

MAIN DOCUMENT

Birth parents' perceptions of professional practice in child care and adoption proceedings: implications for practice

Abstract

This paper explores non-relinquishing birth parents' experiences of contested child care and adoption proceedings. It highlights the perceptions and voices of birth parents which are rarely prioritised in dominant discourses of professional practice in this area. The paper reviews previous related research and also discusses a small scale empirical study which elicited the perspectives of three birth parents whose children had been made subject to care proceedings and placed for adoption in England. Drawing on previous research and this study, the paper makes range of practice recommendations for sensitive professional practice with birth parents during contested child care and adoption proceedings.

Introduction

This paper reviews research related to non-relinquishing birth parents' experiences of child care and adoption proceedings. Whereas previous important work (for example, Charlton et al 1998) has looked at the emotional impact of losing a child to adoption, this paper extends that discussion by exploring the *practice implications* of previous research in this area and a small-scale empirical research project which explored birth parents' experiences of contested child care and adoption proceedings. The Children Act 1989 is clear that the welfare of the child is paramount. The corollary of this is that where there are concerns about a child's welfare, the needs of birth parents must always be secondary to those of their child; this does not mean however that birth parents' needs should be disregarded (GSCC 2010). Our aim in this paper is to highlight birth parents' perspectives on childcare and adoption proceedings and to consider the implications of those perspectives for professional practice; in doing this however we do not wish to suggest that birth parents' needs should ever take precedence over those of their child(ren).

We begin by discussing the terminology and legal processes of adoption and reviewing existing literature related to non-relinquishing birth parents. We then go on to discuss methodology and report birth parents' perspectives from a small-scale empirical study. Finally, drawing on the practice implications of previous research with birth parents and the small study, we suggest a number of principles for professional practice with birth parents during contested child care and adoption proceedings.

Terminology

This paper is concerned with the adoption of a child by adult(s) other than the child's birth parents, where the birth parent(s)' parental responsibility is terminated and the child becomes a permanent member of another family. It is important to distinguish between the reasons underpinning the decision that a child will be adopted and the *processes* of adoption. In this paper, our focus is not on the adoption decision but on birth parents' perceptions of professional practice surrounding child care and adoption proceedings. However, we acknowledge that where birth parents express their acute sense of injustice regarding adoption it can be difficult to determine the extent to which this arises from the decision that the child will be adopted and/or the professional practice surrounding that decision. It should be noted that the birth parents' retrospective accounts reported in this paper may also be affected by the extremely emotive nature of the loss of their child(ren) coupled with the passage of time; both of which may serve to further blur decision/practice boundaries.

Terminology related to this group has changed over the years and has included *natural parent*, *biological parent*, *genetic parent*, and *real parent*. Along with most of the literature post 1990, we favour the terms *birth parent*, *birth mother* and *birth father*. Literature in this area highlights the problematic nature of language and definitions surrounding the adoption process. There is, for example, no clear definition of a 'non-relinquishing parent'. Is it a parent who fights right up to the point of no return, or a parent who gives in after the fourth day of a five-day final hearing? Are parents who do not agree with the adoption but are so disempowered that they dare not enter the courtroom also non-relinquishing? Wiley and Baden (2005) note that there is no easy distinction between voluntary and involuntary relinquishment: some birth parents who sign voluntary relinquishment papers actually feel coerced by loved ones, spouses, parents or even their culture; other birth parents who have their rights formally terminated by the court system can be in full agreement with that course of action. Issues of coercion are not well addressed within the literature. It is also important to point out that discouraging the use of emotive language such as 'removing' or 'taking' children into care belies the experiences of non-relinquishing parents who still perceive their children as having been 'taken away' (Boxall et al 2002).

The Legal Process of Adoption

Because adoption cases are heard in civil proceedings, the standard of proof is based on the balance of probabilities and there is little clarity about the amount of evidence or degree of proof that is required. We know from our own experience (JS as a children and families social worker, KB as an advocate for parents with learning difficulties) that it can be difficult for social workers and other professionals to know when they have tipped the balance and provided sufficient evidence to demonstrate that threshold criteria have been met. They may therefore feel under pressure to cite every possible reason, every incident of harm, every single *likely* risk of harm to ensure that the case is proven and the care order made. The law also raises the spectre of the hypothetical 'reasonable parent' who would provide adequate care; professionals' assessments therefore may also need to stress the 'unreasonableness' of the parents in question.

