficult quality to measure and can change over time, confidence in these findings remains uncertain.
- c) The degree of openness within the adoptive family is also a factor which appears to influence an adopted person's wish to search (Howe and Feast 2000). Triseliotis (1973) found that non-disclosure of information by adopted parents in relation to birth identity was related to the urge to search. On the other hand, Sobol and Cardiff (1983) found that the greater the information provided the higher the likelihood of search by the adopted person.
- d) The quality of the adoption experience for the adopted person was found to be an influencing factor in a decision to search. Raynor (1980) found a link between the urge to meet natural relatives and an unsatisfactory adoption and other studies by Sobol and Cardiff, 1983, Aumend and Barrett 1984, and Kowal and Schilling, 1985 also make reference to this. A number of more recent studies however, failed to find such a link (Campbell et al, 1991; Sachdev, 1992; Pacheco and Eme 1993).

- e) Brodinzinsky et al. (1992) suggest that every adopted person conducts an intrapsychic search. This involves fantasies and curiosity about why they were placed for adoption in the first place. A number of studies suggest that the very practical need for medical and background information is a contributing factor to searching (Sool and Cardiff 1983; Kowal and Schilling 1985) and that such information contributes to a sense of fulfilment and a more complete identity. Haines and Timms (1995 p. 53) reported that people often have trouble explaining the reason for their enquiry and suggest that “something so self evidently reasonable as, say, wanting to know who your parents are becomes immediately complex when needing an explanation”.

Howe and Feast (2000) have examined the literature on “What triggers an adopted person’s decision to search?”, and quote the findings of Kowal and Schilling (1985) that it can often be a particular life experience such as pregnancy, birth or adoption which makes people wonder even more why their own natural parents placed them for adoption. Howe and Feast (2000) note however that although one life event can trigger a search, in practice people report a slow build-up in which they wonder about their natural relatives and think about a possible reunion.

Overall, explanations for the desire to search are broadly captured by two models – the normative and the pathological (Howe and Feast 2000). They explain that the normative model sees searching as a natural outcome of adoption as an attempt to integrate one’s roots and to develop a fuller understanding of who one is. The pathological model on the other hand suggests that the desire to search arises out of a dissatisfaction or difficulty with one’s adoption. The adopted person is seeking a new, or reclaiming some lost, original identity.

The notion that adopted people have issues in relation to their identity is prevalent throughout the literature. Sorosky et al (1994) noted in examining the psychological state of adopted people that they often have feelings of “genealogical bewilderment” caused by a lack of biological connection. On the other hand Howe and Feast (2000) note that being adopted marks people out socially as being either different and

special, and in a sense not “normal”. Searching is seen therefore as an attempt to account for this difference and establish a more complete identity.

In concluding their review of the literature, Howe and Feast (2000) note that in addition to the many findings of the studies noted above, adopted people also search to neutralise feelings of loss, cancel out the past or connect the past to the future. They quote Pugh (1999) who identified three motivations to search:

the wish to understand the meaning and significance of one’s roots
the need to know about one’s history, and
the need to make sense of one’s past.

Suggested Areas to be covered in Preparatory Meetings with Adopted People:

The list below is comprehensive but not exhaustive. The sequence in which the topics will be covered will be case specific and will emerge as the file is read and the history of the adopted person is taken.

As will have emerged from the introductory section above, the issues for an adopted person searching are usually multi-faceted and complex. As a result therefore it is important to address all the issues below in preparation for search and possible contact.

- Establish the adopted person’s motivation for searching and explore how or how not their wishes/fantasies may be realised by a search and/or contact.
- Explain the Agency’s position in relation to the release of identifying/non identifying information.
- Explore what information they have in relation to their natural and natural family and clarify whether according to the file, this information is correct or incorrect. The adopted person must be informed that no guarantee can be given that information is correct, rather just that it was the information either given or gathered at the time of placement.

- Explore issues in relation to their adoption experience and how this will impact on the process they are now undertaking. Establish what supports they have, whether they have decided/or not to inform adoptive parents of their decision to search.
- Explore their understanding and insight of why they were placed for adoption and their understanding and/or acceptance of why adoption may have been the only solution for mothers at the time.
- Explore feelings of happiness and feelings of sadness, grief or loss in relation to adoption. Also explore possible feelings of anger towards natural/birth mother/family for decision to place.
- Explore expectations of contact both for themselves and how it might be for their natural mother/relatives.
- Explore situations/information with which they might find it difficult to cope:
 - Death of mother/relative
 - Difficult circumstances of conception
 - Medical/Psychiatric history
 - Concealed pregnancy
 - Divorce/separation
 - Serious health problems including addiction
 - Sexual Orientation issues
 - Genetic Sexual Attraction
 - Natural parent/relatives are of a different race/culture
 - Natural mother placed other children for adoption
 - Natural mother kept other children with her or within her family
 - Natural parents may have married and have other children who are full siblings
 - Criminal Records

- Impact on relationship with adopted siblings who have chosen not to trace or have had a bad or unsuccessful experience.

Some Complex Issues to be considered During Preparation for Contact:

When Partners and Other Children do not know

Some natural parents may continue to feel unable to share the existence of the 'child'. While pressure should not be put on them to disclose, the implications of continued secrecy on themselves and the 'child' needs to be explored. They need to consider how the adopted person might feel if there is continued lack of acknowledgement by other natural relatives. Such reluctance to disclose may not only be dependent on the adopted person's response, possible rejection is a very real fear, and natural mother is not prepared to lose the respect of partner and children or to jeopardise her relationship with them without good reason. Most birth parents will need significant support to empower them to disclose such a long-held secret.

Reaction of Partner or Siblings

Contact after reunion can trigger very intense emotions and may lead to a period often described as "euphoric" or akin to a "honeymoon period", where the developing relationship can be all-consuming and excluding of other family members. Clients need to be prepared for how disconcerted other family members may be by this, how it may impact negatively on current relationships and how important it is for everyone's sake that efforts are made to place things in perspective and to take time out for difficult times.

Genetic Sexual Attraction

This intensity of emotion, which surrounds an ongoing adoption reunion, can spill over into a sexual relationship, which may be part of the process of reconnecting both physically, and emotionally after reunion. The possibility of GSA should be explored during this preparation stage with all parties to the proposed reunion and attempts made to identify what makes some people more vulnerable to it than others.

Ann Fittell (Post Adoption Centre Discussion Paper) (1994) identifies a number of factors, which on their own or in combination could be an indicator i.e.

- Strong physical resemblance
- Low self esteem
- Narrow age difference
- Romantic fantasies about reunion
- Anger and violence
- Absence of a sexual partner
- Inability to say No / Guilt
- Mental health issues
- Previous unsatisfactory relationships
- Physical/sexual abuse in the past
- ‘Walking on the wild side’ (Risk takers)

Useful practical suggestions, from feedback to the Post-Adoption Centre, Norcap and the US Group “Truth Seekers in Adoption” about how to cope with the distress and disturbance if people get caught up in this dilemma include:

- Talking openly and honestly with the other person, a counsellor or self-help group
- Informing oneself of the nature and reality of GSA, which helps lessen feelings of isolation and abnormality
- Recognising that the powerful overwhelming feelings do lessen with time
- Understanding the situation in terms of attachment /separation issues and the intense desire to catch up on “lost years”

- Engaging the support and understanding of one's sexual partner. While often difficult for partners to understand or have empathy with, it can be safer to try to contain such feelings within known boundaries
- Finding more appropriate ways to express affection
- Defining roles/relationships publicly
- Learning why the incest taboo exists and why it is considered dangerous
- Arranging to meet in public places while negotiating the terms of the relationship or postponing further meetings altogether while seeking help.

The practitioner can have a significant role in working with the client toward self-awareness; exploring the life experiences which have made them vulnerable to such attraction, mindful that the focus is not the sexual relationship itself, but the past loss and trauma which have not been healed, and helping him/her to contextualize the relationship within the reality of their existing family commitments and responsibilities. A high level of support may be needed to help people work through such a complex situation and additional more specialised counselling may need to be considered.

It is important to note that genetic sexual attraction can occur between many dyads within the reunion structure, e.g. natural/birth mother and adopted person, natural/birth father and adopted person and siblings. Also sexual attraction or issues could arise between the adopted person and other members of the family not related by birth (e.g. a husband) and vice versa.

Disability

Where there is information that someone involved in the information and tracing process has a disability, this information should be shared with the other parties to the process, with the permission of the person with the disability. Implications in relation to communication and access need to be considered by the worker and if specialist expertise is required it should be sought, e.g. sign language expert.

Rape/Incest

If conception occurred through rape or incest, this may or may not have been recorded at the time of the adoption. Specialist rape or genetic counselling may need to be considered. Also, child protection issues may need to be considered in terms of disclosure of historic abuse.

If information comes to the Social Worker's attention, that there may still be a risk to other children from the person who abused the natural mother, the worker needs to advise the natural mother that the information needs to be reported to the Child Protection Team, in line with procedures under Children First Guidelines.

Mental Health

Where there is evidence that there may be mental health problems experienced by anyone involved in the reunion, it would be important to ascertain the nature and extent of the condition so as to inform those meeting of the issues involved. With the client's permission, it may be necessary to approach mental health professionals if involved, to ensure that the client receives appropriate support. A multi-disciplinary approach may need to be considered in some cases. It is also important to identify what other personal supports either party may have, as the contact process may put either party under considerable stress. Disclosure of such information prior to a meeting means that everyone is aware of the issues and can therefore make informed decisions about how they wish to proceed.

If the Adopted person is not aware of his/her Adoption

It is important to remember that this will be the case in a small number of adoptions. An adopted person over 18 years of age should be contacted directly. The possibility of them not knowing of their adoption may suggest itself in preparatory reading of the file, or become evident in the nature of the response by the adopted person. If this is the case, considerable work may need to be done with the adoptive parents around their reasons for not telling, how they might now approach their son/daughter with the truth and how they might cope with the emotional/psychological repercussions of this. If the adoptive parents continue to be resistant to telling, they must be advised that it is their adopted child's right as an

adult to knowledge of their identity (UN Convention on the Right of the Child, Art. 8) .

If ignorance of their adoption is discovered on direct approach to the adopted person, considerable support may be necessary to help them come to terms with the implications of this disclosure, before they will be able to consider a contact request by natural/birth parent. While there is no research done on this actual area, Pearl, L. & Markham, S (1999) have found that while late discovery is initially traumatic and unsettling, that the majority are able to come to terms with it and welcome the answers to doubts and questions many have had for a long time. (“Why Wasn’t I Told”? making sense of the late discovery of adoption. Post Adoption Resource Centre, N.S.W.)

