

## **Facilitating Open Adoption Through Group Conferencing**

**Workshop at the Conference:**

### **Honouring the Circle, Connections and Wisdom**

**Monday, September 26<sup>th</sup>, 2011**

**By members of the**

**Children in Limbo Task Force of the Sparrow Lake Alliance**

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## **THE CASE FOR ADOPTION WITH OPENNESS**

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In this brief paper, I will first review why it is extremely important to provide the approximately 9000 Crown wards of Ontario with permanency, helping them to achieve a sense of identity and belonging. Second, a case will be made for adoption with openness as the preferred way of providing children who cannot be raised by a birth parent to gain a “forever” family. Other options, such as custody (assigned guardianship) and kinship care will be mentioned as having the potential to provide the stability and security young people require. Attention will be given to using Family Group Conferencing/Family Group Decision-Making in making placement decisions, especially those involving aboriginal children or adoption by relatives. Finally emphasis will be given to adoption subsidy, and post-adoption counselling as means to increase the number of adoptions and the proportion of adoptions with openness.

### **Children Needing “Forever” Families**

Currently there are about 9000 children in the permanent care of the fifty children’s aid societies (CAS’s) that are members of the Ontario Association of Children’s Aid Societies (OACAS), (OACAS, Children in Care and Permanency Fact Sheets, 2009-10, p.4). This number is predicted to decline considerably in the next few years as the large number of children who became permanent wards during the late nineties leave CAS care. That influx was due in part to the introduction of new legislative provisions related to abuse, neglect and the risk of either, as well as increased requirements to report and mandatory standard risk assessment procedures. Current numbers are expected to decline not only due to demographic trends but also due to growing emphasis on kin care and increased focus on adoption. Over 5000 of these 9000 children are between the ages of 6 and 15 years (Ibid.). Many of these children came into permanent care when they were of school age; the Ministry of Children and Youth Services (MCYS) has stated that the average age at which children become Crown wards is about 8 years (Ministry of Children and Youth Services, Child Welfare Review, Oct., 2008, p.12).

These children for whom the provincial government has assumed responsibility have, in most instances, had lives of turmoil. Often they have been in temporary care two or three times before the province has taken permanent custody, and many have had a series of foster homes as well as a succession of workers (MCYS, Child Welfare Review, Oct., 2008, pp.21-22). Attachment and behaviour problems abound. Over 80 % of all children in permanent care are categorized as “special needs children” due to mental, emotional or physical problems, and about half of these children have been so traumatized that they are on psychotropic medications to make them manageable (OACAS, 2009-10, p.4; MCYS, Child Welfare Review, Oct. 2008, p.26). They desperately need stability, as well as the love, security, and sense of belongingness of a “forever” family.



## **The Changing Nature of Adoption**

In Ontario, since the very brief Adoption Act of 1921, adoption has been the legal means to transfer parenting responsibility and permanent custody from the birth parent to the adoptive parents. For decades adoption was shrouded in secrecy and stigmatized.

Gradually, as single parenthood has become more common, many young parents have contended with the increasing complexity of raising their children, at least until their need for help is recognized. Since the late 20<sup>th</sup> century, as children frequently have been taken into permanent provincial care well beyond infancy, many birth mothers and other family members have been granted access orders enabling a degree of continuing contact (Aitken, G., Morrison, J., Burgess, S., 2010, pp. 60-71). In 2007, the last year for which provincial Crown ward data are available, 75% of Crown wards had access orders (MCYS, Child Welfare Review, Oct. 2008, p.21). The shroud of secrecy has been shredded and many adoptees over the age of 18 now seek information about and access to birth family members.

## **The Impacts of Access Orders**

At present, over 6000 children who are Crown wards have access orders (OACAS, 2009-10, p.4). To date, however, an Access Order has had to be cancelled if an Adoption Order was to be issued, and a reapplication for access could be made subsequent to the adoption. As An Act to Amend the Child and Family Services Act, Bill 179, received royal assent in June, 2011, access orders will not be the barrier to adoption that they have been in recent years. The amended legislation states that “Nothing in this Act prohibits a society from planning for the adoption of a Crown ward in respect of whom there is an access order in effect under Part 111 (Child Protection)” (Bill 179, s.3, ss.141.1.1(1)). “Where a society begins planning for a child who is a Crown ward, the society shall consider the benefits of an openness order or openness agreement in respect of the child” (Ibid., s.3, ss.141.1.1(2)). When a child is placed for adoption by a licensee or society, any outstanding access order automatically terminates (Ibid., s.4(1)). After due notification, persons who had access have 30 days in which to apply for an openness order, with the knowledge of the adoptive parents (Ibid., s.6, ss.145.1.1(3)). The agreement of the child is also required if he or she is 12 years of age or older (Ibid., s.6, ss.145.1.2(6)(c)). Bill 179 is a major move towards facilitating adoptions with openness.

## **The Need to Promote Adoption, Especially Adoption with Openness**

During the past two years the number of adoptions through children’s aid societies has increased from 819 in the year ending March 31, 2009, to 993 in the year ending March 31, 2010 (OACAS, 2009-10, p.4). These increases are significant when considered in terms of the proportion of children in permanent care. Agencies recorded 16 adoptions with openness orders and 46 with openness agreements in 2009 (Ibid., p.4.). This is a positive trend that should lead to many more adoptions with openness agreements in the near future. Also, it seems far preferable to work towards achieving openness agreements rather than openness orders which involve a court process. By contrast, openness



agreements reflect a cooperative process to achieve an outcome that seems suitable to both birth and adoptive families, and often indicate the satisfaction of both sets of parents with surprisingly limited contact (Children in Limbo Task Force, Submission to the Standing Committee on Social Policy, May 10, 2011).

Private adoption workers have for many years involved the birth mother, and sometimes the father, in choosing from among several families the one they wish to parent the child. In many cases this has led to a continuing relationship between the birth and adoptive parents, one not always recognized as entirely legal, and one not always entirely problem free, but one that has, particularly with the facilitation of a competent worker, usually been beneficial to the child as well as the parents involved. These private adoptions are most often of very young children, and generally, the young mother, sometimes with family support, is attempting to act responsibly.

The circumstances of Crown wards in CAS foster homes usually present a clear contrast to those who are the concern of the private adoption worker. Frequently the foster mother has not been assisted to develop a relationship with the birth parents, and in many cases is reluctant to have any direct contact. Often contact between the birth and adoptive parents has not been encouraged. This gulf may be traumatic for the child, as well as a factor in exacerbating a child's negative self-image, and impeding bonding with the adoptive parents.

To date, when a child in foster care has been cleared for adoption, often neither the child's worker nor the foster parents have been in a position to recommend or facilitate adoption with openness. With the proclamation of Bill 179 on September 1, 2011 the paths are cleared for greater promotion and acceptance of adoption with openness. Under amended legislation, the birth parents can apply for an openness order, involving the court, or work out an openness agreement, indicating cooperation with the prospective adoptive parents. In most situations, an openness order or, preferably an openness agreement, is beneficial for the young person. Prospective adoptive parents need to recognize that a child may bond with adoptive parents more readily if she or he is not plagued with feelings of guilt or disloyalty for leaving a troubled birth mother or siblings who are at risk. Often foster parents, particularly with appropriate information and support, can play an important role in encouraging a favourable relationship between birth and adoptive parents even though they may not participate directly in conferencing. Certainly, adoptions with openness will not be suitable in situations where there is a serious risk of contact leading to ongoing abuse of the child. In such instances successful bonding with the adoptive family might be impeded. However, if skillfully facilitated, adoption with openness is desirable for a great many children, particularly for those well beyond infancy.

