Adoption Quarterly

ISSN: 1092-6755 (Print) 1544-452X (Online) Journal homepage: http://www.tandfonline.com/loi/wado20

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To cite this article: Andrea del Pozo de Bolger, Debra Dunstan & Melissa Kaltner (2018): Open Adoptions of Children from Foster Care in New South Wales Australia: Adoption Process and Post-Adoption Contact, Adoption Quarterly, DOI: 10.1080/10926755.2018.1448915

To link to this article: https://doi.org/10.1080/10926755.2018.1448915

Accepted author version posted online: 09 Mar 2018.

Publisher: Routledge

Journal: *Adoption Quarterly*

DOI: https://doi.org/10.1080/10926755.2018.1448915

Open Adoptions of Children from Foster Care in New South Wales Australia: Adoption Process and Post-Adoption Contact

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The authors do not have any conflict of interest to declare

Abstract

In Australia adoptions from care are infrequent and mostly conducted in New South Wales (NSW) despite being legislated in other states. This qualitative study explored the experiences of the adoption process and post-adoption contact of eight foster parents adopting children in their care through the public welfare agency in NSW. The interviews were analysed following a structured approach, by means of thematic networks. The study revealed that adoption processes and maintenance of birth family relationships depend on a number

of factors (i.e. the behavior of the professionals, adoptive and birth parents, children's reactions, the policy and practice contexts). However, the adoptive parents' experience of the adoption process was largely determined by the *system* and in most cases this appeared to subsequently influence the post-adoption connection between the families. The findings and the adoptive parents' recommendations are likely to apply beyond specific geographical jurisdictions. In addition, the reported complexities regarding connections through open-adoptions at times resemble those tensions faced by children living in other family types such as those referred to in the foster care literature. Further research on some of these commonalities may expand in some countries the debate regarding adoption as an inherently contestable practice.

Keywords

foster care adoption, open-adoption, out-of-home care adoptions, post-adoption contact, welfare adoption

Background

Open adoption has become increasingly prevalent in child welfare practice. Children adopted from foster care who maintain relationships via safe contact with birth family members may be less likely to experience feelings of abandonment that prevent them from establishing other connections to adoptive families (Ryan, Harris, Brown, Houston, Livingston, & Howard, 2011). The present is a qualitative study based on interviews with a small sample of parents (N=8) who adopted their foster children in New South Wales (NSW) Australia where open arrangements are required by legislation. The adoptive parents reflected on their experiences of the adoption process; the impact of pre-and post-adoption birth family contact on the child, the adoptive family and the adoptive relationships. Before reporting our findings, in the following sections, we refer to adoptions through history in Australia; the

current approach to adoptions from care in NSW; the literature on barriers faced by those seeking to adopt children from care and post-adoption contact.

Adoptions in the Historical Context of Australia

Throughout history, the practice, views, purpose and rates of adoption have changed dramatically with shifts in societal values. In Australia, adoption was first legislated in Western Australia in 1896 and in NSW in 1923. Adoptions became increasingly popular in the 1940s due to the rise of children born out of wedlock and the stigma attached to infertility after World War II. Thus, legalised adoption became a response to single motherhood and infertility, with perceived benefits to "all" the parties. Consequently, adoptions progressively became "forced" and "closed". That is, single mothers were strongly advised to relinquish their child (forced) based on the difficulties of rearing a child on their own and the "right" of the child to be parented by a couple. In addition, a "clean break" was ensured for all the parties by maintaining the adoption secret and having no contact between them for life (closed) (e.g., NSW, 2000; Kenny, Higgins, Soloff, & Sweid, 2012, Australian Institute of Health and Welfare [AIHW], 2017).

In the 1970s, a new social climate dramatically decreased the number of children available for adoption. This included women's advocacy for the rights of single mothers; the introduction of financial support for lone parents; increased availability and effectiveness of birth control; and, declining birth rates. In addition, the consideration of birth parents and children's rights led to improved practices and openness in adoptions (NSW, 2000; Kenny, et al., 2012).

Partly as a reaction against the past, from the mid-70s until very recently, adoptions became a last resort option and the emphasis was on family preservation. Despite the improvement of adoption practices, adoption has not been routinely considered for children

unable to reside safely with their birth families or kin. As a consequence, the number of adoptions of children from foster care has been historically low. If living with the family was not a safe option for the child, the child was placed in long term foster care until 18.

However, foster care has created an additional problem: More than one third of children in care experience three or more placements (NSW, 2013). In NSW, this situation led to the *Child Protection Legislation Amendment Act 2014* that prioritises adoption or guardianship over foster care for non-Aboriginal children who cannot live safely with their families. Guardianship orders are an alternative to adoption as a way to provide permanency and stability for a child by transferring full parental responsibility to the carer and removing all ongoing case management provided by the welfare agency without cutting legal ties to the birth family (NSW, 2016). Unlike adoption, guardianship is not permanent. That is, it can be varied by the Court following a significant change in circumstances and it ceases when the child reaches 18 years of age.

Adoptions in NSW Australia in the Current Context

Australia - a federation of six states and two federal territories – has a population of 24.2 million (Australian Bureau of Statistics [ABS], 2017). In this country, statutory child protection is the responsibility of state and territory governments. At 30 June 2016, there were around 46,500 children in out-of-home care (OOHC) in Australia (18,135 [39%] in foster care). In NSW, the state with the largest population, 7.7 million (ABS, 2017), there were 16,843 children in OOHC (7,933 [47.1%] in foster care) (AIHW, 2017). Most of the adoptions from care occur in NSW. In the last two years prior to this study, there were 94 and 70 adoptions from care Australia wide, 87 and 68 respectively took place in NSW (AIHW, 2015; AIHW, 2016).