Criminal Record

In cases where either party may have criminal convictions, have served (or be serving) a prison sentence, or be on probation, issues arise around confidentiality or disclosure of the circumstances and/or nature of the offence:

It may be preferable for such information to be shared openly beforehand, rather than have it emerge in an unplanned way later and negatively impact on the newly developing and still vulnerable relationship.

This would need to be discussed beforehand with the party who has the criminal record as to whether/ how they wish to inform the other of this part of their life history. In some cases there may be the possibility that some form of risk assessment may be carried out by the agency.

Death

One of the realities of Information and Tracing work is that at times the issue of death has to be addressed with clients.

Serious consideration needs to be given to how to impart this very sensitive information, whether the cause of death was due to illness, accident, suicide or misadventure. Approaching a close relative or adoptive parent who may be willing to share information around the circumstances of the death may be helpful.

If it is learned, during information and tracing, that one of the parties to adoption has died, efforts should be made to verify this by obtaining a death certificate.

In the event of the natural mother being deceased, records should be consulted to see if any of her family was aware of the pregnancy. In some instances, the family may not have been aware, but the adopted person may wish to link with them and an approach may be made. Careful consideration needs to be given as to who is contacted and each case needs to be considered on its merits.

If information on the death of either party comes to the attention of the agency, this information should be noted on record and available for the other party, should they ever enquire.

If one member of the adoption circle is deceased it does not necessarily preclude an information exchange or contact with other members of the family.

15 Siblings/Relatives

Introduction:

In this section of the guide we consider how to work with the extended members of the Adoption circle.

Siblings and other Relatives

While there is no current legislative requirement to provide an information and tracing service to adult siblings, natural siblings (adopted or non adopted) or others, the Adoption Board considers that adult siblings, if they enquire, should have a right to know of each other's existence.

Efforts must be made to inform the natural mother of any requests for contact between the adopted person and other members of the birth family.

Other adult natural relatives may also request an information and tracing service.

- All enquirers must be informed that only non-identifying information can be released without efforts being made to locate the natural mother and inform her of the enquiry.
- The natural mother does not have the right of veto on release of information or the pursuance of a tracing enquiry.
- In the event that a natural mother feels strongly that a tracing service should not be provided she may apply to The Adoption Board via the placement agency outlining her reasons. The Adoption Board will then consider the matter and decide on the application.
- In some instances siblings and other natural relatives are in a position to show written permission or proof of the death of the natural mother. In such cases the search may proceed.

Findings indicate that sibling tracing is very important and is generally found to be satisfying in terms of reunion. There may be a complexity of emotional issues for siblings, but attitudes are not clouded by the feelings of rejection or relinquishment which may exist between an adopted person and their birth/natural parents. E.g. why was I placed for adoption while my natural mother parented my siblings? (McMillan and Irving 1997).

Grandparents:

Care and respect should be taken with all parties but special sensitivity should be considered when in contact with grandparents as they may have many repressed feelings of guilt, loss, regret, etc. about the adoption. Frequently they were the people who arranged and organised the adoption placement considering it was in the best interests of the natural mother and child.

16 The Adoptive Parents

Introduction

In the past the making of an Adoption Order generally meant that contact between the adoptive parents and the agency ceased. Over recent years there has been a significant shift in that adopted people and natural parents are approaching adoption agencies for information and contact with one another. Adoption agencies are trying to respond appropriately to these needs.

Most adoptive parents welcome the opportunity to support the information and tracing process and their involvement can be invaluable. Some were given little or no information on the adopted person's background at the time of placement while others, in more recent years, have been involved in a more open experience of adoption.

Adoption agencies acknowledge the need for supporting adoptive parents' requests for updated information on their adopted child's background history and at the time when a search is initiated. This section of the guide outlines some of the issues involved in working with Adoptive Parents.

Adoptive Parents Reaction to the News that the Search has been initiated:

Most people who search are not necessarily seeking a new family, they are searching for a sense of identity and knowledge of their roots. The majority of natural parents are seeking reassurance that the child they placed for adoption is alive and well.

In the past adoptive parents would not have been encouraged to consider the possibility that search and reunion could be a part of their adoption experience. This, therefore, may be a new area for them to consider and it may cause them some difficulties.

Adoptive parents may not have been given very much information on their adult child's background. This puts them at a disadvantage in trying to answer questions.

The desire to know more about families of origin may revive painful questions for adoptive parents about their role as the parents of their children.

What can the Social Worker Offer?

It is important to be thoroughly familiar with the adoption records before meeting the adoptive parents. Information on file may be at variance with that shared with the parents at the time of the adoption. Appropriate support may need to be provided for the adoptive parents to alleviate any misunderstandings which may have arisen between them and their adopted children, due to discrepancies in information. It should be noted that background medical information is rarely recorded on the early files.

All adoption agencies now offer a counselling service to all parties involved in adoption. Counselling provides the adoptive parents with an opportunity to explore the possible effects of the search process on them and their adopted child and the natural parents.

Implications of Reunions for Adoptive Parents:

Research shows that the majority of people involved in a reunion are glad they took the decision to have a first meeting. E.g. Howe and Feast, Bowers, 2006 and Kelly, 2005 Not all of these continue to meet or have a relationship with their natural/birth family members. When adoptive parents are supportive of the search, the outcome can be more favourable.

The need for an adopted person to know their roots or meet their natural parents in no way denies the adoption ties. The search for self is central to the search.

An acknowledgement of the need to search can strengthen the bond between adoptive parents and their children. At the same time, over enthusiasm can also lead to confusion for the adopted person. They may feel they are being pushed away by the only parents they know.

The majority of adopted people searching are not seeking a new family, they are searching for a sense of identity/“who am I”?

A concern of many adoptive parents is that they will lose their son or daughter. In the main, adopted people find a sense of healing and wholeness after a reunion. It appears that family relationships are often strengthened by the information and tracing journey.

17 Social Work Procedures

Introduction:

This section of the Framework sets out how parties to the adoption may be approached. In trying to contact people affected by adoption we must always act in a very sensitive and confidential manner, see also Part 1 Operational Protocols for information on approved service standards.

As outlined in other parts of this Framework, it may be that no one besides the natural mother knows that a child was placed for adoption, and therefore the reality of a social worker contacting may produce any number of reactions.

Some natural mothers may be delighted and therefore open to contact and willing to share with the world the fact that they have been contacted. Others may be fearful and anticipate that their world as they know it, will fall apart. It may be that they have married and not told their partner, nor their subsequent children.

For these reasons, it is essential that the initial approach is carried out in a responsible manner, which will respect and empower the person being contacted as much as possible.

Having examined the file in detail, it is advisable to discuss with your supervisor or experienced practitioners what approach might be good in a particular case.

Application to the Agency

It is important that the enquirer is reassured that the desire to search is normal, the enquirer is welcome and will receive a service.

The enquirer makes his/her request directly to the Agency from which the Placement was arranged. If the enquirer does not know or cannot recall the name of the agency, or if the agency is no longer in existence, then the enquiry can be directed to the Adoption Board.

The Adoption Board holds records for all the legal adoptions made in Ireland.

An enquiry can be made by phone, letter or e-mail but most agencies will ask that the application for a service be made in writing and be accompanied by some form of identification paper (e.g. a photocopy of a birth certificate, driver's licence, passport etc.)

Some agencies prefer to use an application form offer a group interview or meeting to go through the preliminary steps.

Agency Responds to Enquiry

The enquiry should be welcomed and acknowledged in writing as quickly as possible.

Enquirers should be informed if there is a waiting list and advised as to the approximate length of the waiting period.

If the Agency has its own Information Leaflet, it will be helpful to send a copy of this together with the acknowledgement.

[Copies of the CIAA / Barnardos Search & Reunion series of booklets (*as appropriate*) can be sent to the enquirer. These booklets provide valuable reading material for people whose names are on waiting lists.]

The enquirer should also be informed about the National Adoption Contact Preference Register as they may wish to enter their details on this register if they have not already done so.

First Interview

The enquirer will be offered an initial or first interview:

in some situations this interview will be arranged shortly after the enquiry has been made and the acknowledgement has been sent out. Following the interview there may be a delay or waiting period before the tracing enquiry is opened up.

It is suggested / recommended that the areas to be covered at this first interview include the following:

- * Exploring with enquirer, what he / she hopes, expects, fears, desires.
- * informing the enquirer about the steps / procedures being followed and why this is so.
- * Non-identifying information can be made available verbally (but *should be also be made available in written form*).
- * discussion of possible life/circumstances of the natural parents or of the adopted person.
- * considerations re adoptive parents and family.
- * clarify the legal position.
- * encourage enquirer to maintain contact with the agency.
- * Information about support groups given.

Following the initial interview an enquirer may wish to reflect on what they have learned. They can then decide to contact the agency if they are ready to proceed with the search or if they would like to defer it for a time.

Contact by letter:

Most often a letter is the appropriate approach mechanism. (It is not advisable to use headed notepaper for a first letter).

- * The letter should give your name, phone number and an address at which you can be contacted.
- * Depending on the circumstances the letter may include why you would like them to contact you.
- * Assurance should be given that the matter is confidential and will remain so.
- * Careful consideration needs to be given whether a letter is registered or not. It may be better not to register a letter as it can draw too much attention. However, in the event that there is no reply, it can sometimes prove very difficult for an enquirer to “believe” that the letter was posted if sent by general post.

Telephone Call:

Some points to consider if the first approach is being made by telephone:

It is important to consider that the person you are phoning may not be the person to answer the phone.

They may not be alone or in a position to talk when they receive the call.

It may not be a convenient time for them to receive a call (perhaps the person is going through a difficult time, e.g. has had a death in the family, marriage break up, in the middle of a normal every day crisis and cannot give you full attention).

They may be shocked and respond without any opportunity for consideration.

This may prove the only opportunity to discuss the enquiry and possibly obtain background information.

Remember:

It is advisable to consider that the person contacted may only be open to talking to you on this one occasion. If possible, therefore use this phone call to get as much information as possible in relation to questions which the other party might have. It is useful to have your list of questions of what it is most pressing for your client to refer to in making a call.

Home Visit:

Initial contact should be made by letter. However if after a number of attempts a response is not forthcoming, it may be appropriate, having discussed this with a colleague or supervisor, to consider a home visit. As already set out(at Section 6.5) visiting the person sought in their home (or place of work) would not generally be advised and should only be considered in the most exceptional circumstances. Calling on a person at their home unannounced has to be done with utmost care taking into account that the person you are approaching may not wish to be found, they may not have told anyone else about the adoption and so will have to explain the visitor, or it may be an inconvenient time for them to meet with you in relation to your request. All other methods of trying to establish contact should be exhausted before ever considering such a visit.

