May I be your Facebook Friend?
Life Stories and Social Media

About 11 years ago, three ambitious, youngish members of the Bar sat in a coffee shop in Leeds. Their names were Andrew McFarlane, David Hershman and Eleanor Hamilton. Despite our ambition, and despite the fact we were having a “debrief coffee” having just come out of court, what we were talking about was the fact that we had 12 little girls between us. Laura at the top, (now I think about 29 (a McFarlane)) and little Florence at the bottom, then about 7, with my 4 muddling around in the middle. Of the 12 girls, 7 are here tonight; the three of us couldn’t believe how lucky we were then, and Andrew and I cannot believe how lucky we are now. It goes without saying how proud David would have been of each of his 4 girls and how proud and grateful he would have been too, and of, Abi.

Alan Levy devoted his working life to children although he had none of his own. His particular interest was adoption and, had he lived, he would undoubtedly have been writing and lecturing and giving evidence to Parliamentary sub-committee’s about the impact of Facebook on adoption.

On that far off day 11 years ago, Facebook was unknown and mobile phones were just becoming commonplace, Google was not the default browser. Pagers were still used.

I have a cousin - he is a tough uncompromising businessman; our children adore him but they would certainly not cross him. He is a ‘second time rounder’ so, although he is my age (55, to save you the effort of Googling me), his children are only 17 and 11. Last summer he agreed to his elder boy having a 16th Birthday party.

I counselled him against it - I have done 16th birthday parties - but ‘No’ it would be nice, he said, boys and girls from the Tennis Club, entry to their lovely gardens for the party would be on production of an invitation only and it was strictly no booze; a couple of his friends would help enforce the rules.
How many? I asked “a maximum of 50” he said…. I smirked.

And then the party started to be chatted about on Facebook
and the day came
and the weather was beautiful
and somewhere in the region of 250 arrived at my cousin's home - definitely not all from the tennis club, and definitely not all under 18. There wasn't a hope of enforcing the no gatecrashers rule; children of 14 were catastrophically drunk and the police were called twice - once by my cousin. The worst moment was when the Police arrived a third time at 5.30am looking for a 15 year old girl who hadn't made it home...

My cousin thought this was a hideous experience and he had extensive discussions with his sons about Facebook.... I thought it was a hideous experience as well but :

Just imagine the following situation, not taken from a real case, but raising the sort of issues routinely seen in courts since Facebook became part of the fabric of all of our lives: two girls are adopted aged about 5 and 7, the likelihood is that neither the girls nor the adoptive parents will have had any therapy or support, whether upon placement or thereafter, and often the adoptive parents will have been be unaware of any psychologist’s report prepared for the care proceedings.

Both of the girls settle into secondary school and is on course to sit public exams and go on to further education. Their lives are secure, routine and that most precious of all things, ‘ordinary’ until one day, out of the blue, a birth half-sister finds the girls through Face book.

Within no time their world, and the world of their adoptive parents, collapses. The birth family bombard the girls with texts, phone calls and emails all seeking to justify the past actions of the birth family and which deliberately undermine the adoptive family. The adoptive placement brakes down - not because the adoptive parents are not willing to ride out the storm, but because the girls, by now, are determined to be with their birth family and in the ensuing emotional maelstrom run away time and again first from home and then from foster carers. Eventually the girls have a spell in a residential home, an alien and frightening environment for them after the calm of recent years. What chance is there for their education now? The children are adrift; their life in tatters having lost all the love and security that was helping them to recover from their early life experiences.
The Changing face of Adoption

Adoption is a modern concept; until after the First World adoption as we know it today did not exist. Ad hoc arrangements were made for children whose parents wouldn’t or couldn’t look after them. The options were being cared for within the extended family, amongst neighbours or, worst of all until the abolition of the Boards of Guardians in 1930, the work house.

The Adoption of Children Act 1926 replaced this unregulated system with a formal legal route for the provision of a permanent transfer of orphans and illegitimate children to new parents.

Adoption hit its peak towards the end of the “swinging sixties”; “swinging” that is unless you were a young girl who was enjoying sexual liberation without the benefit of modern contraception – nearly 25,000 children were adopted in 1968 of which 92% were illegitimate children. In the days when there remained a crippling stigma to having a child outside marriage, where there was neither reliable contraception nor the availability of safe and legal abortion, adoption was the almost inevitable solution for a girl who was ‘caught out’.