### **Benefits of Some Contact After Adoption**

Some degree of contact with the birth family members, for instance a birthday card or gift, or an occasional visit, may help children understand who they are and why they were adopted. Openness orders or agreements vary widely with regard to specifying the nature,



frequency and conditions of contact. Sometimes they reflect that the birth parents want to be reassured that their child is in a beneficial situation, but accept that they do not need, nor necessarily want, frequent contact. If a child thinks foster parents and adoptive parents are positive towards birth family members, this may have a salutary effect on the child's attitude toward the new parents. When adoptive parents have a negative attitude and are secretive about the birth family, this may adversely affect the child's developing identity. We all need knowledge of our roots (Rella, M., 2010, pp.13-25). While children do not require complete details of their past, they require honest information if they are to develop a healthy self-image, and avoid fantasizing. Adoption with openness can be beneficial to all parties, including the birth mother, the child, and the adoptive parents.

### **Positive Effects of Sharing Information**

There are several reasons why adoptions with openness are appropriate to these times. Certainly this is an era of increasingly rapid and diverse means of information exchange, an era when secretiveness is less feasible than formerly. Also, children have a right to information about themselves as we all do (Granofsky, B., 2010, pp.7-12). It is a much healthier outcome for adopted children to have accurate knowledge about themselves than to compile inaccuracies from various sources over time. For this reason it is important that the foster parents are given reliable information about a child in their care in order that this can be shared with the child as appropriate, and also with adoptive parents. In some circumstances foster parents can support the development of an amicable relationship between birth and adoptive birth parents, and can assist birth parents to adjust to the prospect of adoption with openness.

### **Family Group Conferencing as a Means to Facilitate Successful Placement**

If adoptions with openness are to be successful, selected professionals need to specialize in facilitating positive relationships among the parties involved. Agencies require workers with the experience and skills to help people who are generally committed to establishing a stable, permanent family for the child. To ease the processes around adoptions with openness, mediation and Family Centred Conferencing involving primarily the birth parents and prospective adoptive parents, are being used to help develop positive relationships among the birth and adoptive families. However in many instances, Family Group Conferencing/ Family Group Decision Making (FGC/FGDM) may be the way to ensure positive attitudes and support for a permanent placement. Family Group Conferencing involves significant members of the extended birth and adoptive families as well as foster parents and workers or therapists closely connected to the child. FGC/FGDM has the benefit of changing the balance of power in the decision process as the extended family members involved in this sometimes lengthy discussion are expected to make a decision about the child's placement that the agency will follow, providing it seems to be a safe choice. It goes without saying that if it is to be successful, the facilitator requires specific training and skills. It is a technique that has the potential to help reduce the widespread reluctance towards adoption with openness, to assist those involved in realizing its benefits, and to avoid unnecessary adoption breakdowns.



## **Post-Adoption Support**

If adoption with openness is to be successful, however, it is essential that two other conditions are met. First, adoption placements should be followed by counselling and support from a skilled worker to whom the adoptive parents can turn for help. At present little post-adoption counselling is available. Individual and group support can help new adoptive parents deal with issues as they arise, and in many instances avoid crises. Also, frequently children can benefit from the assistance of a skilled worker while adjusting to their new situation.

Second, as with all adoptions, if adoption with openness is to be successful, financial pressures on the newly constituted family should be avoided, and adoption subsidy must be much more available than at present. As 82% of children requiring permanent families are categorized as special needs children, the expenses of obtaining the required health and educational services should be subsidized in many situations (OACAS, 2009-10, p.4). As many of these children present challenges, the major criterion in selecting adoptive parents must not be their level of affluence. Children in care generally come from low income families in which they have experienced frequent disruptions and hardship. Suitable adoptive parents are those who can navigate rather rough waters and do not expect smooth sailing. However, financial pressures should not add to their challenges.

## **Other Means of Providing “Forever” Families**

To achieve the essential objective of providing children in care with a permanent placement and a “forever” family, adoption with openness may be the most desirable option for many. However, in recent years another alternative has been available. Since 2006, amendments to the Child and Family Services Act of Ontario have allowed custody [or, a preferable term would be “guardianship”] to be assigned by the province for permanent wards (Child and Family Services Statute Law Amendment Act, 2006, s. 63.1; Ibid., s. 65.2(1)). Frequently, this designation is given to foster parents for a child who has been in their care for some time. This arrangement allows the assigned guardian to continue to receive support similar to a foster care allowance, and provides them with greater parental authority and prestige. In most instances the child keeps the birth family name and may have some contact with birth family members. A special advantage of custody (guardianship) is that the child has an enhanced sense of belonging and permanence, and some expectation that this will be a “forever” family available beyond the age of protection and care. Assigned guardianship is more economical than foster care as less contact is needed by CAS staff with the guardians than with foster parents. While there are few of these arrangements to date, there are distinct benefits over foster care, particularly for pubescent and teenaged children if adoption does not seem feasible or desirable.

Kinship care with ongoing financial and other supports offers in some instances another means of providing Crown wards with greater permanence than foster care. The success



of such arrangements very much depends on the people involved. Also, these situations require financial support and access to ongoing counselling. In some instances kinship care arrangements and relative adoptions provide the child with the stability and security required. Here again, skilled Family Group Conferencing can contribute to successful permanent placements.

### **Circumventing Future Costs**

There will always be many competing demands for scarce tax dollars. However, it is exceedingly important to provide the resources necessary to find and maintain permanent placements for children in the care of children's aid societies. Too often children's aid societies flounder in the face of serious financial shortfalls (OACAS, Pre-Budget Consultation Submission, Dec., 2008, p.11). Too frequently children in care who have not been provided with the support of a "forever" family nor the necessary education, emotional or financial support to succeed, struggle unsuccessfully to become independent (Toronto Star, Sunday, June 12, 2011, p.A1). That there are numerous casualties is evident from data with regard to youth in care (MCYS, Oct. 2008, p.18), and to people who have graduated from the system but who become entrenched in the social welfare, mental health, and /or correctional systems. Most parents attempt to provide the support necessary for their children to become healthy, independent and productive members of society. Children in Ontario's care deserve the same. Therefore, it is gratifying that recent preliminary reports of the Transformation Goals in Child Welfare Practices indicate positive effects of the multi-pronged focus on achieving permanent placements for provincial wards (OACAS, Transformation Results 2005 to 2010, June 14, 2011). This progress is to be applauded as is the recent announcement that the Ministry of Children and Youth is allocating "\$9.5 million dollars to help with difficult adoptions" (Toronto Star, September 2, 2011, p.A16). If we don't provide the necessary resources and effort now, we shall pay later.

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# **Facilitating Open Adoption Through Family Group Conferencing**

**By Pat Convery, Executive Director  
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*The purpose of this handout is to provide Family Group Conference (FGC) Coordinators with information that may be helpful in facilitating conferences with Birth and Adoptive families when the goal is to support the families in using the Family Group Conference to develop an Openness Agreement. A primary goal is to support planning for openness when children are leaving foster care through adoption.*

## **Introduction**

Legal certainty, emotional security, and a “family for life” permanence can be the greatest single factor in ensuring a child’s health, well-being, and potential for success. When children in foster care are not able to return to live with their birth families, adoption provides a child with the life-long committed family they need. However, in many cases, the child has developed connections with birth family members that are positive, important, and would be beneficial to continue throughout the child’s life. When an adoptive family is willing to enter into an openness agreement with the Children’s Aid Society (CAS) and the birth family, a child stands to benefit from this continuity in their lives and can have the best of all worlds.