Initiate Search

There may be concerns and issues which need to be considered depending on whether the enquirer is the adopted person or the natural mother / father or other relatives.

Making an Approach to the Natural Parents

(In general terms what is contained elsewhere in the Framework about preparation is relevant and applies here also).

In situations where the natural mother is the sought party, contact from the adopted person may be perceived or received in a positive or negative light. There will, for example, be circumstances where no one besides the natural mother knows that a child was placed for adoption. Therefore the reality of a social worker contacting may produce any number of reactions.

Whatever the response to the initial enquiry it is important to move gently and gradually into the process of “getting to know one another” before arranging for a more direct contact or meeting between the parties.

The natural parent needs to be given time to :

- * Reflect on her response
- * Consider the implications of her response
- * Consider the circumstances relating to the pregnancy and relinquishment of the child for adoption
- * the “multiplicity of relationships” that may evolve/develop

Making an approach to the Adopted Person:

(In general terms what is contained elsewhere in the Framework about preparation is relevant and applies here also).

Adopted Person

Where the adopted person is the sought party, contact from the natural mother may or may not be perceived positively.

Following their initial reaction the adopted person may welcome the opportunity

- * to learn more about his/her own origins e.g., family background, medical history
- * to learn something of the reason why he/she was placed for adoption
- * to offer assurance/reassurance to the natural mother that he/she had a good life, had the experience of loving parents, a good home etc.

However positive the adoption experience, or the response of the adopted person, it is important to move gently and gradually into the process of “getting to know one another” before arranging for a more direct contact or meeting between the parties.

When the ‘searcher’ and ‘sought party’ are in contact:

- * the degree of contact needs to be agreed
- * differing values and lifestyles may pose challenges
- * either party may not follow through on the contact
- * secrecy can become an issue – if, for example, a natural/birth parent is not willing to introduce her son/daughter to other members of her own family
- * care needs to be taken if/when information that is potentially difficult, distressful or painful is being shared.

It may be expected that the immediate conclusion to a search will be a feeling of wholeness, well being, completion etc. It should also be realised that the contact/meeting is only a beginning. The feelings around this whole area will continue and may change as time goes on. The individuals concerned need to be supported to link in their own communication and life skills and to work at and give themselves time to integrate and assimilate new information and new relationships into their lives.

Appendices

1. Legal Background
2. The Adoption Board
3. Brief History of Adoption
4. Sources of Personal Information
5. Forms Used in Adoption
6. Agency/Support Group Contact Details
7. Public Information Booklets
8. Bibliography

Appendix 1: Legal background

The Law

In considering the legal position with regard to adoption, the Irish Constitution takes precedence over international law. It does not take precedence over European Union law. However, there are no directly relevant EU provisions in this area at present.

Historical Context

One of the major difficulties in the area of information and tracing is that legislation has not kept pace with overall developments in Irish society. Legal adoption was introduced in Ireland by means of the Adoption Act, 1952 and for the first two or three decades took place against a background of total confidentiality and secrecy, reflecting the generally negative view then prevalent with regard to pregnancy outside marriage and non-marital children. The public attitude to secrecy and adoption has, however, significantly changed over recent years.

Key Legal Provisions

The essential concept of legal adoption provided for under the Adoption Act, 1952 stipulates an arrangement involving the permanent transfer of parental rights and responsibilities from the natural parents to the adoptive parents. It severed the child's legal relationship with the child's natural parents and created a new legal relationship with the child's adoptive parents. Section 24 of the Adoption Act, 1952 stipulates that upon an adoption order being made, "*the child shall be considered with regard to the rights and duties of parents and children in relation to each other as the child of the adopter or adopters born to him, her, or them in lawful wedlock*". Correspondingly, the natural mother and/or original guardian of the child are

deemed to “lose all parental rights” and to “be freed from all parental duties with respect to the child.”⁷⁰

Arising out of this, Irish adoption law took a very restrictive approach to the disclosure of adoption information and records and, to this day, there is no comprehensive legal framework dealing with information and tracing requirements.

Disclosure of adoption records is dealt with in **Section 22 of the Adoption Act, 1952** and **Section 8 of the Adoption Act, 1976**; these provisions are considered in more detail below:

Section 22 of the Adoption Act, 1952

Section 22(1) of the Adoption Act, 1952 requires the Registrar General of Births, Deaths, and Marriages to maintain an Adopted Children’s Register. Every birth is recorded in the Register of Births but when an adoption order is granted, an ‘adoption’ certificate is issued for the child showing the adoptive family’s name; this is a copy of the entry in the Adopted Children’s Register. Section 22(5) of this Act further provides that the Registrar General of the General Register Office “shall keep an index to make traceable the connection between each entry [in the Adopted Children’s Register] and the corresponding entry in the register of births.” It further states, “That index shall not be open to public inspection; and no information from it shall be given to any person except by order of a Court or the [Adoption] Board.”

Section 22 of the Adoption Act 1952, therefore, enables the Adoption Board or ⁷¹ Court to direct that the adopted person be given access to the original entry of his or her birth in the records maintained by the Registrar General of Births, Deaths and Marriages.

As a result of this provision, adopted people are not automatically entitled by law to their birth certificates and parents who placed a child for adoption cannot automatically establish if a particular entry in the Adopted Children’s Register refers to that child.

However, in *CR v An Bord Uchtála*, discussed below, the High Court held that this section could not be interpreted to mean that information held by the Adoption Board could never be released.

Section 8 of the Adoption Act, 1976

This section provides that a Court will not order the release of adoption records under Section 22 of the Adoption Act 1952 “*unless it is satisfied that it is in the best interests of any child concerned [i.e. the adopted person] to do so*”.

The legal position regarding the release of information can be summarised as follows. Both section 22 of the Adoption Act, 1952 and section 8 of the Adoption Act, 1976 generally prevent access to adoption records except, according to McWilliam J. in *PC v An Bord Uchtála*,¹ where disclosure is in the best interests of the child i.e. the adopted person.

The Courts have also considered these matters, and current information and tracing practices are based on the above legal provisions and on their interpretation by the Courts, in particular in *CR v An Bord Uchtála*² and *IOT v B*. Again, these are considered in greater detail below.

CR v An Bord Uchtála

In this case, the High Court determined that where an adopted person seeks information under section 22(5) of the Adoption Act, 1952, the Adoption Board cannot simply refuse any such request and must enquire as to the individual merits of each application. In summary, the Adoption Board is required to inform itself of the individual circumstances of the case, which requires it to consider the release of all information and not merely non-identifying information.

Morris J. provided the following guidance:

“[I]t is necessary to screen any applicant and indeed the parent he is attempting to trace and the correct manner in which this is to be performed is by passing the

¹ Unreported, High Court, 1980.

² [1994] 1 ILRM 217 (High Court)

matter to the adoption society for them to process.³...Having considered this advice and all other relevant matters, the decision to furnish or withhold the information must be that of the Board.”⁴

The Adoption Board, in attempting to comply with this, generally seeks a report from the Information & Tracing Service Provider which now holds the placement file prior to deciding whether or not it is appropriate to make an order under Section 22 (5) of the Adoption Act, 1952.

Enquiries are made to ascertain the natural mother’s whereabouts and circumstances. Her views to the release of the information are sought. This is done by the relevant Information and Tracing Service Provider, which conducts the necessary enquiries in relation to the natural mother and provides the necessary professional assistance to both the adopted person and the natural mother. The report on these enquiries and consultations is forwarded to the Adoption Board. The Board must then decide if it is appropriate to make an order under Section 22(5), i.e. whether to release or withhold the information sought.

In instances where a natural mother cannot be traced, the Adoption Board may decide to release their birth certificate to the adopted person. In these circumstances, the adopted person may be required to give a commitment to seek the assistance of the Adoption Board or a named Information & Tracing service provider, should they wish to contact their natural mother at a future date.

If a natural mother is found to be deceased, the Adoption Board will normally decide to release their birth certificate to an adopted person. The adopted person may be required to give a commitment to seek the assistance of the Adoption Board or a named Information & Tracing service provider, should they wish to have contact with other members of their natural family.

³ At p.221.

⁴ At p.222.

Other Related Cases

The case of *DC v DM*⁵ prevents the disclosure or inspection of documents, save where “*it is in the best interests of any child concerned to do so.*” A similar approach was adopted by Costello J. [in the High Court case] *PB v AL*⁶ where disclosure was held to be “*in the best interests*” of the child concerned.

Non Identifying Information

If an adopted person seeks non-identifying information, it will generally be given to him or her.

Voluntary Reunion and Exchange of Information

The Chief Justice in the 1998 Supreme Court case *IOT v B* held that the issue of a right to adoption information does not arise “*where, through an intermediary such as An Bord Uchtála, or an Adoption Society, communication is established between a natural mother and her child and a reunion is voluntarily effected between the two...It can only arise...where...the possibility exists that the mother may not be willing to effect a reunion with the child*”.⁷ In other words, it is entirely open to the parties to an adoption to exchange identifying information where all parties to the adoption wish to do so.

Siblings

While there is no legislative requirement at present to provide information to siblings of an adopted person, the practice has been that tracing enquiries will be made on behalf of adult siblings, although every effort will be made to inform the natural mother. The siblings should be advised to consider the sensitivities of a natural mother and to respect her right to privacy.

The Constitutional Position

⁵ [1999] 2 IR 150.

⁶ [1996] 1 ILRM 154.

⁷ At pp.371-372.

The Supreme Court in *IOT v B* and *MH v Father Doyle and the Rotunda Girls Aid Society*⁸ considered consolidated actions brought by two women informally adopted⁹ before legal adoption became available in 1952 in respect of a High Court order directing the registered adoption agency that facilitated the placements to disclose to them the identities of their natural mothers.

While these cases concerned informal adoption, the Supreme Court made a number of references to legal adoption. Keane J., the then Chief Justice, in considering the right to privacy, stated:

*“I find it difficult to imagine an aspect of human experience which falls more clearly into the constitutional area of privacy...than the circumstances of the natural mothers in the present case.”*¹⁰

Barron J. held that secrecy⁷⁸ *“has always been a paramount consideration in adoption law”* and while *“the public attitude to absolute secrecy has been weakened...there [does] not appear to have been any cases where communication has taken place against the wishes of the mother”*.¹¹

Given the weight of argument attributed to privacy in *IOT v B* (involving persons informally adopted), it is likely that even greater importance would be accorded to privacy in legal adoption where the links between the natural mother and adopted child are legally severed.