51% of those adoptions were babies, handed over by young women when they were a few weeks old, usually never to be seen again and very often the children growing up never having been told that they had been adopted.

The end of the sixties marked a sea change; The Abortion Act 1967 came into force in April 1968. In that first year there were 22,332 abortions climbing to 190,000 in England and Wales in 2011. The change in society’s attitudes to single parents, the availability of abortion and of reliable contraception validated by the abolition of the concept of illegitimacy, means that adoption is now only rarely a chosen route for young women of the 21 century. Indeed I would suggest that the idea of placing a new born baby for adoption is a complete anathema to most young women who in these days of abortion and contraception cannot contemplate choosing to carry a child to term only to give him or her up as soon as he/she is born.

In 2011 – 2012 only 70 babies under 12 months were adopted.
As the years have gone on Adoption Law has evolved starting first the Adoption Act 1976 with its fiendishly complicated (at least fiendishly complicated if you were a junior barrister trying to apply it), two part test for dispensing with the consent of a parent) and, most recently The Adoption and Children Act 2002 which finally brought adoption into line with the Children Act 1989 making the child’s welfare the paramount consideration rather than the old first consideration.

In the real world which existed outside the courts and through the social changes of the 1960s and 1970s, whilst the term “Adoption” and the legal concepts governing adoption remained substantially unchanged, child care and the types of children needing permanent secure alternative families underwent a revolution. The Cleveland Enquiry was the catalyst for a wholesale review of the law relating to child care embodied in the Children Act 1989. Whilst the “Cleveland Affair” is remembered, mostly in relation to the wrongful removal of children from their homes for wholly inadequate reasons and for the melodramatic coverage of so called satanic ritual abuse cases; the Children Act which it spawned marked the creation of a legal structure offering children in need the sort of protection and care which hitherto had been available only through the wholly inadequate provisions of the Children and Young Persona Act or via wardship.

So it was that gradually the profile of the child placed for adoption changed to that which we now see; no longer placed as a consequence of the tragedy, to both mother and child, of separation forced upon them by social stigma, but now, almost inevitably those children who are adopted have been in local authority care having been removed from their parents due to concerns as to abuse and/ or neglect. In the year 2011 - March 2012 some 3,450 children were adopted, the average age was 3 years 8 mths; 74% were between 1 and 4 and 21% between 5 – 9.

This complete change in the profile of children being placed for adoption has three significant consequences:

These children will have memories of their birth families, and they are unlikely to be good
They may well have on-going relationships with siblings or other family members
The proceedings are far more likely to have been contested, with parents fighting through the courts to keep their children - a far cry from those sad young women in grim mother and baby homes who accepted the inevitability of giving up their babies in the 1940s and 50s. This means that these children will have suffered instability and fractured attachments, often they will have been in an out of care whilst attempts were made safely to rehabilitate them home and each time the attempt failed they were moved to a different foster carer.

These then are the children seeking permanence and stability in the age of social networking and 24 hour communication, on devices as small as a smart phone – soon I gather to be as small as a watch.

The value of adoption is well recognised; as recently as March 2013 the Select Committee on Adoption Legislation chaired by Baroness Butler-Sloss said in its report:

*We recognise that unique nature of adoption and its potential to enhance the lives of children by providing a life-long, permanent route out of the care system. We agree with the government that there is scope to increase the number of children benefitting from adoption.*

Indeed, with respect to Baroness Butler–Sloss – how right she is; 2,260 children may have been adopted in 2011-2012, but another 28,000 came into care of whom 16,500 were under 4.

**Closed Adoption**

Over the years, structures have been developed to maximise the stability of an adoptive placement, such placements are deliberately called ‘closed adoption’, to the child they are the yearned for ‘forever families’. The arrangement has been that a “Life Story” book is prepared with photos and commentary on the child’s early life. Ordinarily it contains the child’s birth first and last names, a potential way for a child to trace their birth family; should the last name be deleted? What then about identity? The quality of this Life story work is well recognised to be very patchy; often it is geared to the very young, simplistic in its approach and raising more questions than it answers as a child gets older. In a misguided attempt to stop a child from feeling rejected or unloved by their birth parents Life story books, all too often,
present a sanitised version of events, along the lines of “your birth parents loved you very much but couldn’t look after you because things had gone so badly wrong in their life” such fairytales offer no protection to a child when they start trying to find their Mum via Facebook and she tells the child that she is “over the bad times now she is with her new partner”, omitting to mention the typical scenario of the drugs, the domestic violence and appalling neglect that led to the original admission to care, or the 3 or 4 traumatic attempts made by the local authority safely to rehabilitate the child in question to her care.