In NSW, children from care can only be adopted by their foster carers and adoptions are open by legislation. Direct face-to-face contact is promoted (unless specific circumstances preclude it as a safe option). Post-adoption contact is agreed upon by the parties and specified in the adoption plan to be approved by the Court. Registering this plan in Court is an optional step by which this agreement becomes an enforceable Court order. Therefore, any of the parties can apply for a formal review if the provisions previously agreed upon are not adhered to, or are no longer meeting the needs of the child. However, mediation is a preferable alternative (Adoption Act, 2000).

Barriers Experienced by Families Seeking to Adopt from Foster Care

Most research focused on identifying the barriers to adoptions from care have concentrated on prospective adopters seeking to adopt a child waiting in care (i.e., 'matched' or 'strange' adoptions) rather than foster carers wishing to adopt a child already placed with them. Chanmugam et al. (2016) conducted a longitudinal study gathering the experiences from aspiring adopters (*N*=200) and concluded that the main barriers as reported by the adopters were "system" related (i.e., adoption process logistics; agency communication and responsiveness; agency emotional support; and, availability of services). This study supported previous findings from the perspective of professionals involved in the child welfare and judicial systems.

In Australia, where adoption from care has only recently become part of a legislative agenda, there have also been barriers to adopt from care. As discussed by Tregeagle, Cox, Voigt, and Moggach (2012) this situation may be due to a number of factors such as apprehension towards terminating parental rights due to past abusive practices against single

mothers (forced adoptions) and Aboriginal families (The Stolen Generation[1]) (Hansen & Ainsworth, 2006); staff's limited expertise in adoption law and practice; over-optimism regarding the parents' capacity to change; difficulties gaining parental consent or dispensation of consent in some jurisdictions; and perceptions of adoption as a complete break from genealogy. To date, to the best of the authors' knowledge there is no published research on the experiences from foster carers seeking to adopt in Australia.

Experiences of Post-Adoption Contact in Open Adoptions from Care

In the US, the decision of whether an adoption will be open or not depends on the state where it takes place (Robinson, 2017) and contact in adoptions from care is less prevalent relative to other kind of adoptions (Faulkner and Madden, 2012). In a longitudinal study Barth and Berry (1988) found that 79% of the 120 families studied involved some form of contact between children and their former caregivers. In addition, the adoptive parents were more likely to express satisfaction with the contact arrangement or find it helpful when they perceived to have some control over the contact arrangement and in the absence of a history of child's maltreatment (Berry, 1993).

In a subsequent longitudinal study, Frasch, Brooks, and Barth (2000) examined contact in 231 foster care adoptions. Forty percent of the families had no contact with their child's birth family; a quarter (25%) of the families reported that they had maintained some form of consistent contact with their child's birth family; and, the remaining third (35%) of families reported changes in their arrangement. Over time, adopted children were more likely to have contact with birth relatives other than parents (e.g., siblings, grandparents, aunts, or uncles).

[1] The generations of Indigenous children forcibly removed from their families between 1910-1970 due to various government policies. As a result, a legacy of trauma and loss continues to affect Indigenous communities, families and individuals.

Howard and Smith (2003) conducted a large study (*N*=1,343) and found that most children adopted by foster parents (77%) and matched adopters (86%) never had contact with a birth parent and almost half (52%) who had siblings placed elsewhere did not have any contact with them. In addition, half of the foster adopters having contact (53%) were very comfortable or comfortable with the arrangement.

Faulkner & Madden (2012) studied 411 children in matched adoptions. The results indicated that only 16% had a written agreement for post-adoption contact; 21% of the adoptive parents had some form of post-adoption contact with the birth family; 22% of the children had contact with their birth parents, and 19% of the children had contact with siblings. In addition, the likelihood of contact was influenced by the existence of an agreement prior to adoption rather than the child's age at the time of placement with the adoptive family.

In England, there is no 'duty' to promote birth family contact (Neil, Beek, Ward, 2013, p.7). Neil conducted a longitudinal study commencing in 1996 with an initial sample of 168 children adopted from care or placed to be adopted at younger than 4 years. The author identified that decision making in relation to contact was largely determined by the values of the agency (Neil, 2002). The most commonly arranged form of contact was agency-mediated or *letter-box*; face-to-face contact was planned for a minority of the sample (17%) and the rest (11%) had no plans for contact (Neil 2003). During the adoptees' mid-childhood, 70% out of the initial 17 % of cases having face-to-face contact continued the arrangement (Neil, 2004). During the teenage years, just over two thirds were still in contact with at least one birth relative and about one third were no longer in contact with their birth family (Neil, Beek, & Ward, 2013). Towards the end of the study, Neil et al. (2013) concluded that contact is a highly individualised, dynamic and transactional process that cannot be planned based on formulas imposed by the agencies. The authors further suggested that a provisional contact

plan should be designed as a starting point to be reviewed at a later stage during implementation. Additional recommendations in the study included supports when necessary to assist with a number of issues in relation to contact (e.g. to help the parties learn what to do and how to related during visits, understand roles and boundaries; to assist the parties dealing with emotions after contact and to deal with the logistics of contact [venue, transport, assistance writing letters])