For children who are placed in adoptive homes at birth, voluntarily by their birth families, openness in adoption has long been an accepted practice when a birth family makes a voluntary plan to place their child for adoption at birth. With the support of a birth parent counselor and an adoption worker, the birth and adoptive family meet prior to the birth of a child to discuss the birth family’s wishes for ongoing openness. In many cases, the birth parents and adoptive parents write a covenant or agreement to guide their ongoing relationship. Birth and adoptive parents, as well as adoptees, report positive benefits for all.

Child Welfare workers and adoption professionals are well aware of the benefits of openness in adoption for children of all ages. Adoptive families learn about the importance of maintaining positive connections a child has in his or her life prior to placement while attending parent education training and having their adoption home study completed. As they learn about how a child will transition into their family and the many adoption related parenting issues they will manage as their children overcome trauma from separation, and possibly from neglect and abuse, in dealing with these hurdles, adoptive parents often benefit from welcome positive connections with the child that are available in the birth family to support them along the way. They can readily see how these relationships will help their child to maintain cultural connections that may be different from the adoptive family’s, or to provide answers to their questions about birth family that are not covered in the easily provided social history documents provided at placement. Adoptive families

are aware that their children may face identity issues in adolescence and hope that birth family connections will ease the feelings of loss and lessen the force of rebellion against them as the “real parents”.

The challenge is to create openness relationships that can be sustained over time, as two separate families evolve and develop over the lifetime journey that is adoption. When a child has been in foster care prior to adoption, there may be tensions between the CAS and the birth family that make it more difficult to talk out plans and discuss concerns that either family may have related to agreements. Systemic issues within the child welfare system often create a large gap between the social workers who have worked directly with the family and the adoption workers who know the adoptive family best. Court orders that speak of openness are often vague in detail and interpreted differently by various people within the birth and adoptive families as well as the child welfare system. A child’s need for openness may differ dramatically from the wants of birth family members and the comfort level of adoptive families. Other complications in developing a long term plan for the child in the adoptive family are the history of family dynamics in birth families and the complexities of relationships that have developed while a child is in foster care. These are factors that make it difficult to predict a long term plan for a child and the adoptive family.

Family Group Conferencing (FGC) may be a process that is helpful in addressing the issues that are inherent in planning for openness when a child moves to adoption from foster care, although it is not common practice. Family Group Conferencing is often viewed as an Alternative Dispute Resolution process while the principles of the model are inherently suited to collaborative approaches to relationship building and child focussed planning.

There are inherent challenges in bringing together two different families and a child who has been living apart from both families. However the ultimate goal of the conference process is to initiate an ongoing relationship that will ideally become a “circle of family” for a child. There are risks of power imbalance and potential conflicts. At the same time, experience in the field of private adoption has clearly shown successful outcomes when the focus is solely on supporting adoptive families and birth families in meeting and creating their own openness plans. This process should be transferable to adoption from foster care.

With a clear focus on the child’s needs, it seems that birth and adoptive families can be empowered to make the long term commitment to openness.

### **Definitions of Openness**

In Ontario government policies openness is currently defined as follows: “includes written, verbal or face-to-face contact or communication, where the communication may be direct or indirect and may permit the disclosure of identifying or non-



identifying information and the frequency of contact or communication may vary from episodic to ongoing” (Ontario Regulation 70, subsection 49.1(2)).

Openness in adoption is often presented on a continuum that includes the actions as well as some defining of the process of how the openness plan was created.

•**Confidential:** Minimal information is shared between adoptive and birth family members and is never transmitted directly; any exchange of information typically stops with the adoptive placement or shortly thereafter.

•**Mediated:** Non-identifying information is shared between parties through adoption agency personnel, who serve as go-betweens; sharing could include exchange of pictures, letters, gifts, or infrequent meetings at which full identifying information is not revealed.

•**Fully Disclosed:** Involves full disclosure of identifying information between adoptive and birth families; may involve direct meetings in each others' homes or in public places, phone calls, letters, and sometimes contact with the extended birth family.

Openness in adoption can take the form of direct or indirect communication or contact. It can range from occasional or periodic non-identifying cards or letters exchanged through a third party, to occasional or periodic identifying cards or letters, to occasional or periodic face-to-face contact. Each child and family situation is different and openness agreements and orders will vary accordingly.

### **What are the Benefits of Openness in Adoption**

In general the goals of having openness in adoption are child focussed in their intent:

- To minimize the child's loss of relationships;
- To maintain and celebrate the adopted child's connections with all the important people in his or her life;
- To allow children to resolve losses with truth, rather than with fantasy.

However, experience of families – birth and adoptive and of adoption professionals who have worked with openness in adoption for many years - is that openness has even more far reaching potential to benefit all members of the adoption circle (adoptive families, adopted child and birth families).

***For an adopted child, openness in adoption may:***

- Provide permanency through adoption while allowing the opportunity to maintain significant relationships;
- Enable an Indian or native child to remain connected to their band or native community and preserve their heritage, culture and traditions;
- Enable easier access to current medical or other significant information about the birth family;
- Lessen the impact of loss and diminish grief. Many adopted persons have had great difficulty dealing with their losses where all ties were severed through the adoption process. By maintaining relationships the sense of loss may be reduced;
- Reduce identity confusion for adopted persons. Literature suggests that when adopted children have knowledge of birth parents and feel connected to them, their level of emotional adjustment is healthier. It is important for adopted children to have an understanding of their origins and reasons for being placed for adoption;
- Promote the sharing of information about a person's adoptive status and help to prevent issues/concerns that may arise as a result of the element of secrecy;
- Ease feelings of abandonment;
- Lead to less fantasizing about their birth family as the birth family and significant others will be known;
- Increase the circle of supportive adults, unless protection concerns prohibit contact;
- Increase the attachment to the adoptive family when supported by birth family;
- Lessen loyalty conflicts and free them to ask questions.
- Expose them to cultural origins that support the development of a healthy cultural identity.

***For members of the birth family, extended family, community, Indian or native band, foster parent or former custodial parent, openness in adoption may:***

- Minimize the impact of loss and diminish grief. Many birth parents have had great difficulty dealing with their losses where all ties were severed through the adoption process. By maintaining relationships the sense of loss may be reduced;
- Enable birth parents to consent and participate in the permanency decision of adoption for their child despite their inability to parent the child;
- Reduce guilt about decision to give a child up for adoption;
- Maintain some form of contact to the child if contact is determined to be in the child's best interests;
- Prevent issues/concerns that were created by the element of secrecy;
- Provide comfort through knowledge of the child's well being;
- Enable the person to have a defined role in the child's life;
- Facilitate a healthy relationship with the child as the child grows;
- Provide opportunities to share cultural information with the child.

***For adoptive families, openness in adoption may:***

- Enable easier access to current medical and/or other significant information about or for the child;
- Increase their sense of entitlement to parent the child if the birth parent accepts and acknowledges the parenting role of the adoptive parents;
- Enhance the ability to answer the child's questions with accurate information;
- Prevent issues/concerns that may arise as a result of the element of secrecy;
- Provide a greater sense of control over the adoption process;
- Provide opportunities for relationships with birth family or significant persons in the adopted child's life;
- Encourage learning related to adoption issues and raising adopted children;
- Increase understanding of the child's history;
- Increase empathy for the child's birth parent;



- Reduce fears that birth parent /significant person will reclaim the child.