In a closed adoption, commonly arrangements are made for indirect contact to the parents with the Local Authority acting as post box – until recently this has tended to mean that a school photograph is sent annually and a short progress report. The giving of photographs has also become problematic with numerous examples of them being put on Facebook on “Have you seen this child” or on missing person’s sites. In addition, in a conventional ‘closed adoption’ the birth parents are allowed to send a couple of cards a year usually, but not always, around Christmas and Birthdays. These missives from the birth family are often kept by the adoptive parents for the child when he or she is older.

Occasionally there is limited on-going contact with siblings particularly if the children have been split between more than one adoptive family.

In recent years where all the parties feel able to cope, the birth parents and prospective adopters meet and this can often help the birth parents accept the adoption and will also prevent the birth parents being demonised in the eyes of the adopter.

Direct contact with the birth parents is however very rare. The courts have been clear that, as with any parent, it is a matter for adoptive parents to decide who their child should and should not see once the adoption has been formalised. The birth parents do not know the names of the adopters or where they live. Progress reports contain no information, such as the name of schools which could enable the birth parents to find the child.
Whilst all this is designed to provide a carapace within which the adopted child and its new family can grow together and develop stable and secure relationships, what it doesn’t do is wipe out that child’s early life experiences: as the Select Committee put it –

Most children are now adopted from care and often have complex needs due to their early life experiences. The impact of such experiences will vary depending upon the age of the child, the length of exposure to maltreatment and the severity of abuse. The effects may be compounded by experiences in the care system, where delay and frequent placement moves can leave children bewildered and mistrusting of adults.

The starting point therefore is that the children adopted in the 21st century are likely to have attachment and other issues which will only become more obvious and challenging as they enter adolescence; Barnardos in their evidence to the Select Committee, said that the availability of support was critical for sustaining adoption placements especially for disabled children, older children, and children with complex behavioural needs. They said that failure to provide necessary post-adoption support risks family breakdown and the possible return to care of an already damaged child.

The Adoption and Children Act 2002 introduced an entitlement for adoptive parents and their children to request and receive an assessment of their adoption support needs – what it does not do is require for those needs, once identified, to be met.

Until the advent of social media, whatever may have been the challenges adoptive parents faced from their children, (particularly in their adolescence as they push boundaries, struggle with their emerging curiosity about who they are and are naturally secretive), these could largely be worked through within the safety of closed adoption. Rarely was the placement undermined or destabilised by direct interference from the birth family whatever other choppy waters it had to navigate – and where it did, although damaging and distressing such contact was not the Trojan horse in the bedroom that is Facebook on your child’s laptop.

One such case was ReO (Contempt:Committal) [1995] 2 FLR 767 heard in the Court of Appeal in 1995. The proceedings were contempt proceedings in which the
birth parents had allegedly written letters to the police alleging that the adoptive father had sexually abused his daughter. In his judgment Leggatt LJ said: 

… they [the birth parents] would stop at nothing in their efforts to destabilise the children’s new home

The actions referred to include them parking their camper van outside the adoptive home and ringing the doorbell and asking to see the children. I suspect many adopters would say such intrusion is infinitely preferable to Facebook, at least you can see what you are dealing with when it is hateful letters and camper vans parked outside your door.

Peter Jackson J was in that case and when we were discussing it he said that the situation we faced in dealing with the impact of Facebook on adoption is a bit like the Maginot Line. The Maginot Line (for those who don’t know, and I confess that yet again I was on Google), was the line of fortifications built by the French along the French/German boarder which, with the exception of the Great Wall of China, was the greatest system of permanent fortification ever built. The French thought that in doing so they were keeping themselves safe from invasion and that the horrors of the Great War would therefore never be repeated and just look what happened – the structure was permanent and inflexible and the Germans simply used the swiftness and flexibility of Blitzkrieg to nip around the whole line– and so with adoption, careful structures of closed adoption have been created to allow the protection of the new life of a damaged child, with its crucial elements of stability and permanence and what happens? …..it is blown to pieces through that Trojan horse in the bedroom.