In Australia, the adoption system is characterised by the open exchange of information (AIHW, 2016). A recent Australian study gathered information from written administrative files on the 372 adoptions of children from care conducted between 2003 and 2014 in NSW. The analysis of the records indicated that face- to face-contact with the birth mother, grandparent(s) and sibling(s), was the most frequently form of contact agreed upon at the time of adoption. The exchange of communication through letters was frequently adopted to complement other forms of contact (del Pozo de Bolger, Dunstan, & Kaltner, 2017 a). A follow-up study including a small sample of adoptive parents (N=23) from the same population indicated that years later, most of the children represented in the sample (82%) were having some form of contact with their birth families, mostly face-to-face with siblings (53%), grandparents (47%) and mothers (37%) (del Pozo de Bolger, Dunstan, & Kaltner, 2017b).

Due to the different nature of the studies and differences across states in each country, it is not possible to make overarching statements. However, post-adoption arrangements appear to encompass a greater degree of openness in NSW Australia, to judge by the prevalence of face-to-face contact agreed to by the parties at the time of adoption. To the best of the authors' knowledge, to date there has not been research published on the experiences of post-adoption contact in this Australian population.

Methods

Recruitment, Participants and Data Collection

Adoptive parents' experiences of the adoption process and post-adoption contact were studied following a cross-sectional qualitative design. Participants were recruited via an invitation emailed to adoption groups and websites address. The only established criteria to participate was to have adopted a child from care through the public welfare agency in NSW. Eight parents (7 mothers and 1 father) contacted the first author to be interviewed. The project was approved by the University of New England Human Research Ethics Committee.

Data was collected via semi-structured 1:1 telephone interviews lasting approximately one hour. All of the participants consented to the interview being audio recorded. The interview consisted mostly of open ended questions (Table1).

Data Analysis

All interviews were audio-recorded and afterwards professionally transcribed. The interview transcripts were subjected to a structured thematic analysis protocol (Attride-Stirling, 2001) by the first author. A three-stage analytical process was applied. First, we developed a coding framework based on commonly occurring themes in the text (step 1). The resulting codes derived from empirical information in the text were 15 (communication, mistakes, delays, frustration, stress, needs, focus, avoidance, support, contact, adherence, relationship, balance, boundaries, differences). The transcripts were then dissected into segments, classified and organised according to these codes. Next, a cross-case analysis was conducted. The 15 codes and text segments were reduced to 6 "basic themes" (inefficiency, fearfulness, alliance, openness, boundaries, intrusion) identified in the discourse of the 8 participants (step 2). The codes and themes were independently reviewed by the second author to ensure adherence to

the empirical information offered by the participants. This was followed by a joint discussion on the clustering and naming of "organizing themes," (step 3) (working cooperatively; open communication; inefficient and fearful system; negative and positive experiences; birth family's role; importance of boundaries; boundaries avoid intrusion) and further refined into four "global themes," (adoption process; the child belongs to two families; the birth family is part of the child's life but with boundaries; contact by all means).

Subsequently, the level of representativeness of the themes was determined by an approach utilized by Hill, Knox, Thompson, Williams and Hess (2005). That is, a theme that applied to all, or all but one of the cases was considered 'general'. A theme that applied to more than half of the cases was labelled 'typical'. A 'variant' theme included at least two and up to half the cases.

Results

Adoption process

Global Theme 1: Positive experience of the adoption process. Half of the adoptive parents interviewed (n=4) experienced the adoption process as positive. The typical theme of *positive experience* was associated with a sense of *working cooperatively*, and having *open channels of communication* with the agency as organising themes. These adopters felt well supported by the provision of regular communication updates and timely advice by the agency whenever required. Although most of them (n= 3), had to go through a lengthy adoption processes. These parents also described the staff as instrumental in assisting to break down barriers with the birth family (e.g., by facilitating pre-adoption meetings with the birth parent[s)]). On the contrary, other parents felt the need to 'battle the system' as described below.

Global Theme 2: Negative experience of the adoption process. The remaining parents (*n*=4) had a negative experience of the adoption process due to the length and its characteristics (ridden by administrative hurdles). This typical global theme was linked to two general complicated organising themes*: inefficient* and *fearful system* with *excessive focus on satisfying the birth family's requests.* These parents attributed the latter to agency fears of repeating past abusive experiences with vulnerable birth parents (i.e. forced adoptions and the Stolen Generation). These families recurrently described the process as 'stressful' and 'frustrating'.

None of the adopters with adverse experiences objected to the time invested in going through stringent assessments prior to seeking adoption orders from the Court. Yet, they complained about organisational and administrative issues such as constant changes of allocated workers; provision of insufficient or inconsistent information; the need to produce the same documentation on a repeated basis after paperwork went missing; and, having to go through the same stage more than once as the validity of what had been previously undertaken had expired (basic themes). These circumstances also applied in those cases where the children had been placed with the prospective adoptive family since infancy and wanted to be adopted. As expressed by one of the adopters: 'Despite always having maternal consent, the process was long and inefficient. It was just incompetent from start to finish and it was all about the birth family, not about us, not about the child.'

The postponement of decision making by the agency or the Court was perceived by the parents as fear of reproducing past abusive practices towards birth families. In one case the lack of parental consent led to a child having to wait until reaching the age to consent (i.e., 12 years) before the agency initiated the adoption process.