The processes associated with care proceedings and adoption frequently require the local authority (represented by the social worker) to take an adversarial position to the parents. Independent expert witnesses are also used to inform the court; these may include psychologists, psychiatrists, independent social workers, substance misuse workers and others, who may feel similarly obliged to cite every possible likely impediment to the parents' capacity to care for their child(ren). As Payne and Littlechild (2000, p.100) comment, "there is a real danger of the now commonly seen parade of experts, just joining in a well-meaning but mistaken 'trashing' of parents who are clearly hopeless." It is however important to remember that birth parents find themselves in this situation because of concerns about abuse, neglect or likely significant harm to their child(ren). In situations where the local authority believe that the child's future needs would best be met through the provision of long term care, court reports may need to emphasise the birth parents' failures and shortcomings because of the authority's legal obligation to secure the best possible outcome for the child. Guidance on reporting to court is however clear that reports should include *all* evidence which is of relevance to the welfare of the child, including evidence which may be *favourable* to the parents (Cooper 2006).

The Adoption and Children Act 2002 which 'modernised' the law surrounding adoption came into force in December 2005 and adoption remains a key pillar of permanency planning for children in the UK; in the year ending 31st March 2009, a total of 3,200 children were adopted in England (DCSF 2009). However, because the birth parents in the study reported in this paper were involved in child care and adoption proceedings prior to 2005, it should be noted that the legislation in place at the time was the Adoption Act 1976 and the Children Act 1989.

Existing Literature on non-relinquishing birth parents

There is little published research on the adoption process from the perspectives of non-relinquishing birth parents. The scarce literature reflecting birth mothers' experience tends to be from mothers who voluntarily placed their child for adoption soon after birth (for example, Mullender and Kearn, 1997; Robinson, 1998). With two notable exceptions (Charlton et al 1998; Mason and Selman, 1997), very few studies explore the perspectives of birth parents who contest their child's adoption. The publication *Adoption Now* (DH 1999a) acknowledges that since virtually no contested cases are won by birth parents, they may be unduly disadvantaged in adoption proceedings; an alternative explanation is that local authorities only take 'good risks' to court (DH 1999b). Freundlich (2002) argues that although studies exploring involuntary termination of parental rights or responsibility have been conducted in Great Britain, research has still not focused on non-relinquishing birth parents internationally. Rushton (2003) points to a need for more research into service users' views of the adoption process and Alpert (2005) argues that parents' experiences of mandated services, an important element in the life of a child protection and adoption case, remain under-researched. The particular scarcity of birth fathers' perspectives is also highlighted within the literature (Freundlich, 2002; Witney, 2004).

Research with birth mothers reveals the almost inevitably negative impact of the process upon them. For example, Freundlich's (2002) review of empirical research in this area indicates that women who place their children for adoption may suffer severe and debilitating grief which can continue over many years. Charlton et al (1998) found that many birth mothers described feeling angry, useless, forgotten, rejected and judged and many also felt unworthy of help due to their sense of public humiliation at having fought and lost a legal battle to parent their children; even those who desperately wanted help did not seek support from the statutory agency which removed their child(ren). Logan's (1996) study of women described as 'relinquishing' their children, describes the mothers' painful memories of the birth and parting alongside unresolved feelings of grief, loss and guilt as well as low self-esteem and self-worth. Logan suggests that silence, secrecy, shame and lack of support from extended families and agencies were characteristic of the mothers' experiences. Seventy-five per cent of Logan's sample reported mental health problems.

Mason and Selman's (1997) study of non-relinquishing birth parents found that many parents were excluded from case conferences, were ill-informed about their rights to bring supporters and were sometimes pressurized into signing papers they did not understand. Wells (1990) describes her own experience of losing a child to adoption and suggests that closed adoption is like bereavement but lacks the accompanying rituals appropriate to death. Lindley (1998) maintains that birth parents are progressively marginalized throughout the processes of adoption and social workers' quests to find observable methods of assessing risk serve to further alienate parents and families from their support systems. Mullender (1991) argues that birth parents are left with a void in their own lives while their child is living and growing in someone else's life.