The Trojan Horse
Facebook was launched in April 2003. There are no statistics recording the number of adoptions that breakdown or the reasons for their breakdown. It is impossible therefore to gage with any accuracy how many adoptive placements have broken down consequent upon Facebook contact with the birth family. What is known is that by 2009 BAAF (British Association for Adoption and Fostering), had commissioned the writing of three pamphlets on the impact of social networking on adoption. Within 6 months the pamphlets had become books: Facing up to Facebook: A survival guide for adoptive families and Social Networking and Contact: How Social Workers can help adoptive families. As the author Eileen Fursland began her research she
was deluged with responses from all over the world. The over riding message, she said in her foreword, was ‘Thank goodness this is being addressed. I have no answers but I hope someone does. One social worker said: I feel as though my role so far has been to run along behind with a mop

Helen Oakwater, an adoptive parent and former member of the government’s Adoption and Permanence Task Force and trustee of the charity Adoption UK has written a book called *Bubblewrapped Children – how social networking is transforming the face of 21 century adoption*. In her book she describes the trauma she and her family went through when her child’s birth parent contacted her via Facebook and examines how the face of adoption is and must change in the age of social networking.

Eileen Fursland’s book *Social Networking and Contact: How Social Workers can help adoptive families* contain numerous case studies relating to various levels of intrusion and damage caused by Facebook contact taken from real cases. There may be no statistics available yet, but ask any care judge in the country and each will have cases where they are dealing with the fall out from Facebook contact. Everyone has their anecdotes, I do myself: be very clear I am not talking about the possible future effect of Facebook on adoption; it is happening now all over the country.

Consider the impact Facebook contact could have on a child with learning difficulties who has been removed from her family after having been abused by them. She may have been in her placement for a long time and is settled, contented and, in all likelihood attending a life skills course which she loves, as much for the social aspect as for what she is capable of learning. Such a young person is inevitably extremely vulnerable. Suppose she is contacted by her birth mother through Facebook, how easy it is to manipulate such a girl by smuggling a secret mobile phones to her and, with the help of the birth mother, to set up a second false Facebook account to get round the privacy settings her adoptive parents have put in place to protect her. How can such a young person possibly cope with such destabilising chaos and confusion? Consider the risk to her mental health and to the potential losses to her: of her home, her safety and (if her birth parents are regarded as a risk to other students) of her college course How can the courts protect such a young person? It
could send her parents to prison for the breach of any injunctions it may have put into place to prevent contact, but the damage to that young person which is unestimatable and will have already been done and, as is so often the case, cannot be undone.

One of the real challenges presented by the advent of Social Networking is that from every angle everyone is unprepared – Local Authorities, courts, adopters have all been caught unprepared by the speed at which Facebook has grown from a geeky website where Harvard students and later university students put up photos of themselves getting drunk in Bars, to what it is today.

More statistics: - The most recent figures say that 27m people in Britain use Facebook at least once a month with 71% connecting every day with an average of 130 ‘friends’…. and don’t forget Twitter with 500m followers and 400m Tweets a day.

If social workers have been ambushed by the speed of the growth and influence of Facebook, so to have the children with whom contact is made or who make contact with their birth families through Facebook; a family member can be contacted within hours if not minutes of a search. There is no time to prepare or to reflect and inevitably no time for mediation or management of the renewed contact and absolutely no safeguards and no supervision. Within days of the first contact children can be in touch with a vast array of members of their birth family including half siblings they didn’t know existed and the new partners of their birth parents, and all too often in secret.

The themes seen through such research as been done so far (and which reflect my own experience )include:
the child being bombarded with texts emails and phone calls
undermining the adoptive parents and trying to turn him/her against them
rewriting history and denying any responsibility for what happened
dumping their own problems onto the child.
And it should be remembered that all this is happening at a time when a vulnerable teenager may be in conflict with his adoptive parents who struggle to hold the boundaries.

Chillingly, in their book BAAF found it necessary to dedicate a whole section on how to manage children running away to birth parents following Facebook contact. They provide practical advice on keeping lines of communication open and always making sure the child’s mobile phone is topped up

We can’t put the technological genie back in the bottle; as The President commented in *F v Newsquest Ltd and Others* as long ago as 2004, the concept of public domain has changed for ever as a result of the revolution in information technology.

In their book *Social Networking and Contact* BAAF conclude by posing these important and pertinent questions:
Will it be possible in years to come, to keep a child’s identity secret
If not will ‘closed adoption' become a thing of the past
Will prospective adopters already asked to take on a huge amount when they adopt traumatised children be willing to adopt if it involves face to face contact with the birth family
Does all this spell the beginning of the end of adoption in the UK as we now know it?