***For agencies/practitioners making permanency decisions for children, openness in adoption may:***

- Provide a broader range of options available for children as a means of maintaining meaningful and beneficial relationships;
- Support consideration of the permanency option of adoption for Crown wards where continued contact is in the child's best interests.

(excerpt from: Resource Guide on Openness in Adoption, 2007, pp. 3-7/ Ontario)

**What the Research Says About Openness**

Much of the research that has been conducted on the topic of Openness in Adoption has surveyed families who adopted children through private adoption agencies where the child was voluntarily placed with the family by the birth parents.

Research to date indicates that birthmothers commonly view open adoption positively (Berry, Risks and Benefits of Open Adoption, 1993).

In Belba's 1987 study, measuring minimum, moderate and maximum contact with birthmothers of 12 adoptive couples, adoptive parents reported that they appreciated having contact with birthmothers to answer questions as they arose.

Not all outcomes, however, have been positive. In a 1990 mailed survey of 59 relinquishing birthmothers, 18 in open adoption and 41 in confidential adoptions, Blanton and Deschner found that birthmothers in open adoption were significantly more troubled than those in closed adoptions in the areas of social isolation, sleep complaints, physical symptoms, despair and dependency. Openness was defined as a meeting at placement between the adoptive and birth parents (Berry, 1993, Risks and Benefits of Open Adoption).

In a 1993 study, a snapshot of families taken 4 to 12 years after the adoptive placement revealed:

- Fears that birth parents would attempt to reclaim their children or otherwise intrude on adoptive families' lives were not apparent in families with fully disclosed adoptions.
- Openness does not interfere with adoptive parents' emerging sense of entitlement to parenthood.



- Having a fully disclosed adoption does not guarantee successful grief resolution, as is evidenced by the broad range of grief resolution ratings among birthmothers across all adoption arrangements in this study.

In the same study, 31 adoption agencies were also interviewed on their practice toward the range of openness. The agencies were measured in two time intervals: the first time was between 1987 and 1989 and the second interview occurred in 1993.

- Only 11 of the original 31 agencies (35%) offered fully disclosed adoption options as part of their standard practice at Time 1. Five years later, 22 of the remaining 29 agencies (76%) offered fully disclosed adoptions.
- 2/3 of the fully disclosed adoptions in this sample did not start as fully disclosed: 5% began as mediated and 14% began as confidential (Grotevant and McRoy, 1998).

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#### **Supporting Adoptive Families in Preparation for Family Group Conferencing**

Adoptive families, through training and experience, are well versed in the benefits of maintaining openness relationships with birth family. However, a number of key areas arise in discussion with families and adoption practitioners that are important to consider in pre-conference discussions.

Adoptive families report that they are often intimidated by the home study process and the subsequent selection process when a CAS determines if they are a "good fit" for a child they have expressed interest in adopting. Families report that they are intimidated to ask too many questions and may readily agree to requests for openness that they do not feel comfortable with based on fear of not being selected as the parents for a child.

Coordinators of conferences must ensure that families are encouraged to openly discuss fears and reservations about openness.

For adoptive families, the possible fears of openness in adoption include:

- Feeling the need to live up to the perceived expectations of the birth parent to be the perfect parent;
- Possible initial feelings of guilt about parenting that could impact on bonding;
- Constrained ability to express their concerns/worries about participating in openness agreement for fear of being turned down for adoption;
- Their support networks may not support the concept of openness in adoption;
- Cultural differences in lifestyle, attitudes, values and communication and styles/behaviours between themselves and members of the birth family, extended family, community or Indian or native band, foster parent or former custodial parent;
- Possible feelings of anger or sorrow regarding past maltreatment of their child by the birth parents;
- Lack of understanding about birth family history that may impact the child over time – e.g.: genetic conditions, mental health history of family members, family relationships;
- Some families may adopt more than one child, changing or influencing the dynamics within the adoption family, especially if there is more than one openness arrangement (excerpt from Resource Guide on Openness in Adoption, 2007).

Any or all of the above issues may need to be explored fully before the family conference or within the context of the first part of the joint conference. The coordinator may need to bring in CAS workers who are familiar with the history to fully explain social history information; or the birth family may need to provide information to the coordinator prior to the conference to support the adoptive family in entering the conference with the birth family.

The format of the Family Group Conferencing model can support many of the above noted issues. Below are some examples that have been identified in discussions with adoption practitioners who are familiar with Family Group Conferencing:



- In preliminary discussions with the adoptive parents, the coordinator can identify areas where the CAS worker needs to provide additional historical information or information that can be elicited from discussions with birth family members prior to the conference.
- The coordinator can identify areas that the adoptive family may need to learn more about prior to the conference such as medical issues, mental health etc. The coordinator may identify areas where it may be helpful to bring an outside expert into the conference.
- Adoptive families may bring extended family members or a support person to the conference. Adoptive parents often express concerns about how their family and close friends will perceive their openness agreements. As well, adoptive parents often feel overwhelmed in a conference with a group of birth family members that may include relatives and birth parents. Extended family and close friends are instrumental supports for adoptive parents. By attending a conference with the parents, they become integrally involved in the planning and can offer ongoing support to the adoptive parents.

### **Supporting Birth and Foster Family Through the Family Group Conferencing Model**

Birth family members who have been identified as key people to be involved in an ongoing relationship often only represent some of the members of a birth family who may need to be involved in the discussions about openness agreements. For example, the plan may be for a child to have ongoing contact with a sibling who is not included in the adoption. The child may be remaining in foster care or living with a family member. However, other birth family members may need to have input into discussions to fully address issues related to the future contact.

In the aftermath of the litigious process of court that resulted in Crown wardship of the child, birth family members may feel disempowered and lack trust in the motives of both the CAS and the adoptive family. Early discussions with the coordinator are helpful in sifting through the issues that may impede the ongoing relationship with the adoptive family if not addressed early in the process.

For members of the birth family, extended family or foster parent the possible fears of openness in adoption include:

- Continuing to feel the loss of the parenting role;
- Being unable to accept the role of the adoptive parent as the legal parent of the child;
- Not accepting the adoptive family as the child's primary emotional resource and support;

- Feeling a lack of acceptance from their own support network for the concept of openness;
- Loss of the perfect adoption fantasy;
- Cultural differences in lifestyle, values and communication styles/behaviours between themselves and the child's adoptive family;
- Fear that the adoptive family will not follow through with commitments made.

As with discussions with adoptive families, the coordinator can address any of the above issues in sessions with the birth family and with the adoptive family as necessary. Planning for the conference with both families will build on issues that need to be explored together.

Some examples of ways that the Family Group Conferencing model can support birth families in addressing the above issues include:

- The coordinator can involve members of the extended family who may not be involved in the conference in preliminary meetings;
- Birth family can use the early meetings to clarify and supplement information about the family history that may be provided by the CAS;
- Pictures and additional information about the adoptive family can be provided;
- Assurance of discussion with adoptive parent(s) can be given.