In recent years, there have been moves towards more 'open' adoptions with Adoption Orders making provision for ongoing (direct or indirect) contact between children and birth parents, if this is in the best interests of the child. Henney et al (2007) in their study of 'relinquishing' birth mothers conclude that openness in adoption can aid some birth mothers' resolution of grief, though they also suggest that birth mothers are likely to need support for the lifespan of the adoption.

The empirical study

In addition to reviewing previous related research, this paper also describes a small scale empirical study which used semi-structured interviews to elicit the perspectives of three birth parents (two

mothers and one father) whose children had been made subject to care proceedings and placed for adoption; pseudonyms have been used throughout to protect the identities of the parents who participated in the study. The deep emotional impact of losing a child(ren) to adoption made recruiting participants to the study who were willing to revisit those emotions very difficult indeed. This was particularly so where the proceedings had occurred relatively recently. Six birth parents were eventually recruited via two local authorities in the north of England, where social workers had approached non-relinquishing birth parents asking them if they wished to volunteer to 'tell the story' of the adoption process from their 'point of view'.

The study explored the birth parents' perceptions of supervised contact, relationships with professionals and ways in which the parents made sense – or failed to make sense – of their engagement in these processes. Initial (un-taped) interviews were undertaken individually with five of the volunteers in order to explain the purpose and processes of the study and to discuss any questions or concerns they may have (a sixth parent withdrew just prior to being interviewed). Following the initial interview, two more participants decided not to continue with the study. The three remaining participants were each interviewed a second time for between one and two hours; this interview (which was taped) was semi-structured and used open-ended questions designed to elicit a description of how the parent experienced the processes of child care and adoption proceedings. For all three of these birth parents, several years had elapsed since their involvement in care proceedings and it is important to note that their children had been made subject to care proceedings and placed for adoption prior to the (2005) implementation of the Adoption and Children Act 2002.

The second interviews were transcribed and a copy of the transcript of their interview was sent to each of the participants prior to the third planned interview. However, two participants chose not to re-visit their transcript, a decision which was not unsurprising given the very deep emotional nature of their earlier interview. One participant did go ahead with the final interview (which was also taped), made some corrections to their transcript and also provided the researcher with additional handwritten notes.

Only at this stage were the individual transcripts compared and subjected to detailed analysis in order to reveal similarities in participants' experiences. Although each of the parents' stories was very different, a range of common themes emerged from the transcripts; all of these themes were related to the initial involvement of professionals, the formal assessment processes; and the legal processes of care and adoption proceedings. In this paper, we consider the following common themes from the interview transcripts: *loss of ownership of their own stories; perceptions of injustice; saying goodbye to their children; and lack of support*. We acknowledge that the study was ultimately restricted to three self-selecting participants from a possible six volunteers. Although this is a small sample which clearly cannot be regarded as in any way representative, given the scarcity of research findings in this area and the emotional investment of the three parents who very clearly wanted their stories to be told, we feel it is important to report their perspectives. In order to enable the reader to contextualise comments from the stories of each of these participants, we provide brief pen pictures of their individual circumstances.

Derek Wilson was a White British working class father in his mid-twenties. He was not living in the family home at the time that the abuse of his children took place but he failed to secure care of his two pre-school children in the contested care proceedings which led to them both being placed for adoption. *Participated in two interviews.*

Anita Jones was a dual heritage (White British and African Caribbean) woman in her late thirties who had received mental health services for several years. She had four children placed into care, two of whom were subsequently placed for adoption. *Participated in two interviews.*

Pamela Smith was a White British woman in her early forties who had received support from mental health services for a number of years. She had five children, the eldest of which had asked to be placed in care, the next three were placed for adoption following contested proceedings and the fifth child, Samuel, was still in Pamela's care at the time of the interviews and was being successfully parented. *In addition to participating in the three interviews, Pamela also gave the interviewer 27 handwritten sheets of A4 paper containing her story of the adoption process.*

Research ethics

Agreement to undertake the research was obtained from the two local authorities concerned and careful consideration was given to the potential harm that research participants could experience in recounting their stories. Issues of informed consent also featured heavily in discussions with the participants prior to their involvement and, as reported above, decisions to withdraw at any stage were fully respected. All of the parents were motivated by a desire to improve future practice in this area. Concerns about protecting the participants from potential harm had therefore to be weighed against the potential benefits of informing future social work practice. The research design was specifically chosen in order to give prominence to the personal perspectives and voices of the research participants. It was important therefore that support was in place for the participants should they need this following the interviews. The researcher was careful to ensure that where informal supports were not available, the parents had access to a more formal source of support.