I asked Baroness Butler-Sloss for her view in relation to that last question - *does this spell the beginning of the end of adoption in the UK as we now know it?* - her reply was a resounding “No”, Baroness Butler-Sloss said adoption, with what she described in her summary to the Report of the Select Committee she had described adoption as, *in many ways unique in its benefits* when considering the threat to adoption posed by social media she told me that adoption *must not be sacrificed as a valuable solution for many children, rather ways must be sought to accommodate the changes brought about by social networking.*

The question of whether adoption can survive is a very different question from the question as to whether ‘closed’ adoptions as we know it can continue to be sustainable. I am very grateful to the eminent Child Psychiatrist Dr Eia Asen of the Malborough Family Service attached to Great Ormond Street Hospital, who has
been discussing these issues with me. (via Email). He believes that closed adoption, since the arrival of social media and unboundaried TV shows such as Big Brother, Ophra Winfrey and Jeremy Kyle with spontaneous disclosures galore is no longer a sustainable concept. He gave an example of one case where the adopters had kept from their child that the birth father had tortured and killed her sister aged 10; when she Googled her father’s name she found out what really happened and put it on Facebook and, as Dr Asen put it, unleashed an emotional and legal nightmare.

The way forward
What then is to be done to cope with the Trojan horse?
There seems to be reasonably broad agreement that, in as much as there is a solution, it is to be found in preparing a child and their adoptive family in the best possible way for any internet assaults on their security and for the unexpected revisiting of the past for a child, which revisiting is often presented in mythical form by the birth parents. The best and most effective preparation would be provided by reviewing and changing the way in which Life story work is done and in the recognition that post adoption support/therapy is not a luxury but an absolute necessity.

Helen Oakwater believes that only by learning what happened to them in their early life can children can begin making sense of their inner world. She believes that what is needed is what she calls ‘robust’ life story work which deals with the ‘gruesome facts’ not just the nice stuff. This, she believes, is crucial and will protect children during adolescence and in later life. Appropriate therapy to process the trauma associated with maltreatment is, also she believes essential.

BAAF in their guidance to social workers on how to advise parents on protecting children from the consequences of social networking has a section on online safety and protecting children’s privacy. In it it talks about helping parents to understand how to keep a child’s identity and location confidential and also how to monitor and control the websites to which their child has access. In addition to this practical advice BAAF comes to the recurring theme that such advice should not be given in isolation –
the best internet security in the world, they say, is no substitute for talking to the child about her life story, adoption and birth family. Parents must do their best to ensure that their child is not struggling with unanswered questions.

Dr Asen thinks that rather than focusing on help only when there is a crisis, there should be routine preparation of adopters followed by counselling for children and adopters. This is a necessary preventative measure given, he reminds us, and that the children adopted today are likely to display attachment difficulties. In an ideal world Dr Asen says such counselling should happen at developmentally significant junctures, he suggests after placement and then at 5, 9/10 and again at 13/14.

All of which begs the question - where there is no legal requirement to provide support, who is going to coach the adoptive parents about the practicalities such as privacy settings and social media safety and who is going to provide the counselling and therapy, on an incremental basis, necessary in order to provide their child with the knowledge and understanding of their history necessary in order to protect themselves, as they grow up and reach adolescence?

Many adopters struggle with their children’s emerging curiosity and don’t know how to manage it. Such difficulties result in Dr Asen’s experience in either an unspoken injunction not to ask questions, or by the parents supplying confused and confusing information. Dr Asen says that both these approaches make the children more vulnerable even before access to social media provides new opportunities and new risks to a child as they enter adolescence and want to find out about their parents. As a consequence Dr Asen sees children risk putting themselves into potentially dangerous situations when contacting their abusive birth families and, in his experience, finds that children often re-enact previous experiences dating back to pre-placement times.

In addition to regular counselling, Dr Asen believes that Life story work needs to be developed over time with a child. He underlines the danger of the sanitised version and the implicit lies and omissions which children know, sooner or later, are not the truth and which undermine their trust in their adoptive carer. As important as the trust issue though is that within life story work lies crucial information about the past which
can provide a child with measure of self protection where unplanned contact takes place.