In considering the right of a child formally adopted, the Chief Justice in *IOT v B* held that no familial relationship can survive between a legally adopted person and his or her natural mother:

“[I]ts exercise is restricted in the case of children who have been lawfully adopted in accordance with the provisions of the Adoption Act, 1952 as the effect of an

⁸ [1998] 2 IR 321.

⁹ In informal or de facto adoption, children remain the children of their natural mother as the relationship has not been severed by any legislative provision.

¹⁰ At p.373.

¹¹ At pp.380-381.

adoption order is that all parental rights and duties of the natural parents are ended, while the child becomes a member of the family of the adoptive parents as if he or she had been their natural child.¹²

In summary, the Supreme Court in *IOT v B* recognises a person's unenumerated constitutional right to know the identity of his/her natural mother, but said that this had to be balanced against the natural mother's right to privacy. It states that neither set of rights was absolute.

While the Court implied that access to adoption records might be appropriate in certain cases, this, it held, would depend on many factors including:

- i. the circumstances surrounding the natural mother's loss of custody of the child;**
- ii. the current status and circumstances of the natural mother and the potential effect upon her of the disclosure of her identity;**
- iii. the natural mother's own wishes and attitude regarding the disclosure, and the reasons behind these wishes and the aforementioned attitude;**
- iv. the current age of the natural mother and child respectively;**
- v. the attitude of the adopted person, including the reasons why he or she wishes to seek disclosure of his or her natural mother's identity;**
- vi. the present circumstances of the adopted person; and**
- vii. the opinion of the adoptive parents or other interested persons.**

The need to preserve the balance of rights referred to by the Supreme Court in *IOT v B* must always be considered by the Adoption Board when it is making decisions on the release of birth certificates and other identifying information to adopted people,

¹² At p.348.

and the Adoption Board must also give due cognisance to the weight attributed by the Supreme Court to the natural mother's right to privacy, as indicated above.

Third Parties

There are legal and constitutional considerations attaching to the files of those who were formally adopted. Regard must be had for third parties when disclosing information, safeguarding their privacy and confidentiality insofar as is possible. In other words, any information relating to one party to an adoption can only be released with the consent of that party.

International Obligations

The European Convention on Human Rights Act, 2003

The European Convention on Human Rights Act, 2003, which became part of Irish law on 31 December 2003, requires the decisions of the European Court of Human Rights [ECHR] to be taken into account by the Irish courts and by the legislature.

In *Gaskin v UK*,¹³ the ECHR held that denying the applicant (who had spent the majority of his life in care) access to his file was a breach of Article 8 of the European Convention on Human Rights¹⁴ in the absence of an independent and impartial authority to determine the merits of the applicants claims.

It is important to note that this case does not establish an automatic or absolute right to access birth information, only to an impartial and independent assessment of the merits of the application.

¹³ Judgment of 7 July 1989.

¹⁴ Article 8 of the European Convention on Human Rights provides for respect for one's private and family life.

In *Mikulic v Croatia*,¹⁵ the ECHR again recognised the importance to a child of information about his or her identity but subject to a due process of impartial assessment of the case.

In *Odièvre v France*,¹⁶ a relatively recent decision of the ECHR, the applicant was an adopted person seeking the release of information identifying her natural mother. As the natural mother had expressly reserved her right to confidentiality, the ECHR held, by a majority of ten votes to seven, that the Parisian Child Welfare Authorities' refusal to release this information was not contrary to the European Convention on Human Rights on the grounds that France had a pressing reason to respect the privacy of the natural mother.

This judgment has been subject to some criticism and sits uneasily with the importance attached to the right of a child to information regarding the identity of his or her parents in both the UN Convention on the Rights of the Child, 1989 and the 1993 Hague Convention on Intercountry Adoption. It addressed the French law on anonymous births, which allows women to give birth¹⁷ anonymously and is the only decision of the ECHR on the specific issue of access to birth information following adoption.

To comply with international best practice, decisions of the Adoption Board must seek to balance in a proportionate manner the rights of all the parties implicated in adoption information matters, the child, the natural parents, and the adoptive parents.

¹⁵ Judgment of 7 February 2002.

¹⁶ Judgment of 13 February 2003.

¹⁷ The possibility to give birth anonymously has existed in France since 1941. Germany is currently considering a legislative proposal that will allow women to give birth anonymously in German public hospitals.

European Convention on the Adoption of Children

Ireland ratified the European Convention on the Adoption of Children in 1968, thereby making the provisions of this international instrument legally binding on the State. This Convention is currently under review at European level with, inter alia, a proposal on access to adoption records forming part of that review.

It is also proposed that Article 20, paragraphs 3 and 4,¹⁸ which currently appear in Part III of the European Convention, should appear in Part II. Whether the provisions are incorporated in Part II or III of the Convention is significant because under Article 1 of the European Convention:

“Each Contracting Party undertakes to ensure conformity of its law with the provisions of Part II of this Convention...”

Article 2 of the same Convention states:

“Each Contracting Party undertakes to give consideration to the provisions set out in Part III of this Convention...”

In effect, the provisions of Part II are binding on states, which have ratified the Convention, while the provisions of Part III are optional.

Ireland’s ratification of the European Convention on the Adoption of Children would appear to require the confidentiality of the adoption and the natural mother’s identity to be safeguarded under Irish law.

¹⁸ Article 20

3. The adopter and the adopted person shall be able to obtain a document which contains extracts from the public records attesting the fact, date and place of birth of the adopted person, but not expressly revealing the fact of adoption or the identity of his former parents.
4. Public records shall be kept and, in any event, their contents reproduced in such a way as to prevent persons who do not have a legitimate interest from learning the fact that a person has been adopted or, if that is disclosed, the identity of his former parents.

It is, however, interesting to note that most countries who participated in a recent review of this instrument appear to accept the principle that adopted people should have access to information held by competent authorities concerning the identity of their natural parents.

United Nations Convention on the Rights of the Child, 1989

Article 7 of the United Nations Convention on the Rights of the Child, 1989, which was ratified by Ireland on 21 September 1992 without reservation, requires the State to “*respect the right of the child to preserve his or her identity, (including nationality, name and family relations as recognised by law) without unlawful interference*”, while Article 8 recognises the right of every child to know and be cared for by his or her parents. Both provisions, when read together, have been held to require states to provide adopted children with information on their birth.¹⁹

However, to date this has never been incorporated into Irish law and need not be taken into account by the Irish courts.

Freedom of Information and Data Protection

The Freedom of Information Act 1997 does not cover records where the disclosure of the record is prohibited by any enactment. The Board does seek to promote openness and transparency within the framework of the current legislative restrictions.

Summary

Pending the enactment of further legislation in this area, information and tracing enquiries must continue to be processed within the existing legal framework as set out above.

¹⁹ See comments of the Committee on the Rights of the Child, the body which monitors the implementation of the *United Nations Convention on the Rights of the Child, 1989*.

Appendix 2 :The Adoption Board

Introduction:

The Adoption Board is the central authority responsible for the regulation of adoptions within the State. This section of the Guide sets out the Board's key functions and responsibilities.

Present Organisation:

The Adoption Board was established on the 1st January 1953 following the enactment of the Adoption Act 1952. The Board, appointed by the Government, consists of the Chairperson and eight ordinary members. The Board is appointed for five years and outgoing members may be re-appointed. The Chairperson must be a Judge of the Supreme Court, High Court or Circuit Court, or a Justice of the District Court, or a Barrister or Solicitor of at least ten years standing. Any member acting as Deputy for the Chairperson must have the same qualifications as the latter. Members of the Board are unsalaried but receive an annual honorarium. The Chairperson and two ordinary members constitute a valid Board quorum.

Three specialist units, namely the Domestic Adoption Unit, the Inter Country Adoption Unit and the Information and Tracing Unit, carry out the work of the Adoption Board. An Administrative and Social Work team carries out the work of these units.

Key Functions of the Adoption Board:

- To make or refuse Adoption Orders.
- To register and de-register Adoption Agencies.
- To maintain standards of practice in Adoption agencies.
- To set standards and inspect against these standards.
- To maintain the Contact Preference Register.
- To release or withhold birth certificates.
- To establish eligibility to adoption in certain circumstances.
- To process applications under the 1988 Adoption Act.
- To grant or refuse Declarations of Eligibility and Suitability to adopt abroad.
- To maintain a register of Inter Country Adoptions.
- To seek Garda Clearances.
- To issue an annual report.

Restructuring of the Adoption Board:

An Organisation and Management Review of the Adoption Board was approved by Government in 2000. The Review's main recommendations were that the Adoption Board should be restructured as a Statutory Executive Authority and that its primary purpose should be to act as the National Adoption Authority with responsibility for overseeing the provision of integrated adoption services at local level, setting standards, providing guidance on good practice and managing records relating to adoption.

As a result of this review the Adoption Board's first Chief Executive Officer was appointed in 2003 for a five year term. A Senior Management team was also appointed. Additionally in 2004 the Adoption Board launched its first Corporate Plan 2004-2007.

National Adoption Contact Preference Register

On the 30th March 2005 the National Adoption Contact Preference Register was established by the Adoption Board (See also Section 4.11 to 4.13).

The purpose of the register is to facilitate contact between adult adopted people (over 18 years and adopted under Irish legislation) and their natural families. Participation is completely voluntary and contact will only be initiated when both parties register and wish for contact. The register allows applicants to choose whatever level of contact they wish to have. It also includes an option to have no contact with other parties to the adoption if this is their wish. The register is maintained by the Adoption Board. It is not open to public scrutiny and is strictly confidential.

In order to register an application form can be obtained from the Adoption Board. Applications, when completed, must include proof of identity. They may be returned to P.O. Box 9957 Dublin, 4, should the applicant not wish to use The Adoption Board's Address.

The Agency Intermediary Service

The role of the intermediary is to prepare all parties for contact at whatever level both parties request. She/he will also contact all parties to discuss and confirm the choices noted on the application forms, facilitate and organise initial meetings where both parties want to meet. This provides the parties with opportunity to openly discuss their applications, any issues arising, learn about the process and express their wishes about proceeding any further at this time.

Appendix 3 : Brief History of Adoption

Adoption Legislation

The 1952 Adoption Act is the primary piece of legislation regulating adoption in Ireland today. Legally, adoption is the process whereby the parental rights and responsibilities of a natural mother (father or guardian) of a child are transferred by law to an adopter or adopters. In Ireland adoption became a legal reality in 1952 when the first Adoption Act (1952) was passed and came into effect in January 1953. Prior to this, Shatter (1997) tells us that “a stranger could be in loco parentis” if they were caring for a child in the capacity of a guardian, or that “an adoption deed” by which a parent expressly surrendered all rights and duties could be signed. Neither of these situations had in fact any legal standing as “under the common law there could be no irrevocable transfer of the rights and duties of a parent to a stranger” (Shatter 1997). Hence the necessity for the introduction of adoption legislation when it became a concern for government and carers that children not being cared for by their natural parents were in an unsatisfactory legal position.