> *She would always verbalise this (*desire to be adopted*) to the caseworkers. Yet,* [the welfare agency] *would not proceed without maternal consent. They are so terrified of making a mistake because of the Stolen Generation and Past Forced Adoptions that they're forgetting about the child…*

Similarly, in another case, the Court required the agency to exhaust all avenues to find a birth father (even when the mother herself could not provide this information) thus introducing additional delay.

> *It was very upsetting to have that Court date then put off while the Magistrate insisted on the caseworkers going and doing another check to try and find who the father was. It was like 10 years down the track. Considering we had had* [child's name] *in our care from when she was born I think taking 10 years for the adoption to go through was just ludicrous. It got to the point that* [child's name] *was asking: "When am I going to be adopted?" She was old enough to know what was going on.*

Contrary to those who felt there was a partnership between all the parties, those who had negative experiences felt excluded by the lack of communication from the agency.

> *During the adoption it is very difficult for foster carers to be supported because unless you are party to the legal proceedings, you're not provided with all the information. We were basically told "You'll need to know when you need to know. Otherwise, mind your business."*

One adoptive parent explained the immediate and future impact of these issues on the child, the family and other children in need of adoption:

> *During the process your foster child is in an insecure relationship in terms of their legal belonging and permanency within your family and there is continued stress and strain on the foster family. As a consequence* [child's name] *is an only child. And while we would have loved to have fostered and adopted more than one child, the consequence of the process is that our family has chosen not to do that again*

Post-adoption contact and Relationships

Global theme 1: The child belongs to two families. This typical global theme **was** present in the interviews with four adoptive parents. The general organising theme was *the birth family has a role in the child's life* which led the adoptive family to be open to a range of contact interactions beyond and above those established in the adoption plan, such as:

- allowing the birth mothers to participate in parenting routines (e.g. putting the child to bed and reading a story);
- proactively engaging the birth father (e.g. by reminding him of important dates, organising fun outings on his behalf) ;
- jointly celebrating birthdays; and,
- allowing the child to have overnight stays and extended holidays with birth family.

In two cases, the positive relationship between the adoptive and birth families developed even after some earlier tensions. In one instance, the child's two families had gone through an acrimonious process in Court when the birth family tried to regain custody of the child while in care. In a different case, the adopter was initially apprehensive to meet

the birth family for safety concerns. However, her fears dissipated after receiving letters of gratitude from the birth mother. In all four cases, the child had reportedly developed a strong bond with birth and adoptive family who now had mutual respect for each other. Nonetheless, some challenges were present at times in trying to achieve a balance around the time spent with both families; conciliating different approaches to child upbringing; and, maintaining boundaries. In once particular case, the adoptive family's trust was tested when the child disclosed that a birth family relative had been sexually inappropriate towards them (a criminal process followed). Nevertheless, these adoptive parents agreed that the benefits for the child deserved working through the difficulties.

One of the adoptive families reported developing a strong and positive connection with their adoptive child's previous foster carers. This relationship continued to be nurtured by gatherings between the two families. In contrast, the birth family of this child found it emotionally challenging to cope with visits. Nevertheless, the adoptive family maintained post-adoption communication through letters and photos to keep them up-to-date with the child's progress. This was a mutual exchange with the child's birth mother and grandmothers for several years. The father had never reciprocated until recently when he replied expressing his gratitude for the ongoing news about his daughter.

Throughout the years, three of these four adoptive families had taken a supportive role towards the birth parents. The extent of these relationships became even more apparent when two of the adopted children's birth mothers died. In both cases, the adoptive parents became involved in the funeral arrangements and the eulogy.

Despite the abundant contact between these adoptive children and their birth families, this had been naturally embedded in their lives since they were very young and none of them were reported to be confused about the role that each person played in their lives.

Global theme 2: The birth family is part of the child's life but with boundaries was a global theme that emerged during only one of the interviews. The organising theme was *boundaries avoid intrusion.* This family was welcoming of maintaining relationships but mostly adhered to the 4 visits a year stipulated in the adoption plan. In this case the emphasis was on approaching visits as a pleasant social outing. Beyond that, respectful boundaries were maintained to avoid possible intrusions. The casual approach to contact meant that this was always a positive event consisting of a lunch or coffee outing where adults would talk and siblings living separately would play. 'It's positive, natural, not out of the ordinary either, so it's not a drama for [child's name]. She just thinks it's fun. And that's how you want it.' This positive relationship also developed after initial tensions as one of the members of the birth family wanted to gain custody of the child while in care. In this case, the connections appeared to be less emotionally intense than the ones who described the child as *belonging to two families*. Yet, these adoptive parents indicated an openness to increasing the frequency of contact should the child wish to do so in the future.

Global theme 3: Contact by all means. This was a variant global theme emerging in three of the interviews. The associated organising theme was *lack of focus on the child*.

In two cases, the adoptive parents reported emotionally harmful experiences for the child during contact, beginning from the time the child was in care. This was due to the parents' behaviour (volatile; indifferent or diminishing towards the child). Yet, despite the children's refusal, the agency continued to enforce the visits based on generic principles (e.g., 'research says maintaining contact is in the best interest of the child') or for reasons other than the child ('the birth parents are too belligerent'). The adoptive parents, foster carers at the time, adhered to the agency's expectations for fear of legal repercussions and the risk of losing the child.

