

# Supporting a Child Through the Open Adoption Process

The open adoption process can bring out a range of emotions for a child. These may include:

- a sense of security, knowing for certain who they will be living and staying with
- relief they will no longer be ‘in care’
- guilt they are letting their parents down by ‘choosing’ their carer
- a sense of loss and grief because they cannot live with their family
- fear of the unknown – how will adoption change their life?
- confusion or distress about what they, or other people in their life want for them
- frustration about the length of the open adoption process and the number of people they must speak with about their views, hopes, and worries.

These emotions can be overwhelming and difficult for them to manage. You can support children through this process by remaining compassionate, honest, and connected with them. It is vital that the child’s voice is heard and valued in the process.

## Talking With Children About Open Adoption

It’s important you speak to a child about adoption, throughout the different stages of the process. Even if a child is too young to consent to their own adoption, their thoughts and feelings about the adoption need to be considered and contribute to permanency planning decisions.

When talking with children, it is important they understand that the decision about whether they can be adopted is made by a Judge. Make sure you don’t talk in a way that encourages a child to think an adoption order will definitely be made.

Before a case plan goal is changed to adoption, you need to provide a young person 12 years and over with a copy of the [Mandatory Written Information on Adoption: Information for Children and Young People in Out-of-Home Care](#) booklet. It is important you talk to them about this information and answer any questions they may have. You may choose to provide this information to a child under 12, if appropriate. Otherwise, it is

your responsibility to talk to them about the information contained in it. This is the first opportunity you have to find out (and document) what the child thinks about being a permanent member of the carer's family.

Parents of a the child should be provided with the [Mandatory written information on open adoption for parents of a child in out-of-home care](#). Parents of Aboriginal and Torres Strait Islander children should also be provided with the [Mandatory written information on open adoption for parents of Aboriginal and Torres Strait Islander children in out-of-home care](#).

## Talking to Children at Different Ages

The language you use when talking to a child about adoption will be different depending on the age, development, and maturity of the child. Before starting a conversation with a child about adoption, consider:

- What is the purpose of the conversation?
- What do I need to explain?
- What sort of questions might the child ask?
- How will I manage any anxiety I may be feeling?
- What do I need to explain to the child's carer, so they can support the child after I leave?
- Where can I go to find out more information?

It's important for you to go in with an open mind about what the child might have to say about adoption.

For younger children, like toddlers and preschoolers, it is important to use simple language and focus on feelings that they understand. They may be able to understand simple feelings like happy or sad but will need reassurance to understand new and complex feelings. For example: "You can't live with your mum anymore, I know that makes you feel sad." A young child's body language and actions will also give you clues on how they are feeling about living with the carers 'forever.'

School-age children have more emotional maturity and can understand more complex emotions. However, they may become overwhelmed when faced with new emotions. When talking to school-age children, you can go into more detail and talk about more complex emotions. For example: "You can't live with your mum anymore because it wasn't safe for you at her house."

Older children can understand even more complex emotions but will still need your support not to become overwhelmed. No matter the age of the child, it is important that honesty and empathy guide your choice of words. For more information see: [Relationship Based Practice](#), [Working with Young People](#), [Tips for Talking with Children and Young People](#), [Difficult Conversations](#), and [Talking about tough topics and Kids Central tools and resources](#).

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“We can never effectively help a child unless we can understand his reactions to his past and his fears for this future”

– Ner Littner (1956)

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## OOHC Open Adoption Assessment

The out-of-home care (OOHC) open adoption assessment process is likely to be a time of stress and uncertainty for a child.

They may worry about things like:

- having to talk to an assessor on their own, or not understanding what the assessor is asking them
- saying things to the assessor they think will upset their parents, siblings, or carer,
- their parents, siblings or carer saying something to the assessor that will stop an adoption happening
- being worried about what family time might look like after an adoption order is made.