In writing this paper, we have tried, as far as is possible, to protect the birth parents' anonymity by using pseudonyms and including only limited information about their personal circumstances. Our intention in publishing this work is for the participants' voices to be heard by as wide an audience as possible and for practice to be informed by their perspectives. This is not to say that we are giving unwarranted credence to the parents' accounts, which may of course not be shared by the social workers and other professionals involved in their children's adoption. Nor do we wish to claim representativeness for their voices, which are of course the unique experiences of three individual birth parents. We do however wish to acknowledge that there *are* multiple perspectives on contested child care and adoption proceedings and to create a space for birth parents' stories to be told. In doing this, we acknowledge the emotive nature of the information the parents were sharing, coupled with the passage of time, may have impacted on the accuracy of their recall; at the same time however, we do not wish to disregard the parents' perspectives, nor do we wish to underestimate their pain and generosity in sharing their stories.

Loss of ownership of their own stories

Although the parents were encouraged to tell the story of their children's adoption in their own words, two of the three participants (Anita and Pamela) found it difficult to construct a coherent chronology of events; they also spoke about not knowing what had been happening at the time of the proceedings, or why. It was almost as if they had 'lost ownership' of their own story. In contrast, Derek had kept meticulous records of the care proceedings and all the court papers. He felt the official papers provided 'evidence' of what had happened and he referred to these whilst talking to the researcher; yet he too spoke about not understanding the process at the time of the proceedings and having *his* story re-written by others. During the interviews, Anita seemed confused about the processes involved and could not remember clearly which orders had been applied for, or when her

children had been taken into care. Several years had elapsed between the children's adoption and the interviews which may explain some of her confusion; however because she was unable to read or write and some communication regarding her children had been by letter, this too had contributed to her confusion.

Pamela was also unsure about what had happened during the proceedings. At the time of the interviews (several years later) she seemed unclear about whether or not she had relinquished her children.

"I erm,... they wanted, I actually signed something that I didn't want them adopted, for Natalie, I don't know about Leah and Tony."

She also felt there had been no interest at all in her side of the story in court:

"The Judge didn't read the information I had given telling my side of things and there was a lot of information, but he took the side of the social services. In cases like these I believe that people who only tell what they want to tell and don't tell the whole story get believed, and the judge took their side."

Although Derek had kept all the court papers, he too had been confused about what was happening during the proceedings.

"I didn't know who was involved, there was a lot of people involved in it but I didn't really know who was who, you know what I mean, or what job they had. ...They was expecting me to soak it up all at once...and they just confused me completely"

He also spoke about the social workers' lack of acceptance or respect for his own story:

"They weren't listening to me... they were like asking for my side of the story, which I was giving them, and they were just writing their own bloody story."

And the psychologist who also told his own story of Derek's life:

"...he just completely rewrote it himself, it was like his words...it was like as though I wasn't there sort of thing, he just wrote this thing up and said that'll do, and I went ballistic with it."

Perceptions of injustice

When a child care case is in proceedings, social services assessment processes often include 'supervised contact' between the parents and their child(ren). This is supervised in order to protect the children from further harm and also forms part of the assessment of parenting capacity and the relationship between parent and child. Supervising staff may be interested in observing whether parents are able to interact positively with their child(ren) without any guidance or prompting; they may not therefore offer any explanation of what it is they are looking for when observing contact. Derek described feeling uncomfortable and scared during contact:

"I was on like, walking on eggshells...because I was scared of making one slight mistake where they could jump on me in court and say he's done that wrong...So I was having to think everything through before I even said something, just so they couldn't use it against me, and it like, it put a lot of stress on me and pressure...and no matter what I did, it was wrong."

Pamela did not understand why her contact was supervised. After parenting three children for 24 hours a day she was suddenly reduced to two (one hour) sessions per week, overseen by a stranger.

"It was supervised, which wasn't very comfortable for me, because I didn't know what to say to my children, I didn't know how to act with them or anything. ... I didn't have a clue what they were looking for. All I knew, that it was supervised for the hour, both hours a week and I didn't know why."