Helen Oakwater puts it this way – *Empower the child rather than fiddle around with privacy settings.*

Baroness Butler-Sloss’s Select Committee was not examining social networking and her report does not therefore factor in the impact of social media. Even without consideration of that additional threat to the stability of an adoptive family, her committee reported that many of the witnesses cited the lack of post adoption support as a reason for prospective adopters dropping out during the adoption process. The evidence from After Adoption was that *where there is a guarantee of adoption support available this significantly increases enquiries from prospective adoptive parents.*

Post adoption support therefore has a two fold value: not only does it protect placements once made, but it also supports the Government’s objective of increasing significantly the number of prospective adopters.

Ms Oakwater, as an adoptive parent whose life was shattered by Facebook contact, poses the question: *what sensible prospective adopter would take on a child knowing that unsupervised direct contact between their child and the birth parents, who mal treated him would occur as he hit his teens? No change in the present system, she says, equals no prospective adopters.*

As the trend increases for teenagers to leave their adoptive homes and return to abusive, toxic, birth parents, is it really putting it too high to say that unless we adapt and provide children and adoptive parents with a protective wrap in the form of adequate Life story work and post adoption support then Facebook will destroy adoption as we know it?

Helen Oakwater considers the possibility of a new model of adoption whereby direct contact is facilitated through a skilled third party. Baroness Butler-Sloss disagrees with such a model; whilst vigorously supporting the concept of post adoption support, she is sceptical of the benefit to, or necessity for, a child properly informed and with proper post adoption support, to have any form of direct ongoing contact with the
family who caused him or her significant harm such that it had become necessary permanently to remove that child from their care.

The 2002 Act, as already mentioned, introduced an entitlement for adoptive parents and their children to receive an assessment of their support needs but with no requirement for those needs then to be met. The evidence to the Select Committee almost universally called for an entitlement to support to be introduced. The obvious point is made that the cost of providing such support needs to be balanced against the wider cost of a failed adoption and of the cost of accommodating a child into adulthood when an adoption fails - and that is even before you take into account that children in care are so much more likely to be part of the population that is not in education, employment or training

Tim Loughton MP gave evidence that adoption support services are greatly underestimated and it is a false economy not properly to invest in them. The ultimate cost, he says, is when adoption fails.

The Committee recommended that the Government should commission an independent cost-benefit analysis setting out the cost of breakdown against the cost of support. They further recommended that there be a statutory duty on local authorities and other commissioning bodies to cooperate to ensure the provision of post-adoption support.

For me there is really no need for a cost-benefit analysis and not just because the benefit seems blindingly obvious, but because, every time an ill-prepared adoptive placement breaks down or is seriously damaged by unregulated contact through Facebook, we, as a society, and me as a Family judge regularly making placement for adoption orders, have let down that family in an quite unforgivable way – so far as the child is concerned, the aim of adoption is for him to grow to adulthood in his or her “forever family” and in doing so to allow him or her an opportunity to recover from early abusive and traumatic experiences giving them a chance of that most precious of all things a ‘normal, prosaic life’ – instead he or she is retraumatised and plunged back into a world she cannot understand or rationalise and at appalling personal cost
And as for the adoptive parents, those people who provide a vital social function in caring for vulnerable and damaged children; not only have they given up a decade or more of their life for their child but now find their family life lies in tatters, and none of it of their own making – imagine for a moment the joy of adopting a 3 year old and then reflect on how you would feel, as one mother records it, on going onto your daughter’s Facebook profile, say 12 years later to see that the birth mother’s name has replaced yours as ‘mother’ on the front page.

We simply cannot wait for cost benefit analysis and pilot schemes before facing the problems thrown up by Facebook and other social media - technology certainly isn’t; on the contrary think of how Twitter has exploded on to the scene in the last couple of years. As time goes on it is only going to get quicker and easier for contact to be made by or with adopted children. If adoption is to survive, (and it must for all the undoubted benefits it brings to the children concerned), professional Life story work and structured counselling/therapy for the child and adoptive parents (and ideally the birth parents if they will engage), at intervals throughout childhood must become the norm.

The Children and Families Bill is presently going through Parliament: Clauses 4 and 5 require local authorities to provide a personal budget to parents’ children, but only where the local authority decides to provide adoption support. Clause 5 requires them to provide information about the availability of support services – although there is no obligation upon a local authority to provide adoption support or to meet a family’s assessed needs.

It may be that it is not too late for a further clause to be inserted into the Bill creating an obligation upon Local Authorities to provide children and their adoptive parents with such pre and post adoption support as is found to be required following an assessment of their needs.

Mrs Justice Eleanor King
June 2013