### **Supporting Children's Aid Societies and Adoption Professionals Through Use of Family Group Conferencing Model**

For agencies/practitioners making permanency decisions for children, the challenges of openness in adoption include:

- Shift of balance of control of the case to the parties participating in openness;
- Possible lack of cultural competence to manage cultural differences and communication variations;
- Possible lack of confidence in their skill to help families to manage their own open adoption relationships;



- Uncertainty as to how to educate adoptive applicants about the benefits of openness, even in protection circumstances;
- Uncertainty as to how to help families acknowledge any discomfort with openness rather than give answers they think the practitioner wants to hear;
- Concern openness may become a bargaining chip in Crown wardship cases rather than considering the best interests of the child;
- Lack of post adoption or support services for families in managing openness or dealing with issues as they arise over time;
- Providing consistent information to families in the context of numerous practitioners having been involved with a family prior to Crown wardship.

***Any and all of the above issues can be addressed within the Family Group Conferencing model.***

- Consistent with the parameters of the model, CAS will meet with the Family Group Conferencing coordinator early in the process to determine any protection or legal concerns that are related to access between the birth family and the child.
- The Family Group Conference coordinator will have access to the full CAS file to better understand history and dynamics at play that may need to be discussed more fully with birth family and/or the adoptive family.
- During the conference, the families will address any issues related to cost, post placement support and how to negotiate changes in the agreement. The CAS worker may be available to consult with during the conference if commitments need to be made and written into the agreement.

**Resources for Families and Professionals to Learn More about Open Adoption**

Adoption professionals and Family Group Conferencing coordinators will benefit from resources about openness in adoption. As well, supporting families - birth and adoptive - with resources will help to debunk myths about openness as well as provide tools for managing ongoing challenges inherent in the bringing together of two families. The following lists are some of the many resources that may be helpful to all parties involved in adoption planning for and with a child.

**Some helpful websites:**

- <http://www.openadoption.org/>
- [http://www.cwla.org/programs/adoption/cwla\\_standards.htm](http://www.cwla.org/programs/adoption/cwla_standards.htm)

- [http://www.childwelfare.gov/systemwide/laws\\_policies/statutes/cooperative.cfm](http://www.childwelfare.gov/systemwide/laws_policies/statutes/cooperative.cfm)
- <http://www.adoptioninstitute.org/policy/polopen1.html>
- <http://www.openadoptioninsight.org/>
- [http://fsos.cehd.umn.edu/projects/mtarp/About\\_Us.html](http://fsos.cehd.umn.edu/projects/mtarp/About_Us.html)

### **Books:**

#### **Open Adoption Experience**

**Author:** Lois Ruskai Melina and Sharon Kaplan Roszia

**Description:**

Two leading adoption experts provide this reassuring guide to the issues and concerns of adoptive and birth families through all stages of the open adoption relationship.

#### **Arms Wide Open: An Insight into Open Adoption**

**Author:** Jane Waters

**Description:**

ARMS WIDE OPEN clearly outlines the emotional turmoil of the birthmothers and offers suggestions to help make an open adoption a positive experience for the child, the adoptive parents and the birthmother.

#### **Because I Loved You: A Birthmother's View of Open Adoption**

**Author:** Patricia Dischler

**Description:**

For the first time, a birthmother shares a story where regrets are replaced with respect, pain is replaced with love, and secrecy is replaced with honesty.

#### **Making Room in Our Hearts: Keeping Family Ties Through Open Adoption**

**Author:** Micky Duxbury

**Description:**

This cutting edge book will help the readers to more fully understand the benefits, concerns, and overall process of a child-centered open adoption.

#### **Openness in Adoption: Exploring Family Connections**

**Author:** Harold D. Grotevant and Ruth G. McRoy

**Description:**

Some adoption professionals argue that openness is harmful and experimental while others argue that the secrecy of confidential adoptions has been harmful to all parties involved. Who's right?

#### **Spirit of Open Adoption**

**Author:** James L. Gritter

**Description:**

THE SPIRIT OF OPEN ADOPTION is a candid, intensely personal, highly readable account of the experiences of one agency that switched from closed to open adoptions. It traces the reasons for the change and the resulting effects.



## **Conclusions**

The importance of a child having an ongoing relationship with birth family whenever possible is an accepted belief within our Ontario adoption program. At the same time, we are keenly aware of the complexities of bringing together two families through adoption. The Family Group Conferencing model clearly shows some promise as a tool to support planning for ongoing openness for a child who has positive relationships in their birth family that can be maintained.

Adoption professionals should become more familiar with the supports inherent in the Family Group Conferencing model for all - birth family, adoptive family and the child.

Similarly, we would encourage Family Group Conference Coordinators to consider how they would support adoptive and birth families in coming together to make the decisions that will ultimately support lifelong connections that are so critical for a child.

Note: special thanks to Ryna Langer and Sally Palmer for editing support

This handout has been prepared to support learning of Participants attending:

### **Honouring the Circle, Connections and Wisdom**

#### **“Facilitating Open Adoption through Family Group Conferencing”**

September 26<sup>th</sup> from 1:30 until 3 PM.

At Doubletree International Hotel, Hilton-Toronto Airport, 655 Dixon Road.

Presenters:

Members of the Children in Limbo Task Force of the Sparrow Lake Alliance

## **Including Children in Family Group Conferencing<sup>1</sup> to Develop Open Adoption Agreements**

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### **Introduction**

Family Group Conference (FGC) Coordinators have developed ways of successfully including children<sup>2</sup> in the planning, implementation, and follow-up to conferences. Children's right to participate in decisions about their lives has been established by the UN Convention on the Rights of the Child. It is also affirmed by child protection legislation in many Western countries. The American Humane Association's guidelines for family group decision making state: "In family meetings, the preference is that children of all ages are physically present. Family meetings are about creating viable, workable and transparent plans for children, and therefore their role in the development and implementation of any plan is essential." (American Humane Association, 2010, p.29).

This paper discusses the use of FGC to facilitate openness agreements among parties to adoption. This is not a widespread practice--we could find no published research on the topic. Open adoption is becoming more prevalent, as the right of children to have a continuing a relationship with family<sup>3</sup> and friends is increasingly recognized. Ontario has just changed its child welfare legislation to allow agencies to seek adoptive placements for children whose rights to parental access have not been terminated. The ideas presented below are mainly drawn from theory and practice experience with FGC in child protection cases; most of the ideas are readily transferable to the process of engaging parties in open adoption agreements.

### **The importance of the child's perspective**

The concept of the child's perspective can be defined as: how children view the world around them; their personal experiences; and their hopes and fears about their lives. Children's perspectives are strongly linked with their significant relationships, especially relationships with adults who make major decisions in their lives. The FGC provides an opportunity for children to communicate their perspectives to their families and have them acknowledged. During the planning and implementation of the conference, children need support to formulate their feelings and wishes, and to share their perspective with the other participants; they also need help to ensure that their views are heard and considered in the decision-making process.

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<sup>1</sup> "Family group conferencing" includes "family group decision-making"

<sup>2</sup> "Children" includes young people

<sup>3</sup> "Family" includes other adults who have made a commitment to the child



## **Benefits of participation to the child**

When children participate in a FGC, they may be expected to benefit in several ways. First, children who have had little contact with their birth families may feel rejected and unwanted by them. As they move into an adoptive placement, it is reassuring to have their family and friends collaborating with the new family to work out an open adoption agreement. This demonstrates that their first family is still in their lives and wants to help them make a success of the adoption. As one child said, "I feel very sad about things right now, but I am happy we are together today." (Schmid & Sykes, 2008).