Once the legal proceedings began, two of the parents (Derek and Anita) felt strongly that the professionals were actively betraying them. Derek felt that the written evidence was intended to confuse and exclude him and the children's mother:

"Instead of plain English, ... they was trying to corner us in...and trying to baffle us, by writing these posh things and really upgrading words and that ..."

He also felt that the social workers had 'tricked' the children's mother into 'agreeing' to the children being accommodated by the local authority under section 20 of The Children Act 1989:

"It was weird the way they ... tricked her, and in the end they turned round and said we don't need your signatures anyway, we'll just take your kids off you...and that even hurt even more because nobody even told us ..."

Anita was clear in her own mind that she did not get a fair hearing:

"No I didn't [get a fair hearing] because social services dug every dirt up they could...every little detail just to get the kids off me they really dug it in deep they didn't care what I felt."

"[They tried] to win my trust, so I would confide in them, so they could use it against me in court and that's what they did."

Derek was convinced he would never be able to win the case and this had been obvious to him from the time the legal proceedings began.

"...everybody knew as soon as he [the Judge] walked in that court he wasn't interested, we knew we'd lost the kids as soon as he walked in...that was obvious like the way he was winking at them [the Social Workers], and smiling and having a little laugh and that, that's not his job, he shouldn't even talk to them, because that's corrupting the case..."

"...as far as they were concerned, no matter what I said or did, I wasn't going to win. They had something, all they were going to say, phff that's no good, it's a lie...they were just pulling me down."

Anita had similar feelings of hopelessness regarding the proceedings:

"You've no chance, you can't beat social workers in court. You can't, it's impossible, it is impossible. You can't beat them."

Luckock (2008) argues that support to birth families is provided only at the discretion of professionals, rather than as an entitlement, and where this is provided under threat of compulsion or by court order then the parents' rights are protected only by due process. It is important therefore

that birth parents in contested hearings experience due process as fundamentally fair and just. The parents in this study had little confidence in the legal system, and like the birth parents interviewed in Mason and Selman's (1997) research, they felt their legal representatives did not present their case well in court.

Saying goodbye to their children

The issue of saying goodbye (or being denied the opportunity to say goodbye) to their children was identified by all three parents as particularly harrowing and several years on the parents' memories and emotions were still raw. In Derek's case there were long delays to the child care and adoption proceedings during which he had to cope with uncertainties regarding his and his children's future. Eventually, he had to say goodbye to his children:

"It was awful. I didn't want to turn up, you know what I mean, because I knew it would hurt me, and I had to turn up to say just to say goodbye to them...it was really hard. I didn't want to leave them. I didn't want social services taking them and never seeing them again."

This experience had continued to impact on his present day life:

"If I'm just sat down doing nowt I seem to think about my kids, and basically I just want to be near them...I just want to see them for half an hour and just to hold them another time and say, 'Yes great, they're my kids'."

And he was left with further uncertainties – imagining where his children are, what is happening to them, while being completely excluded from their lives.

"I'd expected just a little thank you letter from the adopters...to say 'look thanks for the cards, the kids had a great birthday', not even that, nobody's said thanks for this, thanks for that.... I've no up to date photos, I've no other way of finding out if they're fine nor nowt...it does [worry me] because I'm left out of their life."

Derek was not living in the family home at the time at which the abuse of his children occurred. However, the care proceedings took place prior to implementation of the Adoption and Children Act 2002 and as an unmarried father Derek did not have parental responsibility. Because he failed the assessment that would have allowed him to remove his children from care, parental responsibility was not granted and he was excluded from his children's lives. Derek was also left with a fear that he would lose future children to adoption.

"It's something always there you know...they've done it once, so what's to say they can't do it again."

Saying goodbye raised similar emotions for Pamela and present-day feelings of being left out of her children's lives:

"Social Services refused to let me have contact with Leah, so I could say goodbye, which I thought was wrong and cruel of them. I was allowed to have one last photo taken with Tony, which I still have. I was denied the right to say goodbye to Natalie."

"I have never received any up to date reports about my children. I have never had any letters or photos or anything, which is wrong of the adoptive parents to refuse to do these things. I would

like to receive letters or photos or anything because I am sure I would feel a lot better knowing about my children, and my children do have the right to know about me."