The 1952 Adoption Act gives effect to an adoption order which establishes the legal relationship between an adopter and an adopted child. Crucially therefore, when looking at the history of adoption in the context of the development of information and tracing services, it is important to remember that the 1952 Act gave all rights and responsibilities with regard to the child to the adopting parents, and obliged the natural mother to relinquish these rights. Also, within the 1952 Act the child was accorded no rights, which as will be discussed below, reflected the social mores of the time.

The Campaign for Adoption Legislation

As part of his analysis of church and state in modern Ireland, Whyte (1980) suggested that there were four main reasons for the growth of pressure to introduce legal adoption in Ireland:

1. The rise in illegitimate births which reached an all time high of 4% in the years 1944-46.
2. A changing social climate which embraced the idea that children would be better raised in families rather than institutions.
3. Pressure from parents who cared for boarded out and foster children and who wished to adopt these children.
4. Economic considerations which were voiced by Local Authorities who were responsible for the costs of maintenance of boarded out children. Adoption was favoured by these authorities as a lower cost alternative to institutional or boarded out care.

O'Halloran (1992) puts it slightly differently when he tells us:

“Adoption has probably always been seen as a provident answer to the reciprocal needs of a society, burdened with the costs of maintaining children from whom the adequate care of a natural parent was unavailable, and those of settled, married but childless couples able and willing to provide care for such a child”.

The introduction of legal adoption had been sought for a number of years prior to the passing of the legislation. The Adoption Society (Ireland), an organisation which included people from many walks of life, was the main pressure group which was calling for legislation. The Joint Committee of Women's Societies and Social Workers took up the question in 1938, and the Irish Trade Union Congress passed a resolution of support in 1949 (Whyte, 1980).

The government did not initially support the introduction of adoption. Through the Minister for Justice it gave the following reasons for its opposition:

- 1) The position of parents was already given ample protection under the law, and
- 2) It was unjust and unchristian to deprive a natural mother irrevocably of all rights over her child. Whyte (1980) pointed out two further strong objections to introducing adoption, viz. a strongly held feeling, particularly in rural areas, that “property should go to someone of one’s own blood” and the fear that it would facilitate proselytism. The debate went on for a number of years (1937-52), and eventually, through negotiation and the introduction of a clause which required the adopting parents to be of the same religion as the child’s mother, the objections subsided and the Adoption Act was passed in 1952.

Placing Adoption in a Historical Context

In order to place the history of adoption in context, it is important to understand Irish society’s attitudes to women who became pregnant outside marriage, especially prior to the 1980’s. Equally, the attitude of Irish society to children born outside marriage, whose legal status was illegitimate, and who for many years did not have equal rights to children born within marriage must be considered.

Historically, attitudes in Ireland towards women who became pregnant outside marriage have been harsh, unforgiving and stigmatising. This attitude towards non-marital pregnancy was also often the case in other countries such as the USA, Australia and England. In Ireland, commentators in the 18th and 19th centuries often used the rate of illegitimacy as one of their indices of the moral state of the nation, and so an increase in illegitimate births was considered to be another step on the path to moral decay which was of concern to government and religious leaders at the time (Laslett, 1980). Into the 19th and early 20th century single pregnant women and unmarried mothers were often accommodated in workhouses which provided shelter and sustenance for the country’s poor and destitute. Unmarried mothers were frequently obliged to remain for a long time in these workhouses often because they had no alternative accommodation because of the lack of acceptance of themselves and their illegitimate child by their families or communities.

By the turn of the century, it was recognised that the workhouse was no longer suitable for single mothers and their children (O'Hare, et al. 1983). A number of organisations were set up to care for the welfare of single mothers including St. Patrick's Guild and the Catholic Protection and Rescue Society. These organisations had a part, along with Mother and Baby Homes which were also founded in the early 20th century, in providing care for unmarried mothers who were often ostracised and stigmatised elsewhere (O'Carroll, 2002).

As well as mothers who gave birth outside marriage being stigmatised, the status of the children born outside marriage was that of illegitimacy, which in effect meant that they did not have the same rights as children born in wedlock. Prevailing social attitudes of the time towards these children were, like those experienced by their unwed mothers, often harsh and unfair. They were often boarded out or fostered for purposes of labour, and some accounts speak about these children, despite being in the care of the State, being treated harshly and abused [Raferty and O'Sullivan (1999)].

Other children who were born with the status of illegitimacy had a different experience, in so much as they were sent to America and adopted there by, mostly, Irish American families. Milotte (1997) describes how up to 2,100 illegitimate children were sent to America, this policy being, at the time, sanctioned by the Department of External Affairs and the Roman Catholic Church.

A further group of children who were born in private Nursing Homes, were involved in what is now termed as "unregulated adoption", some of these children having been intentionally incorrectly registered as "born to" the adoptive parents.

The Situation after the Introduction of the 1952 Act

The introduction of the 1952 Adoption Act was seen as a piece of legislation which would enable illegitimate children to become part of a family through adoption. During the 1950s, 1960s and 1970s it continued to be unacceptable to become pregnant out of wedlock and so during this time, the majority of children born outside marriage were placed for adoption (Adoption Board, Annual Report 2002). Through the years 1964 to 1984, for example, over 1,000 children per year were placed for adoption. In 1967, 1,493 adoption orders were granted, a figure being equivalent to 97% of all non-marital births. In 2003, 263 domestic adoption orders were granted. Overall, since the introduction of adoption in 1952, over 40,000 children have been placed for adoption by Irish mothers in Ireland. In addition it must be remembered also that many Irish women placed their children for adoption in England, although there are no definitive figures for the numbers of children involved.

Little recognition was given to the needs of the women who relinquished children and generally they were not afforded a service from agencies in the aftermath of relinquishment (Darling, 1974). In Ireland, and in other countries, the expectation appeared to be that the mother who had relinquished all rights and responsibilities would disappear and forever remain anonymous (Inglis, 1984; Howe et al., 1992, Kelly, 2005). Social approval was given to the adoptive parents who took on all rights and responsibilities for the child (Whyte, 1980; Inglis, 1984; Howe et al., 1992; O'Halloran, 1992). Any wish or need that she might have to know what happened to her child was not recognised as part of the contract (Kelly 2005).

In relation to the right to have information as to their past history, the child who was adopted was in a somewhat similar situation. As a general rule, and especially in the early years, it was the practice and prevailing belief that it was best to pass on as little information as possible with the child about their origins, therefore giving them the opportunity to have a new identity and a new start in life.

Changing Attitudes

For many years after the introduction of the 1952 Act it would appear that little if any consideration was given to the possibility that an adopted child might at a later stage of its life, as a matter of right, seek information on his/her background. Neither was it ever envisaged that the mother who gave birth would wish to have contact with or meet her child. The fact that adoptive parents might want to be able to give their child some information about their past was not something that was expected to arise.

Beginning in the 1970s and continuing through the 1980s and 1990s, attitudes to the sharing of information within the adoption process began to change. Adopted people were calling for the right to have information about their identity, natural mothers sought to have the right to have contact with the children they relinquished, and adoptive parents also called for more information for their children. Professional Social Workers through the Council of Irish Adoption agencies, Barnardos, Cherish and other professionals involved in the field of adoption, also called for changes in the legislation which would change the closed and secret nature of adoption as it had been practiced in the past. Throughout this same period Adoption Agencies were providing a service through which adopted people and their natural relatives could have contact, provided both parties wished to have contact.

In 1994, the Government, in their Health Strategy Plan, made a commitment to provide for arrangements to facilitate contact between adopted persons and their natural parents, including the establishment of a Contact Register. In 2005 the Contact Preference Register was established and further information on how it functions is contained at Section 4.11 this guide.

Appendix 4 : Sources of Personal Information

1. Your own Agency records
2. Birth / baptism certificate.
3. Particulars about child (form 2) and consent form (10 & 4)
4. Referees nominated on adoption application form.
5. Adoption Board.
6. Records that may be held by the HSE (e.g. records from Public Health Nurse, Child Care Managers, Fostering records etc.)
7. Register of Births, Marriages, and Deaths (BDM) which are held in each HSE area (these records are now computerised and generally the staff at BDM will be helpful in helping you find what you need). Agencies can access this information through the Adoption Board.
8. Electoral Registers.
9. Parish Records (baptisms, marriage, etc.)
10. Clergy (using any outside sources such as clergy must be done with discretion ... you have to be certain that they will respect confidentiality, and think through how it might feel for the natural mother for example to know that her local clergyman knows you have asked about her).
11. Post Office (again how you ask through a Post Office must be done with utmost discretion, it is often useful to ask through a third party who you know you can trust so that the connection is not made to the “adoption social worker).
12. State Agencies.
13. Department of Social & Family Affairs (Data Access Section).
14. Garda Siochana.
15. Other Adoption Agencies.
16. Current telephone directory (on line).
17. Thoms Street Directory.
18. Nursing Home Records.
19. Qualified researcher.

20. In other countries, Norcap Children's Society, Social Services, Mormon Records and Post Adoption Services, Contact Registers and other Agencies.
21. Internet.

Note:(When making approaches to contacts or sources be clear about confidentiality and the mutual understanding of same. Also give consideration to the fact that the source may be related to or known to the persons involved in the search.)

Appendix 5 : Forms Used in Adoption

Introduction:

Most of the official forms completed during the adoption process have been in use since the first Adoption Act was passed in 1952. Often, due to the dearth of information on files, official forms provide a vital link for Information and Tracing work. This section details the **purpose** of official forms and their **use** in Information and Tracing.

Notification of Placement to Adoption Board:

Purpose:

Within 7 days of placement the Adoption Agency concerned must serve notice on the Adoption Board of full particulars relating to that fact. This is done on a Notification Card, which used to be referred to as the “Blue Card”.

Use:

This notification contains the child’s original name, date of birth, date of placement and the name and address of the adoptive parents.

Serial Number:

Purpose:

The Adoption Board allocates a serial number to all applications. This number connects all parties to the adoption while protecting their identities.

It is the reference number used by the Adoption Board and should be used in all correspondence.

It represents the identity of the prospective adopters on the Final Consent Form signed by the natural mother.

Use:

The serial number is invaluable in sourcing the Adoption Board records. It is the link between the natural parents, the adopted person and the adoptive parents.

Form 1: Application Form**Purpose:**

This is the official application form submitted by the applicant(s) to the Adoption Board to adopt a child already placed in their care. The Social Worker may assist with the completion of this form but the applicants must sign it. The date of application is the date on which the Adoption Board receives the application form.