A second benefit of a family meeting is an opportunity to have family members and/or friends answer children's outstanding questions about their earlier lives. They may bring up previously taboo subjects related to family secrets. In the author's experience as a child welfare worker and supervisor, she found that children were sometimes given a sanitized version of why they were taken from their families; this was usually to protect the child from unpleasant facts about their families. If children sense there is something missing from the explanation, they will often blame themselves. A family secret may hold the key to the mystery; the truth can leave children feeling better about themselves, and free to move on to another family.

Finally, if there are tensions between family members, or between the birth and adoptive parents, the presence of the child in the meeting can help them to set their own feelings aside and focus on making plans for the child's well-being.

## **Handling barriers to child's involvement**

Resistance from adults. The desire to protect children from controversy may motivate parents or other adults to argue that children should be excluded from the conference. The adults may fear that the child will be exposed to open conflict between family members, arising from long-standing acrimonious relationships. Adults may also judge children to be too immature to evaluate the appropriateness of a plan for their care. For example, a relative who has been unreliable in the past may want to have contact with a child who is being adopted, and other family members or caregivers may want to protect the child from disappointment. It could be, however, that the child is aware of the relative's unreliability, from past experience, but may be reluctant to say goodbye to this relative forever.

Adults may have personal reasons for wanting to exclude children. Seeing and hearing from their child may cause them emotional pain—a sense of having failed as parents, as well as feeling the pain of losing a child. Or they may be afraid of what the child may say about them in a family meeting, especially with older children.



Effects of excluding the child. When adults develop a plan without knowing the child's perspective, they may be interfering with an important aspect of the child's life, such as a weekly ritual with a non-custodial parent. When children learn about such plans, they may feel their priorities have been ignored; further, they may resist cooperating with a plan that was created in their absence.

Coordinator's role. The Coordinator can help to lower adult resistance by explaining to them why children should be involved—their right, their knowledge of their own lives, and the increased possibility of the plan's success when the child has contributed to its development. Most children recognize they cannot be given the power to make difficult decisions about their lives by themselves; but they want to feel that those with more power (e.g. birth parents, foster carers, and prospective adoptive parents) are listening to them. By allowing the child to participate in the conference, the Coordinator is helping them to understand the views and opinions of participants that lead to the action plan; this increases the likelihood that children will accept the group's decisions as fair and legitimate.

### **Stages of supporting child's participation**

Generally, a FGC takes about 4-6 weeks, including preparation and follow-up. When the goal is an open adoption agreement, the child's safety is generally not an issue, so less time may be needed. Usually all parties to the FGC have agreed that an adoption should take place. Ideally, Coordinators should involve children in the FGC as early as possible, to give them the necessary support for their active participation in the meeting.

Supporting children's participation in the FGC includes: providing information; helping them formulate their thoughts, hopes, and fears; empowering them to express their views; ensuring a respectful reception from other participants; dealing with children's feelings as the action plan is carried out; and keeping them involved in smaller decisions that arise as the plan unfolds.

### **Providing information**

Research in the UK with children who participated in FGC meetings at child protection agencies revealed that many of them were inadequately prepared for these meetings: they did not know the purpose of the meetings, had difficulty expressing their views, and felt they were ignored (Sinclair, 1998). The role of the Coordinator is to inform children about the family meeting process, who will attend, and the Coordinator's role in promoting an atmosphere in the meeting where children will feel safe to express their views.

In FGC for open adoption, the Coordinator should educate children about the meaning of open adoption, and the role of FGC in developing an agreement for ongoing contact/communication between the birth and adoptive parents; this



contact/communication might also include long-term foster carers who have an ongoing commitment to the child.

Before meeting with children, Coordinators should inform themselves about the child's placement history, their relationships with birth family and caregivers, and their attitude toward the issues to be discussed, e.g. pending adoption placement. In providing information to children, it is important to begin with their own questions, hopes, and fears. Ideally, children will voice these, and the Coordinator can draw out their concerns by exploring their questions or comments. Besides questions about the FGC process, this can be an opportunity for children to fill the gaps in knowledge of their own histories. Children who live apart from their families tend to feel there are many unknowns in their past. Often their questions remain unasked, as they sense the discomfort of their caregivers and social workers about discussing their birth families, (Palmer, 1995).

To ensure children have a chance to express their views to their family and prospective adoptive parents, and to support them in the family-only meeting, the Coordinator helps the child to identify a Supporter from child's own network (Strandbu, 2004). Ideally, this will be an adult the child can trust. The Supporter follows up the work of the Coordinator in answering children's questions, and drawing out their hopes and fears.

Supporters help children to state their perspectives, and ensure that other participants listen and respond respectfully. The Supporter can also protect the child within the 'family-only' meeting, e.g. by intervening when the discussion becomes destructive, or leaving with the child if the meeting deteriorates into angry accusations. For children who are unwilling or unable to attend (perhaps because a protective adult is resisting their participation) the Supporter acts as a proxy and expresses the child's views, verbally or in writing from the child.

### **Helping children formulate their perspective**

Children in vulnerable situations may find it difficult to formulate their own views and preferences, for various reasons. When they are hoping for a successful adoptive placement, children may avoid stating their preferences in case these might not be well-received by their prospective adoptive parents. Other complicating factors may be long-standing conflicts within the birth family, or between the birth family and the child's current caregivers—the overflow from these conflicts may tend to obscure the child's own feelings.

In helping children develop their perspectives, the Coordinator or Supporter may counter the child's argument with their own views; this can be helpful to the child in testing the limits of their own opinions. It is important that Coordinators and Supporters be open to hearing the child's story—children are likely to be sensitive to the listener's unwillingness to hear unpleasant facts, and they may close up if they sense this kind of response.



## **Empowering children to express their views**

Preparing children for the FGC. The Coordinator meets with children before the conference to help prepare them, and may involve the Supporter at this time. For children who are unwilling or unable to attend the conference, the Supporter acts as a Proxy to present the child's views. The Coordinator and Supporter, in attempting to help children identify and express their feelings, may encounter ambivalent attitudes and emotions. With gentle, child-focussed prompts, they can help children to gain insight into their hopes and fears. They also work on building children's confidence to express their own views at the FGC, either in person or through their Supporter.

Information about the FGC can relieve children's fears about participation. This includes explaining the conference goals and methods, as well as informing the child who will be present.

The preparation of children can also be a time for educating Supporters, as the Coordinators introduce them to their role and provide a model for working with the child. In Strandbu's research (2007) she found that Supporters often felt unprepared for their task: after the FGC, many of them experienced a sense of inadequacy, feeling they could have been more helpful to the child they were supporting.

Providing a flexible location for the conference. It is difficult for most children to stay in a meeting with adults for several hours, so they should be able to join and leave the meeting as needed. A meeting room with an adjoining play area, including child care, is a good location; ideally, there could be a window or mirror into the meeting room so children can see and hear what is happening. If they see the meeting moving toward a plan that does not meet their needs, e.g. organizing visits with relatives they would rather not see, they can re-enter and make their views known.

Addressing the power imbalance. In most families, children do not have equal power with the adults, and parents may be used to making decisions without much input from their children. Thus, some intervention is needed to ensure that the child's perspective is heard and considered. During the preparation period, the Coordinator and Supporter can help children to develop a sense of entitlement—that their views are legitimate and deserve a respectful response from the adult participants in the conference. Children can gain confidence from hearing the perspectives of the Coordinator and Supporter, e.g. that the children's lives have been made difficult by their family's circumstances, and that their placement in care and subsequent moves were often precipitated by conditions outside their control.