It appeared from the interviews that Pamela was haunted on a daily basis by the possibility of losing another child:

"Ever since I got Samuel back...it has always been in the back of my mind that one day they will take him off me and that thought will stay with me always because the others was taken off me and never returned. Since Samuel was given back to me I have always taken one day at a time."

Anita was similarly distressed by the emotions associated with saying goodbye to her children:

"She [the social worker] said they'd been adopted and you can't see them, and they hadn't been adopted and I could see them but they wouldn't let me anywhere near 'em."

"Then they left. When they left it was Christmas, it was 23rd of December, I got a letter through telling me that they were going to London on 23rd December and the letter come on the 22nd December but I couldn't read it [Anita is unable to read or write], and I tried to get to see 'em and only time I could get to see 'em is the day they were going..."

Anita was left with the constant, ongoing impact of this loss:

"It's a prison cell believe me, it's a life sentence, you're doing a life sentence when you lose your kids, you're punished for it. You're not a fit mother, you don't feel fit, you feel a failure, you feel down on yourself, you feel useless..."

In highlighting these parents' perspectives on saying goodbye to their children it is important to acknowledge that managing the process of adoption is rarely straightforward and concerns that children may find saying goodbye too traumatic need also to be balanced with the desirability – for either or both parties – of a final meeting and/or ongoing indirect contact.

Lack of Support

When social workers work with a child and their family, they may initially present as a 'social worker for the family'. However, once there are serious concerns about the welfare of the child, social work support often moves away from the parents to focus more exclusively on the welfare of the child. Although Derek had support from his own parents during the legal proceedings, the other two birth parents in this study felt unsupported. Pamela also felt very isolated throughout the processes which culminated in the loss of her children:

"I got no support when the kids were taken off me. I got no support when they went up for adoption. I got no support from anywhere at all."

"Social Worker was involved. She was the children's social worker; more for children than for me."

And at the time of the care proceedings Anita was similarly isolated from support networks:

"You know I had no support from my family, friends, social workers. There was no-one, there was no-one. I was just dead, everything was dead around me. I had no feelings. I didn't know what to feel, I didn't know where to turn..."

“They was too busy trying to get the kids off me...they didn’t give me no support there, they wouldn’t support me.”

The law has changed since these parents were involved in child care and adoption proceedings and the Adoption and Children Act 2002 has introduced a requirement for local authorities to maintain adoption support services for birth parents and, if requested, to assess their need for such support. The National Adoption Standards (DH 2001) which accompanied the Act made specific provision that birth relatives should be enabled to understand their rights in adoption and legal processes and be entitled to support which is independent of the child’s social worker. The Adoption Support Services Regulations 2005 extend this support to everyone affected by adoption and clarify which other agencies can act on behalf of the local authority in providing support services. Cossar and Neil’s (2010) study of birth relatives’ access to adoption support services found there was generally low uptake of these services and they argue for clearer referral routes as well as greater understanding of the services that adoption support agencies can offer. A further study (Neil et al 2010) found that birth relatives who did engage with adoption support agencies found these services helpful. But it is not sufficient to leave the role of supporting birth parents to adoption support agencies: as Neil et al (2010) point out, adult care services also have a role to play in supporting birth relatives; so too do children’s services. We would argue that social workers and other professionals involved in contested care and adoptions proceedings have a particularly important role to play in relation to birth parents around the time of child care and adoption proceedings. With this in mind, we propose below several principles for practice with non-relinquishing birth parents.

Conclusions and implications for practice

Parents who lose a child through adoption will almost inevitably find this a devastating experience. Although there may be little that can be done to ameliorate their overwhelming feelings of loss, the way that practitioners and agencies manage this process should at the very least not further compound the parents’ grief. The parents in the small-scale study reported in this paper highlighted their perceptions of professional practice as unnecessarily insensitive. It may however be difficult for any birth parent to separate their feelings about the *decision* that their child will be adopted from their feelings about the practice of the professionals involved. It is important also to acknowledge that professional practice in this area is highly pressurised and complex and that arguing for the removal of children from the family home may be particularly stressful and difficult for the social worker who knows that their testimony may be the only thing that comes between the child returning to a dangerously abusive situation; or being placed for adoption.