Use:

This Form provides the address of the applicants, their occupation and place of work, the name of the agency, person or authority who arranged the placement, the applicant's relationship, if any, to the child, information on other children in the family and the names and addresses of referees.

Form 2A (Originally Form 2):**Background Report on Child and Natural parents****Purpose:**

This is completed by the adoption agency for each application. It provides background information on the child, the natural parents and includes a section for any other relevant information.

Use:

Form 2A often provides pertinent information to facilitate a search, particularly if it includes, name and address of natural parents, date of birth of natural mother, marital status and occupation of natural mother. It may also include particulars on the natural father including his relationship with the natural mother.

Birth Certificate:**Purpose:**

The Adoption Board requires a copy of the birth certificate for the child in order to process an adoption application.

Use:

The birth certificate is evidence of the child's existence and is a useful tool in processing an information and tracing application because it usually states the child's date of birth, the name of the natural mother, the name given to the child, the place of birth and occasionally the natural mother's address. Details of the natural father are not usually included, an exception to this may occur e.g. when the natural parents jointly register the birth.

This information provides a useful tool to commence work on a trace for a natural mother. This information, in turn, may lead the social worker to enquire from The Register of Births, Marriages and Deaths about a birth certificate and a marriage certificate for the mother which will hopefully lead one to a current address.

Baptismal Certificate:**Purpose:**

The Adoption Board has traditionally provided information for the amendment of the baptismal certificate into the adoptive parents' names. The certificate remains on the Adoption Board file.

Adult adopted persons frequently approach the Adoption Board for advice on how to source their Baptismal Certificates e.g. at the time of marriage.

- Prior to 1983 adoptive parents applied to their Agency or Health Service Executive for the amended Baptismal Certificates after the Adoption Order was made and should revert to the original Agency for an updated copy of same, if required.
- Since 1983 applications are made to a designated member of each diocese, usually the diocesan secretary. Names and addresses can be obtained from the Adoption Board. This issue only arises where children were baptised prior to the making of an Adoption Order.

Use:

The Baptismal Certificate can include the name of the natural/birth mother and/or father, and the sponsor of the child. It should be noted however, that the sponsor may not be connected to the mother or the child, as members of staff of the various institutions often stood for children.

The Adoption Board can share information from the Baptismal Certificate with Adoption Agencies, on a non-disclosure basis.

Form 10: Consent To Placement

Form 10 is a consent form to place a child for adoption. The natural mother is presumed to be consenting not just to the placing of the child but to do so for the purpose of relinquishing her child for adoption.

Purpose:

Before accepting a child for placement, a registered Adoption Society must execute form 10 with the natural mother or guardian. In certain circumstances the natural father must also complete this form (e.g. when he marries the natural mother after the birth of the child, where he is appointed a guardian or has been granted custody of the child pursuant to a Court Order or otherwise).

The receipt of Form 10, signed by the natural mother, provides evidence of the fact and timing of the consent to the adoption. ('Adoption Law and Practice', Kerry O'Halloran pg 204). The Adoption Board recommends that form 10 should not be signed until the child is at least 1 month old.

Use:

It is worth remembering that in the past the natural mother often completed Form 10 within days of the birth of her child. A mother may remember being very traumatised at the time or may not recall having signed this form at all. It can be helpful for her to see her signature on the receipt of that form. This process may open up discussion regarding her feelings and recollections around the time of the placement.

Consent to Adoption Form and Questionnaire:

Purpose:

This is governed by Section 14 of the 1952 Act which requires the Adoption Board, before granting an Adoption Order, to satisfy itself that parental consent is available “in writing in the prescribed form” unless grounds exist for dispensing with the necessity for it. By signing Form 3a/4a or other Consent Forms, the natural mother gives her consent to the making of an Adoption Order. This section also requires the Board to further satisfy itself that the consenting party “understands the nature and effect of the consent and the making of an Adoption Order”. The Adoption Board provides a range of consent forms, each prescribed for a different set of circumstances. Forms 3a (used where the natural mother knows the identity of applicants) and 4a (used where the mother does not know the identity of the applicants) are the most commonly used consent forms.

The other form relating to the consent is the Questionnaire. This provides assurance that the consenting party has had the opportunity to reflect and consider the implications resulting from the act of consenting to the adoption of their child. An independent person, authorised by the Adoption Board, completes the Questionnaire with the natural mother before she gives her consent to the adoption. (A list of authorised persons can be obtained from The Adoption Board).

The Adoption Board may dispense with the consent of any person whose consent to the making of an Adoption Order is required if the Board is satisfied that the person is incapable by reason of mental infirmity of giving the consent or cannot be found.

The High Court under Section 3 of the 1974 Adoption Act where the consent is refused and where appropriate grounds are satisfied, has the authority to dispense with the need for parental consent where initial consent Form 10 has been given.

The High Court under Section 3 of the 1988 Act is empowered to grant a consent to an adoption order in the absence of an initial consent or a voluntary parental consent or later refusal to consent, if this should be deemed appropriate.

Secondly, in the circumstances, the fact that the child concerned is legitimate will no longer have any bearing on the issue of his or her eligibility for adoption. [K. O'Halloran p.115/116]. In the past natural mothers consent could be dispensed with in certain circumstances. The Agency has to satisfy the Board of efforts made to locate the mother. Three returned registered letters was an accepted proof that they could not locate her.

In circumstances where the natural mother is deemed incapable of giving consent due to intellectual disability or psychiatric illness, an appropriate professional opinion is required in writing to substantiate this opinion before an adoption order is made.

A natural father's consent is required where he marries the natural mother after the birth of the child or where he has been appointed guardian or granted custody by a Court Order. He must complete Form 4a or 3b where applicable.

Historically most of the infant placements were arranged through the Voluntary Adoption Agencies, however, due to the decline in these adoptions some of the agencies have closed down and their files have been transferred for safe custody and follow up by the Health Service Executive, Adoption Services in their area. There are four voluntary agencies that continue to provide a full domestic adoption service. (St. Catherine's Adoption Society, St. Mura's, Cunamh and Pact). Another four other agencies continue to provide solely information and tracing including post box service. (St. Brigid's, Sacred Heart, St. Attracta's and St. Patrick's Guild).

Use:

Access to the Consent Forms and Questionnaire have been identified as important documents in counselling natural mothers.

The documents are tangible evidence of her consent to her child's adoption.

Seeing her signature on the Consent Form can, in some instances, be a means of acknowledging the reality of the adoption.

It can afford an opportunity for her to reflect on her circumstances and life experiences at that time.

Exploring the Consent process may assist some natural mothers move forward in the journey towards reunion.

The Consent Form can provide a relevant address for the natural mother.

It indicates the natural mother's marital status.

If she married, it gives the marital name and indicates whether or not she married the natural father of the child. The address given by the natural mother, on the Final Consent and the witnessing address of the solicitor, may be the most up to date addresses we have, on record, for the natural mother.

Adoption Order:

Copies of the Adoption Order are retained by the Adoption Board because they detail identifying information relating to the adopted person, the natural mother and the adopted parents.

A copy of this document is not normally released by The Adoption Board.

Adoption Certificate:

Purpose:

An adoption certificate is evidence of the adoption and is used for the same purposes as any birth certificate.

Use:

An Adoption Certificate is linked to the child's Birth Certificate. Thus it can provide a vital connection in a tracing case. This information can be accessed through the Adoption Board.

Appendix 6: Agency/Support Group Contact Details

Adoption Information and Tracing Service Providers

The Health Service Executive and Adoption agencies which are currently offering tracing services are listed in **bold**, followed by the names of the former agencies whose records they now hold

Adoption Board

Fourth Floor, Shelbourne House, Shelbourne Road, Dublin 4

Tel: 01 – 2309300

Holds records for: St Therese Adoption Society, Whitefriar Street, Dublin 8

The Health Service Executive

Health Service Executive, Northern Area

Child Care Services, Health, Service Executive Northern Area, Park House, North Circular Road, Dublin 7

Tel: 01 – 8387122 (See also details for St Louise Adoption Society)

Holds records for: Dublin Health Authority / Dublin Board of Assistance, 1 James' St., Dublin 8
St Patrick's Home, Navan Road, Dublin 7

Health Service Executive Mid-West Area

Health Service Executive Mid-West Area, Adoption Department Parkbeg House., 2 Elm Dr, Caherdavin, Co Limerick

Tel: 061 - 206840

Holds records for: The Limerick Catholic Adoption Society

Health Service Executive Midland Area

Health Service Executive Midland Area, Adoption Department, ACC Building, Harbour St, Tullamore, Co Offaly

Previous address: The Courthouse, Portlaoise

Tel: 0506 – 28036

Health Service Executive Midland Area, Adoption Department, Tivoli House, Dublin Road, Longford

Tel. 057 - 9328036

Health Service Executive North Eastern Area

Health Service Executive North Eastern Area, Regional Adoption Service, Child and Family Centre, Dublin Road, Drogheda, Co Louth

Previous address: 23 Park St, Dundalk, Co Louth

Tel: 041 - 9832963

Holds records for: Meath County Council

*Monaghan County Council, Courthouse, Monaghan
St Clare's Adoption Society, Stamullen, Co Meath*

St Joseph's Babies' Home, Stamullen, Co Meath
Good Shepherd Home, Dunboyne, Co Meath

Health Service Executive North Western Area

Health Service Executive North Western Area, Regional Adoption Service, Custom House, 2 The Quays, Sligo

Tel: 071 – 9136550

Health Service Executive South Eastern Area

Health Service Executive South Eastern Area, Regional Adoption Service, 2 St Andrew's Terrace, Newtown, Waterford.

Tel: 051 - 860048

Holds records for: Ossory Adoption Society, Sion house, Kilkenny
St John's Adoption Society
St Kevin's Adoption Society, Dungarvan, Co Waterford
Wexford County Council

Health Service Executive Southern Area

Health Service Executive, Southern Area, Adoption Department, Unit 4, South Ring Business Park, Kinsale Road, Cork.

Previous address: 19 Dyke Parade, Cork

Tel: 021 – 4927250

Holds records for: St Anne's Adoption Society, Cork & Ross Family Centre, 34 Paul St., Cork.
Cork Health Authority, Institutions & Assistance Section, City Hall, Cork

Health Service Executive Southern Area, Adoption Department, 6 Denny Street, Tralee, Co. Kerry

Tel: 066 – 7120300

Holds records for: Kerry Health Authority
St Mary's Adoption Society, Killarney, Co Kerry

Health Service Executive Western Area

Health Service Executive Western Area, Regional Adoption Service, West City Centre, Seamus Quirke Rd., Galway

Tel: 091 - 548430

Holds records for: St Nicholas Adoption Society

Health Service Executive Western Area, Social Work Department, Hill House, Mountain View, Castlebar, Co Mayo

Tel: 094 - 9022333

Holds records for: Mayo County Council
Mayo Health Authority

Agencies / Adoption Societies

Cúnamh.