Finally, the Coordinator and Supporter can recognize with the child that a pending adoption placement is an opportunity to establish permanence in their



lives. They have a right to negotiate for conditions in the open adoption agreement that they believe will contribute to their success in their new home.

The willingness of the family to grant power to the children can be addressed in the 'family-only' meeting by the Supporter, who can intervene to remind the group of the validity of bringing in the child's perspective. Support for children can also be provided by allowing them to bring a friend(s) to the FGC. With older children, especially, a friend can speak up to support the child when adults who are focussed on their own needs may be undermining the child's effective participation.

Ensuring a respectful reception for the child's views. The extent to which the children's views influence the decision-making process depends partly on the children's ability to state their views, alone or through their Supporter. It also depends on the receptiveness of the adults and their willingness to share power with the child. Adults who bring their own rivalries and conflicts to the family meeting can be reminded by the Supporter that the best interest of the child is the overriding goal of the meeting. This is the spirit in which most adults attend, but they may need to be reminded by someone who is not caught up in their own needs or in the family conflicts.

Coordinators can help raise the awareness of family members to the right of children to present their views and have them received respectfully in the 'family-only' meeting. The Coordinator can discuss this with each participant separately during their initial preparation meetings; as well, they can remind everyone of this theme in their opening statement at the meeting itself. A useful guideline is for no one to reject the child's ideas without a logical argument.

### **Follow-up to the FGC**

Children should be told in advance that they will be able to speak to the Coordinator or Supporter after the conference, and during the time the action plan is being implemented. The Coordinator or Supporter should have contact with children in the days after the conference to find out how they are coping, how they feel about the family's response to their input, and how they have understood and accepted the decisions made by the group. Further decisions will probably be needed as the action plan moves ahead. If problems arise, another FGC may be required, and children will again be encouraged to share their perspective. Adults who are caring for the children after the conference should be alert to their reactions to the changes in their lives. In the case of an adoption placement, the initiative may have to come from the Coordinator; sometimes new foster and adoptive parents attempt to handle problems alone, when they would benefit from outside help (Palmer, 1995).

When child is being placed for adoption, details should be worked out in the FGC about the process of moving the child to the new home. Ideally there will be a



series of preplacement visits, geared to the child's own capacity to adapt to the change. Visits can be gradually made longer, and the child's reactions elicited so that a collaborative decision can be made about the final move to the new home.

## **Conclusion**

The theories and practices that provide a foundation for children's participation in FGC with child protection cases are equally valid for the purpose of open adoption agreements. Fundamentally, children who are able to understand and participate have a right to know about plans being made for their care, to express themselves about these plans, and to have their views treated with respect. In addition to children's rights, their perspective is an important consideration: they know their lives better than anyone, and they are more likely to cooperate when they have input.

Parents often raise objections to children's participation in FGC, fearing the process may upset them. An important part of the Coordinator's role in preparing the participants is to educate them about children's rights and the benefits of having the child's perspective brought to the meeting. The Coordinator is also responsible for identifying a Supporter trusted by the child to be present throughout the process.

The stages of supporting child's involvement include providing information, helping children to formulate their views, and empowering them to express these to family members. To facilitate this process, Coordinators and Supporters must address power imbalances in the family and ensure that other participants treat the child's input with respect. The child's need for support from the Coordinator and Supporter continues beyond the family meeting. They meet with children to debrief them, and to ensure their participation in subsequent decisions that flow from the agreement reached at the meeting.

Ideally, the inclusiveness and respect for children generated by the FGC will carry over to subsequent relations between the families involved. Anecdotal evidence about open adoption agreements suggests that it is common for initial intentions to lapse over time, and for children to have little ongoing contact with their birth families. The principles and practices of FGC puts families at the centre of responsibility for making and carrying out an agreement, as well as empowering children to make their needs known to the people around them. With this beginning, it is hoped that the spirit of the agreement will be honoured, and children will continue to be connected with family and friends who care about them.



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## **Family Group Conferencing from a Foster Parent's Perspective**

**By Jean Skelton, M.S.W., Clinical Case Consultant,**

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Based on my past experiences as a foster parent, I am convinced that the use of FGC to facilitate openness agreements may also have some application for reducing placement instability, and planning for permanency, particularly when youth are in transition.

For example, a youth with whom I share a lifelong connection experienced an adoption breakdown. We were open to shepherding contact between him and his bio family, who we had a positive relationship with years earlier. Due to a no access order and concerns for safety, CAS determined that there would be no contact with his bio family, and asked me to have no contact with them also. Oppositional in nature, the youth used technology to find his mother and arranged to meet her at a bus stop one morning before school. Emotionally unprepared and unsupported, the experience was overwhelming.

Because FGC is deemed to be a good way of discussing issues of safety, in this case, it could have been used to explore how a foster parent might have been helpful in shepherding contact between the child and his family, and for developing a safe plan that was acceptable to CAS. One of the key principles of FGC is to maintain a focus on safety, so any plan developed and accepted would have to comply with CAS's "bottom line" in protection cases. The benefit of including extended family members in developing a safe plan for access is that the contact would not have been driven underground, where it was difficult for workers to monitor and assess it.

After struggling to parent this youth after the adoption breakdown, he was removed from our home for an assessment. Although we felt deeply committed to this youth, workers felt that he needed a group home setting and did not believe that he was committed to living with us. Our hesitancy in assuming legal guardianship, which we discussed amongst ourselves at great length, was our fear that this youth planned to use us as a stepping stone to live with biological family, and we might then be viewed as having acted in bad faith and having encouraged the move.

When involving children in FGC, one of the key questions focuses on how the process can be helpful to the child. In this example, a FGC that included the youth would surely have led to thoughtful discussions about the importance of stability and permanency, and identify who was, or was not, prepared to commit to raising this youth beyond foster care. To date, the child has moved from the assessment home to three different group homes, has now aged out of care, and is currently "couch surfing" between family members in an effort to determine for himself who is committed to him. With FGC,



the facilitator does the legwork of searching for those who are committed to the child, and not the child himself.

Although the youth's worker and lawyer attempted to meet with the biological mother in order to assess the opportunity for supervised access, the mother was repeatedly a "no show." It was my understanding that some viewed her as being "uncommitted." Compared to workers and lawyers, I would suggest that biological parents may initially be more responsive, and feel less intimidated, speaking with a foster parent with whom they once shared a positive rapport. What appears to be an "uncommitted" parent might in fact be a parent who feels disempowered after years of having had no contact with their child. One of the strengths of the FGC model is that it *addresses power imbalances and creates a space for people who don't have a powerful voice when dealing with systems*. In this example, a FGC facilitator could have taken advantage of the historical relationship between foster and biological parents in order to encourage family members to engage in the process. This is especially important for youth who have experienced placement instability in the foster care system because *members of a family and its support network provide love and care in a way that no formal helping system can*, which is another guiding principle of FGC.

In addition to helping engage biological family members in the process, facilitators also help foster parents to determine the information that will be shared about a child's health, education, wishes, strengths, challenges, care and routine. Although foster parents are considered a member of the child welfare team, they can be present to speak directly with biological family members upon request, and to emotionally support the child in the process, while respecting the family group.