The study described in this paper was with a very small self-selecting sample from which clearly we cannot generalise to all non-relinquishing birth parents. However, the birth parents’ perspectives reported in the literature resonate with those from this small-scale study and we would argue that social work skills (albeit independent of the child’s social worker) have an important part to play in supporting parents through the very difficult experience of losing a child. With this in mind, we wish to suggest the following principles for professional practice – particularly *social work* practice – with birth parents. In suggesting these principles however, we do not wish to imply that professionals are not already working sensitively with birth parents, nor do we wish to imply that this very complex area of work can be reduced to a simple ‘checklist’. Our aim is to build on existing good practice and the following principles are offered as pointers from birth parents’ perspectives, against which practitioners may wish to consider their own practice.

Professionals working with children where child care and adoption proceedings are contested by birth parents:

- provide clear information for birth parents about the roles and responsibilities of the different parties involved. Where parents have difficulties with reading and writing or understanding formal letters and reports, this information should be provided in accessible formats using DVDs or picture based information such as that produced by CHANGE (www.changepeople.co.uk);
- provide open and honest information about the processes involved and possible outcomes;
- work with parents from a perspective which acknowledges that they have strengths and does not just emphasise their 'deficits' or failures;
- ensure that assessment reports do not automatically read as a catalogue of failures and are written in as balanced a way as possible (Cooper 2006);
- provide consistency in contact arrangements throughout the assessment and adoption processes, so that, as far as possible, parents feel welcomed in the contact situation and also have a clear sense of the criteria on which they are being assessed and judged;
- make every effort to ensure that the legal process is perceived by all as fair and impartial – this is particularly important for birth parents who may perceive relationships between adversaries in the legal process as 'friendly' or 'cosy' and view outcomes as inevitable even before the proceedings begin;
- ensure that parents have access to a source of personal support outside the assessment and adoption processes;
- Recognise the importance and likely emotional impact for birth parents of saying goodbye to their child(ren). Consider the possibility of making some sort of record (for both child and parent) of saying goodbye – perhaps an audio recording or a DVD, as well as the more usual photographs.

Professionals involved in supporting birth parents:

- provide time and space for birth parents to tell the story of the adoption of their child(ren) from their perspective and to have that story acknowledged and respected, however much the views of other parties may differ from their account;
- make arrangements for birth parents, if they so wish, to record their story in some way (for example, an audio recording, DVD, photo record or written account) so they have their own record of what happened around the time their children were adopted, as well as any official records or judgements. Life story work with children (Rose and Philpot 2005) is a respected aspect of social work practice, yet we are unaware of any similar work with birth parents;
- (*if professionals are already involved at this stage*) play a part in supporting birth parents through the difficult process of saying goodbye to their child(ren), maybe making some sort of record of saying goodbye as suggested above;
- provide ongoing opportunities for birth parents to talk about the experience of having said goodbye to their child(ren), the emotional impact of the loss of the child(ren) in their current lives and (where there is no contact or exchange of information) their lack of knowledge about their child(ren)'s development and progress.

It would appear from the stories of the participants in this study, as well as from the literature, that the processes and procedures surrounding contested care and adoption proceedings can sometimes

serve to create a negative and even 'damning' picture of birth parents, which is potentially damaging to them as individuals. We would like to suggest therefore that, in the same way that children are protected from unnecessary intrusive psychological assessments or examinations (Payne and Littlechild 2000), the possibility of offering similar protection to parents should also be considered.

Maintaining a positive professional relationship with parents in contested child care and adoption proceedings is always going to be difficult but is nonetheless extremely important and desirable. Our professional responsibility as social workers clearly extends to parents as well as to their children (GSCC 2010). Parents whose children are subject to adoption proceedings may go on to have subsequent children. The service they have previously received will inform their capacity to engage with social work in the future and will also impact upon outcomes for subsequent children. Striving to maintain meaningful and supportive engagement with birth parents is not only humane and ethical but also crucial to social work efficiency and effectiveness.

We wish to acknowledge the helpful comments we received from anonymous reviewers on an earlier version of this paper.