It was very obvious that [child's name] *was stressed, upset, didn't want to go as often as they made her. Everything was to do with the mother and nothing was to do with the child.*

He didn't like it at all. He would be upset in the car and not want to go. And we would say to the case worker "He is quite distressed and upset" but they would always insist that the contact must continue and it was in his best interest according to research.

I feel like more damage was probably done at the contact visits than in those first months when he was in the birth family home and neglected.

In the third case, the negative experiences started after adoption and were related to frequent late or non- attendance of the birth family; or, lack of meaningful interactions with the child. Yet, the adoptive families felt compelled to adhere to the schedule as the adoption plan was registered in Court and thus became legally binding. This participant argued that there are no consequences for the birth family if they do not uphold their end of the agreement. However, the adoptive family needs to adhere to a plan that is affecting the child. Otherwise, they can be held in contempt.

Now as he is older, he is becoming aware. One day [child's name] *said, "I've had enough. This is dumb, I'm not enjoying this. You were so late. I'm ready to go home.*

This adoptive parent questioned the value and the purpose of the visits.

The purpose of the visits is supposed to be about building onto his identity and I would say that that doesn't happen. He does not talk about his life or

ask [child's name] *anything about his life either. He doesn't get down and play with him. He seems very distracted.*

As they grow older, children in this situation may refuse to continue the relationship with birth parents or develop protective mechanisms to cope with those visits. In one case, the child refused to continue any form of post –adoption contact as letters had also become disappointing due to the birth parent's unstable mental health. In the other two cases, the children continued attending contact out of fear of legal repercussions.

He wouldn't care if he went. He never asks to go and he won't be upset if I say he's going but he doesn't care either way. And at the end of the visit he's the same way; he's not upset to leave. So, now, instead of being distressed he's indifferent.

When are we seeing them? I just want to get the presents.

In one of these two cases, the quality of contact with birth parents never improved. However, the relationship with the siblings developed and continued to grow. Table 2 presents a summary of the findings.

Recommendations from Adoptive Parents

The participating adoptive parents provided some suggestions for (prospective) adoptive and birth parents, the adoption agency and the Court in relation to the adoption process and post-adoption contact which largely reflected their personal experiences.

Recommendations to adoptive parents

In relation to the *adoption process* the participants suggested that the adoptive parents should:

- Employ a solicitor to become party to the proceedings and have access to information if the adoption is contested.
- Understand how agreement to certain terms and condition will affect their family in the years to come.
- Refer to someone in an executive role if you have concerns about how the case is being handled by caseworkers, "Just keep pushing."
- Be prepared for a difficult experience.

In relation to the *contact* the participants suggested the adoptive parents to:

- Encourage contact for the child if it is a safe to do so.
- Be mindful of the emotional impact of contact on the child (even when positive) and allow downtime before and after. Preferably schedule contact during school holidays to avoid the chances of misbehaviour at school and its repercussions.

Recommendations to birth and adoptive families

The participants provided other suggestions to birth and adoptive family in relation to *contact:*

- Despite the past, it is not too late to for the child to develop a positive relationship with the birth family.
- Consider the 'big picture' as 'it is not about you but the child.'
- Make sure contact is a positive experience for the child

Recommendations to the agency

Similarly, the participants provided suggestions to the agency in relation to the *adoption process* and *contact*:

- Take the child's wishes into consideration.

- Bear in mind that adopters feel initially threatened by the idea of contact and have reasonable fears in relation to safety.
- Do not use 'junior' staff to handle contact matters as adoptive parents need to have discussions and debrief with somebody with experience.
- Encourage birth family to maintain - within reason -the child's routine during contact.

Recommendations to the Court

Finally, the participants provided suggestions to the Court in relation to *contact*:

- A minimum of four times a year of face-to-face contact does not always work and should not be set as the minimum standard. Perhaps, there does not *always* need to be face-to-face contact.
- It should be easier for families to change a registered adoption plan if the contact arrangements are not benefiting the child.

Discussion

To the best of the authors' knowledge, international research on adoptions from foster care has so far mostly concentrated on 'matched' or 'stranger adoptions' rather than adoptions by foster carers. In addition, there has been no previous published research on adopting carers from any jurisdiction in Australia as it is reflected in our study. The experiences reported by our sample of eight adopting foster carers in NSW Australia, support the findings from previous studies on adoption from care. It could be argued that some of the similarities that are observed in open adoptions across geographical jurisdictions also apply to a wider constellation of family arrangements. More specifically, the challenges in maintaining birth family relationships as described by the participants may not be

privative of adoption arrangements per se. In fact, foster children and foster families are also faced with the tensions, emotional and logistical hurdles inherent to belonging to more than one family (as already abundantly researched and documented). Further research into these commonalities may expand the debate in relation to aspects that are possibly erroneously perceived as intrinsic to open adoption and used -at times - as a an argument to favour alternative placement arrangements.

Adoption Process

The adoptive parents who experienced the process of adoption as negative attributed this to factors related to the system, such as inefficiency, excessive focus on the birth family; and, lack of support and communication, which resulted in a sense of isolation and the need to 'battle' the system. As expressed by Chanmugam et al. (2016, p.18) 'Adoptive families should be viewed as a resource and a collaborative partner in meeting the mutual goal of finding permanency (…).' However, it is important to bear in mind that the participants' experiences took place before 2014 (i.e., prior to the legislative changes that prioritised adoption to long term foster care in NSW). Therefore, current foster carers seeking to adopt may be likely to undergo improved processes. This has implications beyond obtaining adoption orders. Previous studies have identified that openness is significantly related to satisfaction with the adoption process for adoptive parents (Ge et al., 2008). Adverse adoption experiences may also preclude the parties of an adoption plan from trying to informally renegotiate its terms or have them formally reviewed by the Court (if registered). This adherence to obsolete or damaging agreements is likely to debilitate relationships.