In this case example, I have mentioned some of the ways that the use of FGC to facilitate openness could have been instrumental in helping this particular youth to experience more positive outcomes. First, by developing a safe plan for reconnecting this youth with his biological family following the adoption breakdown; second, by developing a plan for assuming legal guardianship of him, while ensuring that he remained in our physical care; third, by flushing out the reasons why biological family members appear uncommitted or disinterested in reconnecting with their children after many years of separation. This strengths-based model appears to be a good way for helping families to safely plan for their children, especially when openness needs to be a part of the permanent plan, and recognizes that workers and foster parents have decreasing influence when a child or youth is determined to be with his biological parents. The beauty of the model, as it was described to me, is that it can be used in any situation *where a concrete, water-tight plan is needed*. Without question, this is but one example of when one was certainly needed.



# SPARROW LAKE ALLIANCE CHILDREN IN LIMBO TASK FORCE

JUNE 2010

## THERE ARE NO WIZARDS: THE CHILD WELFARE CONUNDRUM

*James R. Wilkes*

Child Psychiatrist

Chair, Children in Limbo Task Force

The Sparrow Lake Alliance, founded by Child Psychiatrist Paul Steinhauer in 1989, is a voluntary coalition of Ontario professionals who work with children. The Children in Limbo Task Force, and the Alliance, represent Paul Steinhauer's goal: to bring together people from all sectors and disciplines, who would inspire, support, teach and learn from each other, and who are committed to working towards ensuring a better life for all of Ontario's – and Canada's – children, youth and families.

The Children in Limbo Task force of the Alliance has two previous publications: *Children in Limbo*, 1996, and *Permanency Planning in the Child Welfare System*, 2002. The Task Force has continued to meet and discuss matters of continuity of care in the child welfare system and how best to provide children and youth with a sense of permanence.

The title of this publication stems from our discussions which frequently show up the contradictions and conflicts that beset child welfare. We refer to these as "*the child welfare conundrum*." The conundrum can be viewed from a multitude of perspectives: administrative, financial, interpersonal, educational, cultural and political, so that it might appear so impenetrable the only solution would be wizardry. The reality is *There are No Wizards* and so we are left to embrace good casework practice.

The publication reflects the discussions that take place at the Task Force meetings and as such they are not strictly academic; rather they are voices of experience from the trenches of child welfare. The voices are varied in the issues and approaches taken and reflect the particular concern of the author, but they are similar in that they are grounded in a wealth of experience with children in the child welfare system. As such it is hoped that those who are engaged with children in the child welfare system will be drawn into the material and find it useful for practice, training and research.

Throughout the Task Force discussions that led to this publication there was one guiding principle which served to give us grounding and perspective and that was *putting the child first*. It is apparent in the practice of child welfare that, when the predominant interest and energy is on following administrative requirements, the importance of the individual child and youth seems to recede. One such example has to do with continuity of care and permanency planning. When continuity and permanence are understood simply from the administrative point of view, the



emphasis is on having the same personnel and having the child or youth remain in one place. These are important considerations but there is also the important matter of looking at permanence from the perspective of the child and youth. When the child is put first the key issue becomes does the child gain a sense of permanence from this plan? A sense of permanence does not grow in a child or youth from simply remaining in the same home. A sense of permanence comes to a child from the experience of belonging and being nurtured.

The work begins by identifying some of the pressing needs of children in care. These are set out in Janet Morrison's *Summary of Children's Needs* from the *Ontario Child Welfare Review* (2007). While the material refers to the Province of Ontario it is thought that it could well have bearing on child welfare practice in other jurisdictions.

The tone of the publication is set with the right of the child to be informed. The demands of child welfare are such that, at times, the need to ensure that the child understands what is going on is lost in the host of other casework demands. However this publication attests that in child welfare, as far as information is concerned, the child should be considered the CEO. Such a position means that children, while not being given the burden of the decision, whenever feasible should be adequately consulted, and should know and understand, as far as possible, the circumstances behind the realities and decisions that impact on their lives.

Such a position illuminates the conviction that a sense of permanence requires more than establishing a permanent location and caregiver; an essential component is for the child or youth to feel a sense of participation and belonging. This understanding can be found throughout this publication and it is well captured in Gitte Granofsky's paper *Life Narrative and Voice Are Children's Rights*.

Sharing information requires more than giving information to the child or youth. For full understanding, the child or youth needs to participate in the exchange. In her paper *Tell Me My Story* Mary Rella shows how caregivers can work to help a child develop a cohesive story which in turn helps them develop secure attachments and a strong identity.

The child welfare court must give approval for a child or youth to come into the care of the child welfare system. Court proceedings can be complex and difficult. In her paper *Child Protection Court Proceedings* Kristina Reitmeier describes the current court process in the Province of Ontario and points out the need to explain and the opportunities available to help clarify the proceedings for the families that are involved.

In her paper *Adoption and Contact with Birth Family: Can a Child Have It All?* Elizabeth Keshen gives insight into the Ontario perspective of whether a child involved in the child welfare system who is adopted can have contact with birth relatives, and concludes that it can only happen if there is consent on the part of both adoptive and birth families.

The child welfare practice of Native Child and Family Services gives high priority to the returning of a child or youth to his or her Native Band and Community for care. (i.e. coming "home"). At times this can lead to contention and misunderstanding with those who support maintaining a current psychological attachment to those who are caring for the child or youth.



In the paper *The Foster Parent Role in Supporting an Aboriginal Child's Permanency Plan*, Landy Anderson discusses this problem and sets out some of the underlying issues from an Aboriginal perspective. Her paper may elicit strong disagreement in those who hold closely to maintaining existing attachment, but we felt it should be included in order that the Aboriginal position could be understood. It is hoped that it will promote discussion and understanding resulting in culturally appropriate plans for Aboriginal children.

Access remains a pivotal point in the success or failure of child welfare practice. In their paper *To Visit or Not to Visit: Issues Regarding Access Visits for Children in Care*, Gail Aitken, Sarah Burgess and Janet Morrison set out some of the experiences of youth who have been involved in access arrangements. They offer suggestions for optimal access arrangements. In her paper *Therapeutic Access* Mary Rella offers suggestions about how to improve parenting skills as well as help workers decide whether the child should be returned to the parent(s)' care.

In child welfare the involvement of a therapist can be beneficial. However the nature and timing of such involvement is crucial and it should enhance and not interfere with continuity of care and working toward a permanent plan. This issue is set out in James Wilkes's paper *Therapy for Children in the Child Welfare System*.

Children and youth in out-of-home care often have difficulties with separation, identity and self-esteem. In her paper *Where's My Place?* Sally Palmer addresses many of these issues and offers suggestions as to how to promote positive identity and self-esteem.

Also on the issue of out-of-home care, Jean Skelton shows the world of fostering from the inside and raises a pivotal issue for foster parents which is how to parent a child when hampered by regulations and administrative procedures. She sets this out in her paper *Parenting By Committee*.

Kinship care has become an important resource, but there are a number of issues that have to be resolved for its optimal practice. The paper authored by Lin Brough and Andrea Smart, *Kinship: Successes and Challenges*, looks at some of the difficulties and opportunities in the management of this kind of out-of-home care.

Young people who are no longer eligible to remain in care are often left without enough support to fend for themselves. In her paper *It's About Time: Rethinking Our System of Care for Youth*, Virginia Rowden looks at the need to prolong our involvement with youth and the sense of abandonment that current practices give to the lives of the youth involved.

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