References

- After Adoption (2007) *Moving from the Sidelines: A Study of the provision of independent support in Wales for the birth parents and relatives of children in the adoption process*. Cardiff: After Adoption.
- Alpert, L.T. (2005) Parents' Service Experience – a missing element in foster care case outcomes, *Child and Family Social Work*, 10(4), pp361-366.
- Boxall, K., Jones, M. and Smith, S. (2002) 'Advocacy and Parents with Learning Difficulties', in David Race (Ed) *Learning Disability: A Social Approach*, London, Routledge.
- Charlton, L., Crank, M., Kansar, K. and Oliver, C. (1998) *Still Screaming*. London: Nuffield.
- Cooper, P. (2006) *Reporting to Court Under the Children Act: A handbook for Social Services*, London Department of Health.
- Cossar, J. and Neil, E. (2010) Supporting the Birth Relatives of Adopted Children: How accessible are Services?, *British Journal of Social Work*, 40(5), pp1368-1386.
- DCSF (2009) *Children looked after in England (including adoption and care leavers) year ending 31 March 2009, Statistical First Release*, London, Department of Children, Schools and Families - <http://www.dcsf.gov.uk/rsgateway/DB/SFR/s000878/SFR25-2009Version2.pdf>
- DH (1999a) *Adoption Now: Messages from Research*, London, Department of Health.
- DH (1999b) *Working Together to Safeguard Children, a guide to inter-agency working to safeguard and promote the welfare of children*, London, Department of Health.
- DH (2001) *Adoption. National Adoption Standards for England*, London, Department of Health.
- Freundlich, M. (2002) Adoption Research: An Assessment of Empirical Contributions to the Advancement of Adoption Practice, *Journal of Social Distress and the Homeless*, 11(2), pp143-166.
- GSCC (2010) *Codes of Practice for Social Care Workers*, London, General Social Care Council.
- Henney, S.M., Ayers-Lopez, S., McRoy, R.G. & Grotevant, H.D. (2007) Evolution and Resolution: Birthmothers' experiences of grief and loss at different levels of adoption openness, *Journal of Social and Personal Relationship*, 24(6), pp875-889.
- Lindley, B. (1998) Partnership or Panic? A Survey of Adoption Agency Practice on Working with Birth Families in the Adoption Process, *Adoption and Fostering*, 21(4), pp23-33.
- Logan, J. (1996). Birth mothers and their mental health: Uncharted territory, *British Journal of Social Work*, 26(5), pp609-625.

- Luckock, B. (2008) Adoption Support and the Negotiation of Ambivalence in Family Policy and Children's Services, *Journal of Law and Society*, Volume 35, number 1, pp3-27.
- Mason, K. and Selman, P. (1997) Birth Parents' Experience of Contested Adoption. *Adoption and Fostering*, 21(1), pp21-28.
- Mullender, A. (ed.) (1991) *Open Adoption: the Philosophy and the Practice*. London. BAAF
- Mullender, A. and Kearns, S. (1997) "I'm Here Waiting": Birth Relatives Views on Part II of the Adoption Contact Register for England and Wales, London: BAAF
- Neil, E., Cossar, J., Lorgelly, P. and Young, J. (2010) *Helping Birth Families: A Study of Service Provision, Cost and Outcomes*, London, DCSF.
- Payne, H. and Littlechild, B. (2000) *Ethical Practice and the Abuse of Power in Social Responsibility: Leave No Stone Unturned*. London. Jessica Kingsley.
- Ritzer, G. (1992) *Sociological Theory*. London: McGraw Hill.
- Robinson, E. (1998) Breaking the long and silent grief of adoption, *Professional Social Work*, September, p7.
- Rose, R. and Philpot, T. (2005) *The Child's Own Story: Life story work with traumatized children*, London, Jessica Kingsley.
- Rushton, A. (2003) *The adoption of looked after children*. London: SCIE.
- SWTF (2009) *Building a Safe, Confident Future: The Final Report of the Social Work Task Force November 2009*. London: Department of Children, Schools and Families.
- Wells, S. (1990) On Being a Birth Mother, *Adoption and Fostering*, 14(2) pp30-31.
- Wiley, M. and Baden, A.L. (2005) Birth Parents in Adoption: Research, Practice and Counseling Psychology, *The Counseling Psychologist*, 33(1), pp13-50.
- Witney, C. (2004) Original Fathers: An Exploration into the experiences of birth fathers involved in adoption in the mid-20th Century, *Adoption and Fostering*, 28(3), pp52-61.