Post -Adoption Contact and Relationships

Some of the children adopted from care in the participating sample developed strong bonds with <u>both</u> families through pre-and post -adoption contact within a specific context of circumstances.

The initial frequency of contact was usually determined by the agency's early considerations of reunification which later proved unrealistic. However, the continuity and quality of contact appeared to be the result of other issues that dynamically influenced each other, such as the agency facilitating connections between the two families and inclusive contact arrangements (*system related factors*); the child having no traumatic exposure/interaction with the birth family due to early placement in care *(child related factors);* the adoptive family's attitude regarding the child belonging to two families (*adoptive family related factors);* and positive face-to-face contact on a regular basis from a young age (*contact related factors*) with a healthy birth family network (*birth family related factors*)

As indicated by previous studies, the timing and modality of contact during childhood appears to matter. Growing up with ongoing and positive birth family contact, the children in this sample developed a connection to two families as 'natural' or 'not knowing anything different' as posed by some participants. On the contrary, when adoptees maintain limited forms of post-adoption contact (e.g. letterbox only) throughout their childhood, the emergence of adolescence may bring unwelcome challenges to the adoptive relationships. At this stage, children driven by curiosity tend to contact their birth family through social media autonomously and independently of their adoptive parents' knowledge or support (MacDonald & McSherry, 2013).

Conversely, other children in the sample had very damaging experiences of contact that led to the cessation or strong apprehension towards the continuity of contact and the relationship with the birth family. The factors that influenced these outcomes were mostly

related to the characteristics of *contact, the birth family* involved in contact and the *system*. That is, these children were, from infancy, recurrently exposed to stressful conditions in visits during which parents displayed aggression or indifference, possibly due to mental ill health. In turn, the agency continued to enforce contact by applying policy and quoting research findings irrespective of the specific child's experience. As frequently encountered in the literature, it is important for adoptive parents, to have the ability to control and decide the arrangements on the basis of how the visits impact the child (e.g. Logan & Smith, 2005). However, when this capacity to decide is taken away, apart from the child's harmful experience, there are other unintended effects, such as irreversible damage to all relationships involved.

Some birth and adoptive families developed strong and positive post-adoption relationships even after initial tensions, after the adoptive families perceived that the child was not negatively affected by contact.

These unique relationships can be established as mutual feelings of threat subside, gratitude and respect grow, and the families become more confident of their role in the child's life. Ryan et al. (2011) referred to the emergence of a 'birth-adoptive family kinship network' which largely applies to the relational landscape of some of the families in our study.

Frequent positive face-to-face contact posed challenges (to boundaries, conciliation of different lifestyles, and safety). However, this did not 'confuse' the child about the roles of significant others in their lives or 'deteriorate' adoptive relationships.

In the context of this sample, for those children who were having a positive experience, the nuisances of contact did not outweigh the benefits of maintaining ongoing face-to-face

connections to birth family relatives. However, as posed by one adoptive parent "living in two families is hard work".

Some of the adoptive and birth families were able to regulate contact according to the degree of closeness that suited their needs.

Consistent with the literature contact arrangements were found to be dynamic and specific to the parties involved (e.g. Neil, Beek, & Ward, 2013). Participants who reported satisfaction with contact and perceived the adopted child as benefiting from it, greatly differed in the arrangements they had in place. That is, some adoptive families facilitated frequent unrestricted access, while another family adhered to the 4 times a year as initially agreed upon in the adoption plan and another family only exchanged communication through letters. They all agreed on the value of maintaining family connections, but one emphasized the importance of having boundaries in place.

In some cases letters played an instrumental role in breaking barriers and building gradual bridges prior to progressing towards other forms of contact. In other cases, letters on their own became a very positive form of communication to the satisfaction of all parties.

The latter may especially apply when/while the birth family members are not in a position to participate in the child's life to a greater extent.

Limitations

This study is based on the experiences of a small sample of adoptive parents who adopted before 2014, i.e., prior to the legislative changes that prioritised adoption over long term foster care in NSW. Therefore, the negative experiences of the adoption process reported by some of the participants may not apply to more recent adoptions. Furthermore,

the study did not include the adoptees or the birth parents to obtain their own perspectives. Leaving aside these limitations, the findings of this study can and should inform the Court, policy makers and child protection authorities, as they reveal how their practice and decision making can have a profound impact on the lives of adoptive families.

Future research should explore in years to come how the legislative reforms to promote adoption have translated into an improved adoption process from the perspective of all the parties involved. More specifically, *if* and *to what extent* the adoption process becomes more expedite, more informed by a specific child's needs and respectful of prospective adopters and birth families' needs.