30 South Anne St., Dublin 2.

Tel: 01 - 6779664

National Maternity Hospital,

Holles St., Dublin 2.

Tel: 01 - 6373100

PACT,

Arabella House, 18D Nutgrove Office Park, Ratfarnham, Dublin 14

Tel: 01 2962200

Previous addresses: 15 Belgrave Rd., Rathmines, Dublin 6

71 Brighton Rd, Rathgar, Dublin 6

32 Molesworth St, Dublin 2

Hold records for: Bethany House, Orwell Road, Rathgar, Dublin 6

Rotunda Girls Aid Society (RGAS)

The RGAS has officially closed down and is in the process of being taken over by the Health Service Executive. You can still get in touch with them by writing to the RGAS, Pro-Cathedral House, 83 Marlborough Street, Dublin 1, and your query will be dealt with as soon as the proper procedures are in place.

Sacred Heart Adoption Society,

Blackrock, Cork, Co Cork.

Tel: 021 - 4357730

Hold records for: The Catholic Women's Aid Society, 14 Browne St, Cork

The Children's Welfare League, Brown St, Cork

Sean Ross Abbey, Roscrea, Co Tipperary

Sacred Heart Convent, Castlepollard, Co Westmeath

St Attracta's Adoption Society,

St Mary's, Sligo, Co Sligo.

Tel: 071 - 9143058

St. Brigid's Adoption Society,

Holy Faith Convent, 16 The Coombe, Dublin 8.

Tel: 01 - 4540244

Previous addresses: 68 Iona Rd., Glasnevin, Dublin 9

46 Eccles St., Dublin 7

St. Catherine's Adoption Society,

Clarecare, Harmony Row, Ennis, Co Clare.

Tel: 065 - 6828178

St. Louise Adoption Society,

First Floor, Park House, North Circular Road, Dublin 7

Tel: 01 - 8387122

Previous address: 1 James' St., Dublin 8.

Holds records for: Dublin Health Authority / Dublin Board of Assistance, 1 James' St., Dublin 8

St Patrick's Home, Navan Road, Dublin 7

St. Mura's Adoption Society,

Pastoral Centre, Monastery Ave, Letterkenny, Co Donegal.

Tel: 074 - 9122047

Holds records for: Nazareth House, Fahan, Lifford, Co Donegal.

St Patrick's Guild,

203 Merrion Rd., Dublin 4.

Tel: 01 – 2196551

*Previous addresses: 82 Haddington Rd, Dublin 4.
Middle Abbey St, Dublin 1.*

If you are unsure as to which agency handled the adoption, or if the adoption was organised through an agency other than those mentioned above, please contact the Adoption Board's Adoption Information and Tracing Unit for assistance.

The Adoption Board also holds a file on each adoption effected in the Republic of Ireland since 1953.

Records in relation to adoptions effected in Northern Ireland

Church of Ireland Board of Social Responsibility (Incorporating the Church of Ireland Adoption Society)

Church of Ireland House, 61-67 Donegal Street, Belfast BT1 2QH

Email: bsr@ireland.anglican.org

Tel: 04890 – 233885 (From Republic of Ireland)

Tel: (028) – 90233885 (From UK)

Family Care Society 511 Ormeau Road, Belfast BT7 3GS

Email: email@family-care-society.org

Tel: 04890 – 691133 (From Republic of Ireland)

Tel: 028-90691133 (From UK)

Family Care Society 1A Miller Street, Derry BT48 6SU

Email: email@family-care-society.org

Tel: 04871 – 368592 (From Republic of Ireland)

Tel: 028-71368592 (From UK)

Records in relation to Irish children adopted in the UK

Records are normally held by the individual adoption agency or the court where the adoption order was made. Enquiries can be directed to:

NORCAP, 112 Church Road, Wheatley, Oxfordshire, OX33 1LU

Tel: 0044 - 1865 – 875000

E-mail: ccsw@cathchild.org.uk

Some of these children were placed by:

Catholic Children's Society / Crusade of Rescue,

73 St Charles Square, London W10 6EJ

Tel: 0044 - 208 - 9695305

Email: enquiries@norcap.org

Records in relation to Irish children adopted in the USA

Consular Services, Dept. of Foreign Affairs, 80 St Stephen's Green, Dublin 2
Tel: 01 - 4780822

National Archives, Bishop Street, Dublin 2 **Tel: 01 - 4072300**

Daughters of Charity of St Vincent de Paul, Seton House, Northbrook Road, Dublin 6 **Tel: 01 - 6674346**
Holds records for: St Patrick's Home, Navan Rd, Dublin 7 (adoptions to USA only)

St. Louise Adoption Society, 1st Floor, Park House, North Circular Road, Dublin 7
Tel: 01 - 8387122
Holds records for: St Rita's Nursing Home, Sandford Road, Ranelagh, Dublin 6

St Patrick's Guild, 203 Merrion Rd., Dublin 4 **Tel: 01 - 2196551**

Health Service Executive North Eastern Area,
Health Service Executive North Eastern Area, Regional Adoption Service, Child and Family Centre, Dublin Road, Drogheda, Co Louth
Tel: 041 - 9832963
Holds records for: St Clare's Adoption Society, Stamullen, Co Meath

Sacred Heart Adoption Society,
Blackrock, Cork, Co Cork **Tel: 021- 4357730**
Holds records for: Sacred Heart Convent, Castlepollard, Co Westmeath

Support Groups/Other Useful Contacts

Adoption Ireland

14 Exchequer Street, Dublin 2

Email: chairperson@adoptionireland.com
campaigns@adoptionireland.com

Tel: 01 - 6790011

Natural Parents Network of Ireland

PO Box 6714, Dublin 4

Advice Line (2 – 4 pm Sundays only)

Email: secretary@adoptionloss.ie

Tel:1890 200046

Adoptive Parents Association of Ireland

Roundwood PO, Bray, Co Wicklow

Email: apai@eircom.net

Also

Helen Scott, 40 Fairyhouse Lodge, Ratoath, Co. Meath.

Email: scotthelen@eircom.net

Tel: 0404 - 45184

Tel: 01-8256961

Barnardos Adoption Advice Service

Christchurch Square

Thursday

Dublin 8

Email: adoption@barnardos.ie

Tel: 01-4546388
10am – 2pm

For further information contact **the Adoption Board** at:
Shelbourne House, Shelbourne Road, Dublin 4.

Direct lines for Adoption Information and Tracing Unit:
01-2309327 and **01-2309328** and **01-2309325**

Main Switchboard: **01-2309300**

Duty Social Worker: **01-2309306**

E-mail: adoptioninfo@health.irlgov.ie

Website: www.adoptionboard.ie

Appendix 7: Public Information Booklet

PREPARING TO MEET

Introduction

You may be considering tracing and meeting with your natural relative. An increasing number of people are seeking to do this. The Adoption Board promotes this through the provision of information and other supports to those affected by adoption. This leaflet has been prepared to help those who are considering meeting members of their natural families. There are a number of ways you can undertake your search. You can register on the National Voluntary Adoption Contact Preference Register at the Adoption Board, discuss your options with the Information and Tracing Section of the Adoption Board or you can contact the Adoption Agency or Health Services Executive Adoption Unit that was initially involved in your adoption. As a first step you should consider registering on the Contact Preference Register at the Adoption Board. An Application Form was delivered to every home during the week starting April 11th 2005. More information is available about the Information and Tracing Service and the Register on the Adoption Board Website: www.adoptionboard.ie or directly from the Adoption Board. (See telephone numbers at back of leaflet.)

However you go about your trace, it is likely that at some stage you will reach a point where you will need to prepare for initial contact. This leaflet has been prepared to help you. It may also be useful for adoptive parents who would like more information. It aims to help you consider the reality of entering another person's life and to think about how this will affect everyone involved.

Background

In the past, adoption was seen as a single event with no need for follow-up once the adoption order was granted. The emphasis was on secrecy and confidentiality. Natural mothers were generally told that their child/ children would never learn of their identities and that they in turn would never learn of their children's whereabouts. Natural fathers were very seldom involved in the adoption arrangements.

Adoption is not a once off event, but is an evolving life long process for all involved. Current practice in this area reflects a greater understanding and awareness of the needs and wishes of adopted people, natural parents, adoptive parents and other relatives.

Preparation for your Meeting

It is strongly recommended that you avail of the support and assistance offered by an intermediary if you are planning to meet. This is because of the complex and emotional issues which can arise. The intermediary service will be provided by the Health Services Executives' Adoption Units, Adoption Agencies and by the Adoption Board in some cases. The intermediary will facilitate the preparation of both parties for meeting.

General Issues for Consideration

There are many complex issues that you should consider prior to meeting. It will be a significant event in your life and in the lives of others. It is therefore important to prepare for the initial meeting by considering issues such as those outlined below:

- Why do you want to meet?
- What are your expectations of meeting with your natural family?
- How might a reunion affect the people close to you?
- Do you have someone you trust with whom you can discuss your hopes and expectations of this meeting?
- Are you prepared to receive information, which you may find difficult to accept and how will you handle it?
- Have you thought about how you will accept the other person's feelings, choices and lifestyle, if they are very different from yours?
- What are your supports to help you cope if you are disappointed with the outcome of the reunion (eg if the other person is interested only in a once-off meeting)?
- How will you cope if the other person wants a closer relationship than you anticipated?

As a person who has been adopted

Many adopted adults express natural curiosity about their birth circumstances and natural parents/siblings. Some require background medical information and others require information or desire contact as a means of having a fuller sense of their own identity. Many refer to the difficulties of balancing their need for clear information with feelings of disloyalty towards their adoptive parents. No matter what your reasons for information/contact if you are an adopted adult you may need to consider the following issues:

- How will you feel if your natural parent has not told anybody about you and may not yet be ready to do so?
- How will it affect you if your natural parent has a partner, or other children who live with them, or children who were placed in care or for adoption, and possibly has grandchildren?
- How would you feel if your natural parents married each other and had other children, who would be your full brothers and sisters and how would this affect your family relationships?

- How will you feel if you are told difficult or different information regarding the circumstances of your birth?
- How will you feel if you hear there are medical or psychiatric problems in your family history?
- With whom will you discuss the progress of your search?