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Figure 1. **Thematic networks about quality of the adoption process**

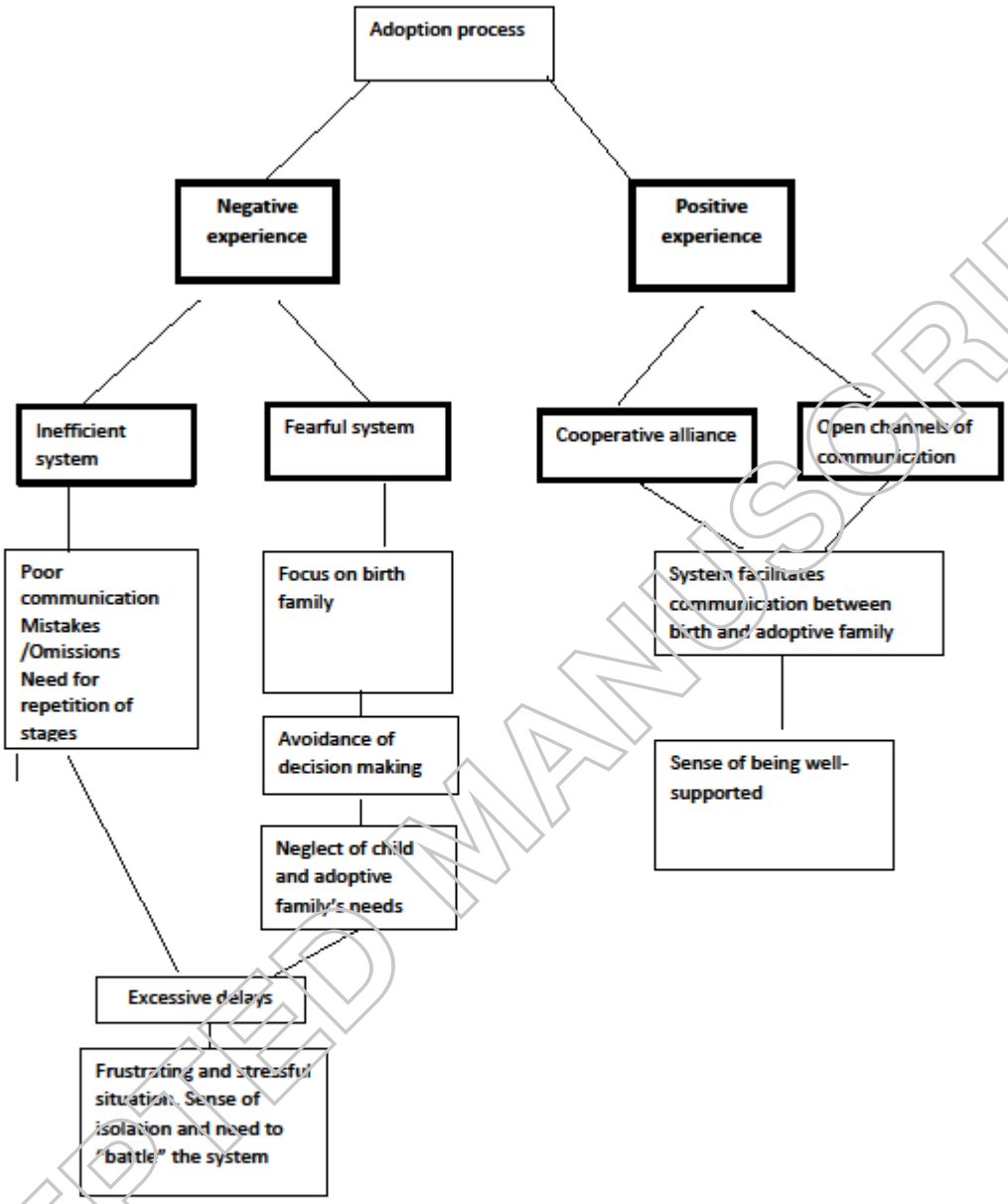

Figure 1. Thematic networks about quality of the adoption process

Figure 2. **Thematic map for positive 'the child belongs to two families'**

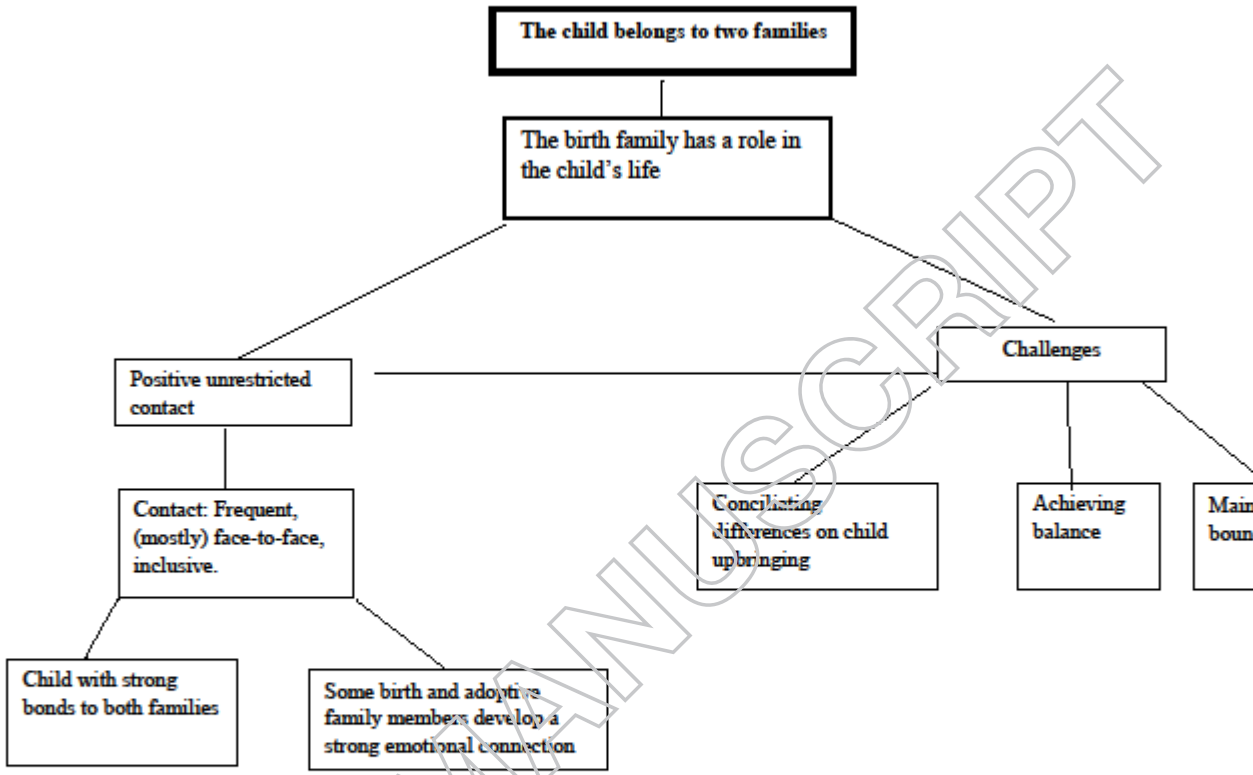

Figure 2. Thematic map for positive 'the child belongs to two families'

Figure 3. Thematic net work for the global theme 'the birth family is part of the child's life but with boundaries'.

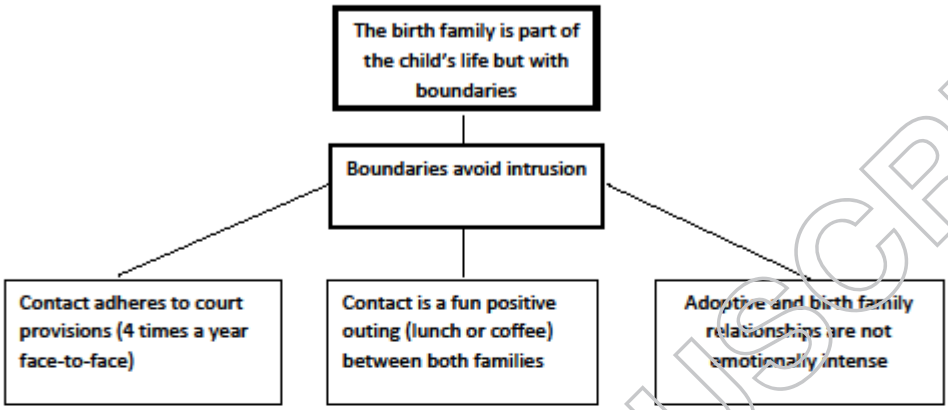

Figure 3. Thematic network for the global theme 'the birth family is part of the child's life but with boundaries'.

Table 1. *Semi-Structured Interview*

Questions posed to adoptive parents
1. Adopted child's age (current, at the time of coming into care and when obtaining adoption orders)
2. What was the experience of the adoption process like?

3. Is (child's name) currently having contact with his/her family of birth?
4. Which birth family members is your adopted child in contact with? How? (Face-to-face, Skype, email?) How often?
5. How are visits arranged? Did/do you have a say in who you have contact with or how this should happen?
6. How has contact changed (if in any way) since adoption?
7. How would you describe your adopted child's experience of contact?
8. What impact does this contact have on him/her; your relationship with him/her; your family?
9. Have there been any challenges? How have you dealt with the challenges?
10. What have you learned from your experience in relation to birth family contact?
11. Given your experience so far, is there anything you would like social workers/ Court/ prospective adoptive parents/ birth parents to know about contact?