As a natural parent

Your child is now an adult, possibly with very little information about their background, so they will want to learn about you and your family. They may physically remind you of someone you cared about or of events you would rather forget. They may express feelings of confusion, anger and sorrow as well as delight and pleasure about meeting you. As a natural parent seeking information/contact with your natural child, you may need to consider some of these issues:

- If your child wants to know why you had him/her adopted which is likely to raise painful past memories for you, have you considered what support you will use?
- Your child will probably want to know the identity of their birth father and will want to know about any other children you may have had – how will you cope with this?
- How will you feel if your child has medical, psychiatric or emotional difficulties?
- While most adoptions are successful, some are not. If your child has experienced a very different way of life from what you expected, how will you feel?
- Your child may have had contact with the police or be involved with a lifestyle that does not fit in with your expectations, how will you feel?
- With whom will you discuss the progress of your search?

Intermediary services to support you

The intermediary is a person who works on behalf of all parties towards preparation for contact at whatever level both people request. She/he will also contact all parties and facilitate and organise initial meetings if both people want to meet. The intermediary will provide you with an opportunity to discuss your wishes, learn about the process and share any personal non-identifying information which is on record. You will be encouraged to exchange letters, photographs, and/ or telephone calls to facilitate a gradual familiarisation before a physical meeting.

Where you are planning a meeting without an intermediary

Having been informed of a match on The Contact Preference Register, you know that the other party wishes to have contact with you. If you have decided not to use an intermediary service it is recommended that you consider in depth the issues raised above and discuss them with someone you can trust. Recent Irish research indicates that using an intermediary is beneficial and supportive for all parties involved in the search process (Kelly, 2001)

Meeting

Research indicates that a reunion, for the vast number of enquirers, is a very positive experience even when it does not lead to a sustained relationship. Enquirers felt there were more advantages than disadvantages and the information obtained was considered very helpful. A phrase frequently used is –“obtaining a feeling of completeness”. An adopted person gains background history and a sense of their origins, and a natural parent may feel “a lifting of the grief” and “a sense of peace” by knowing and seeing their child. (J. Feast).

When planning your first meeting some practical issues to consider are:

- Plan the meeting carefully, while it may be a joyful experience, it may also be stressful.
- Decide who should be there. It is recommended on the first occasion to meet alone but have someone to accompany you for support, before and afterwards.
- Decide together on the venue for your meeting. Consider somewhere neutral where there is space to talk privately. A noisy pub may not be the answer! (In fact, consumption of alcohol may not be wise on this occasion).
- Consider how much information you wish to share at a first meeting.
- Use of photographs can be helpful to begin conversation.
- Agree on the next step, but it is advisable not to rush into a further meeting too soon.
- Consider ways of ending the first meeting, e.g. other peoples’ experiences suggest the setting of time limits (2 hours can be a good guideline).

Whatever the outcome of your meeting you are likely to feel emotional. If you came to the meeting by car it is recommended that someone else does the driving home.

After your meeting

Every first meeting is unique. After an initial meeting take some time out to reflect on the experience, and remember

- A first meeting can be a very emotional experience bringing different feelings to the surface. It is important to remember that good relationships take time to develop.
- Your meeting can be rewarding bringing you great feelings of happiness and joy but there may be feelings of disappointment if the reality is not what was expected.
- Demands of the new relationship may temporarily cause jealousies within existing relationships.
- Adopted persons may sometimes feel a sense of confusion regarding their identities following a reunion.
- A small number of people report feelings of physical attraction to the other person at this stage and if this happens talk to your intermediary.
- While there will be feelings of joy or disappointment following the first meeting, remember that feelings can often change as people go through the process of getting to know each other over a period of time.
- After the initial meeting some people feel the need to withdraw for a time to reassess recent events and one's reaction to them. This stage can be hurtful as the other person may view this as a rejection.
- Each person will come to terms in their own way with reality and new information.
- Ultimately you will decide where the other person fits into your life.

If you feel you would like to discuss any aspect of your meeting, please do not hesitate to contact The Adoption Board on their Advice Line (tel 01-2309300) or any of the agencies or organisations listed at the back of this booklet. Remember, the Adoption services are there to assist and support you.

Appendix 8 : Bibliography

Adoption Acts (1952, etc), Dublin: Government Publications.

Adoption Board (1998) *Annual Reports 1998- 2004* ,Dublin:Government Publications.

Bouchier, P., Lambert, L., Triseliotis, J. (1991) *Parting with a Child for Adoption: The Mothers Perspective*, London: British Agencies for Adoption and Fostering.

Boyd, N. (1997) *An Analysis of the Representations of Unmarried Mothers in the Press*, Thesis in partial fulfilment of M.Phil., Dublin: Trinity College.

Bridgeman, S. (1993) *Adoption - Some aspects of the Adult Adoptees Experience*, M.Sc., Thesis, Dublin: Trinity College.

Brodzinsky, D., Schechter, M. (1989) *The Psychology of Adoption*, New York: Oxford University Press.

Brodzinsky, D., Schechter, M and Henig R – *Being Adopted The Lifelong search for Self*, Anchor Books 1993

Callanan, C., *Catholic Rescue and Repatriation. Irish Unmarried Mothers in England 1950s-70s*. Unpublished. Cork: University College.

Cotton, P., Parish, A. (1990's no date specified) *Original Thoughts: The View of Adult Adoptees and Birth Families Following Renewed Contact*, London: Barnardos.

Council Irish Adoption Agencies, 1997, *Guidelines for Policy and Disclosure in Relation to Search: Adoption and Foster Care Placements*, Dublin: Council of Irish Adoption Agencies.

Darling, V. (1974) *Adoption in Ireland*, Care Discussion Paper No. 1, Dublin: Care.

Farrelly Conway, E. (1993) *Search and Reunion in the Adoption triangle: Towards a Framework for Agency Service to the Adoption Triad*, Occasional Paper, Dublin: Trinity College.

Feast, J., Marwood, M., Seabrook, S., Warbur, A., Webb, L. (1994) *Preparing for Reunion: Adopted People, Adoptive Parents and Birth Parents Tell their Stories*, London: The Children's Society

Fitsell, A. (1994) *Sexual Attraction Following Reunion*, Discussion Paper, London: Post Adoption Centre.

Gediman, J., Browne, L. (1991), *Birthbond: Reunions between Birth Parents and Adoptees, What Happens After*, New Jersey: New Horizon Press.

Gilmartin, H. (1995) *Adoption Handbook: A Directory of Adoption Related Services*, Wicklow: Adoption Association of Ireland.

Grotevant, H. and McRoy, R. (1998) *Openness in Adoption, Exploring Family Connections*, London: Sage.

Harper, J. (1993) 'What does she look like?' *Adoption and Fostering*, Volume 17, Number 2.

Howe, D., Feast, J. (2000) *Adoption, Search and Reunion, The Long Term Experience of Adopted Adults*, London: The Children's Society.

Hughes, D. (1990) *What can a counsellor do? A personal account of counselling by a mother who parted with her child for adoption*, London: Post Adoption Centre.

Humphreys, M. (1995) *Empty Cradles*, London: Corgi.

Iredale, S. (1997), *Reunions: True Stories of Adoptees Meetings with their Natural Parents*, London: The Stationery Office.

Kelly, R. (2005). *Motherhood Silenced – The Experiences of Natural Mothers on Adoption Reunion*, Liffey Press, Dublin

Lifton, B. (1994) *Journey of the Adopted Self*, Basic Books, New York: Harper Collins.

Lillis, M. (1995) *Adoptive Motherhood – an Easy Option?*, A dissertation to University of Limerick in partial fulfilment of the requirements for the Degree of M.A. In Women's Studies, Limerick: University of Limerick.

Logan, J. (1994) 'Birth Mothers and their Mental Health: Uncharted Territory', *British Journal of Social Work* (1996), Vol. 26, (609-625).

Mahon, E., Conlon, C., Dillon, L. (1998) *Women and Crisis Pregnancy*, Dublin: Government Publications.

McCarthy, M. (1996) *Remember Me*, Dublin: Poolbeg Press.

McColm, M. (1993) *Adoption Reunions, A Book for Adoptees, Birth Parents and Adoptive Families*, Ontario: Second Story Press.

McMillan, R., Irving, G. (1997) *Heart of Reunion, Some Experiences of Reunion in Scotland*, London: Barnardos.

Milotte, M. (1997) *Banished Babies - The secret history of Ireland's Baby Export Buisness*, Dublin: New Island Books.

Morris, R. (1996) *Legitimate Mothers, Women and Adoption in Ireland*, Thesis in Partial Fulfilment of M. Phil, Dublin: Trinity College.

Mullender, A., Kearn, S. (1997) "*I'm Here Waiting*": *Birth relatives' views on Part II of the Adoption Contact Register for England and Wales*, London: British Agencies for Adoption and Fostering.

Pacheco, F., Eme, R. (1993) 'An outcome Study of the Reunion between Adoptees and Biological Parents,' *Child Welfare*, Vol. LXXII, No. 1

Parkes, C. (1991) *Bereavement, Studies of Grief in Adult Life*, (3rd ed) London:Routledge.

Powell, S., Warren, J. (1997) *The Easy Way Out?: Birth Mothers of Adopted Children - The Hidden Side of Adoption*, London: Minerva Press.

- Robinson, E. (2000) *Adoption and Loss, The Hidden Grief*, New South Wales: Clova Publication.
- Shatter, A. (1986) *Family Law in the Republic of Ireland*, 3rd edition, Dublin: Wolfhound Press.
- Silverman, P. (1998) 'The Grief of the Birthmother', in: *Helping Women Cope with Grief*, London: Sage.
- Triseliotis, J., Shireman, J., Hundleby, M. (1997) *Adoption Theory, Policy and Practice*, London: Cassell.
- Triseliotis, J, Feast J and Kyle F, (2005) *The Adoption Triangle Revisited* : BAAF, London
- Van Gulden, H., Bartels-Rabb, L. (1997) *Real Parents-Real Children*, New York: Crossroad.
- Verrier, Nancy Newton, (1983) *The Primal Wound*, Baltimore: Gateway Press.
- Watson, K. (1986) 'Birth Families, Living with the Adoption Decision', *Public Welfare*, Spring 1986.
- Wells, S. (1990) 'On being a birth mother', *Adoption and Fostering*, Volume 14, No.2.
- Wells, S. (1994) *Within me, Without me, Adoption: An open and shut case?*, London: Scarlet Press.
- Winkler, R., Van Keppel, M. (1984) *Relinquishing Mothers in Adoption: Their Long Term Adjustment*, Monograph No. 3, Melbourne: Institute of Family Studies.
- Worden, W. (1995) *Grief Counselling and Grief Therapy, A handbook for the Mental Health Practitioner*, London: Tavistock.