Table 2. *Characteristics of the adoptions and contact*

Age at the time of placement	Age at time of adoption	Time from Placement to Adoption	Experience of Adoption process	Pre-Adoption Contact	Post-Adoption Contact
4 years	16 years	12 years	Positive	Face-to-face, positive , ongoing, and including several family members	Idem
1 year	7 years	6 years	Negative	Face-to-face, positive , including several family members	Face-to-face, positive, four times a year, including , including several family members other and/or extended family members
8 months	16 years	15 years	Positive, child of age	Face-to-face, positive too frequent with some impact on the adoptive relationships, including several family members	Face-to face, positive, still ongoing but with a schedule more accommodating of an adolescent's needs and wishes.
4 months	1.5 years	1 year	Positive	Face-to-face with paternal and maternal grandmothers, positive. Letter with mother.	As per birth family's wishes, letters with grandmothers and father, positive and ongoing.

4 months	6 years	5 years	positive	face-to-face initially with child only	Face-to-face, positive, with adoptive family and birth families , frequent, unregulated
3 months	6 years	5 years	Negative	Face-to-face, negative (‘forced’) and ongoing with parents and siblings	Face-to-face, negative ongoing, positive with siblings but negative with parents
From birth	11 years	10 years	Negative	Face-to-face, negative (‘forced’) very frequent, with mother	No contact by child’s decision
From birth	8 months	8 months	Negative	Face-to-face, positive and ongoing with father and paternal grandmother	Negative due to parent not showing up and lack of meaningful interaction. Four times as year as per registered adoption plan