You can support a child through the assessment process by:

- explaining the purpose of the assessment and its place in the adoption process
- actively listening and appropriately responding to the worries or challenges they are experiencing
- depending on the child’s age, helping them understand the worries and challenges of their carer and parents in the adoption process
- reassuring the child that their carer and parent’s worries and challenges are not their responsibility

- remaining open and transparent throughout the adoption process.

For more information, see: [OOHC Open Adoption Assessment](#), [Open Adoption Process \(non-Aboriginal Children Only\)](#), [Supporting a Carer through the Open Adoption Process](#) and [Supporting a Parent through the Open Adoption Process](#).

## Child Consent to Open Adoption

A child can formally consent to their adoption if they are 12 years or over, lived with the prospective adoptive parents for at least two years, and can demonstrate they have sufficient maturity and capacity to understand what it legally means to consent.

A child must never be pressured about their decision whether or not to consent to their own adoption. You will need to check your own bias about permanency options to make sure you are not influencing the child's decision. Using the mandatory written information as a tool for leading discussion will help you stick to the facts and alternatives. You will also need to support other people in the child's life to respect the child's wishes, and refrain from trying to influence their choices. If you don't know the answer to questions asked by the child, speak with an adoption caseworker and give feedback to the child as soon as possible.

There are a few steps to a child giving their adoption consent:

- You or the Adoptions Caseworker will go through the mandatory written information booklet with the child and answer any questions they have about adoption.
- The child will need to speak to a registered adoption counsellor. The child will need to demonstrate to the counsellor they understand the emotional and legal implications of adoption for themselves, in an age and developmentally appropriate way and that they are capable of giving consent.
- If the child is Aboriginal or Torres Strait Islander, they will also have the option of speaking with an Aboriginal or Torres Strait Islander worker about the adoption, how people in their cultures feel about adoption, and alternatives to adoption. The children has the option to decline this opportunity, but will need to read the mandatory written information on open adoption for parents of Aboriginal and Torres Strait Islander children in OOHC and sign a document that confirms they did not speak to a worker but read and understood the written information. It is preferable that the child speaks with an Aboriginal or Torres Strait Islander worker who can answer their questions directly.

- A child can give their consent between 72 hours and 30 days after receiving registered counselling. Giving consent involves the child signing the ‘Instrument of Consent (Sole Consent Child 12 or more years)’ form. Their consent will be witnessed by an appropriate Department of Communities and Justice (DCJ) delegated officer, another registered adoption counsellor, a lawyer, or the Principal Officer of an accredited adoption service provider. Whoever witnesses the child’s consent must be independent from case management for the child.
- Children have the right to change their mind and revoke their consent anytime up until an adoption order is made. You can help the child to sign the ‘Revocation of Adoption Consent - Child 12 or More Years’ form or write a letter that clearly states that the child wants to revoke (or take back) their consent. This is then forwarded to the Adoption Clerk at the Supreme Court of NSW.

For more information, see: [Open Adoption Process \(non-Aboriginal Children Only\)](#) and [Open Adoption and Aboriginal children](#).

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“Siblings provide our longest lasting relationships, often extending throughout lifetime. Children growing up apart from their brothers and sisters, lacking contact or knowledge about their siblings may be deprived of family support in adult life. Much more should be done to foster sibling relationships for children who are separated from their families”

- Kosonen, M (1996)

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## Adoption and Siblings

When siblings enter care, you must make every effort to make sure they remain living together, have the same cultural heritage recorded (for full siblings), have the same permanency goals and have their cases managed by the same Permanency Support Program (PSP) Service Provider. Unfortunately, this is not always possible. There will be times when siblings are placed separately and have different permanency goals. You may be working with a child or young person who has a case plan goal of adoption, while their siblings do not. It's important to include siblings in the open adoption process. Allow

them to share their thoughts and feelings and contribute to adoption planning. Explain to them how adoption may, or may not, change theirs and their siblings' life. The sibling should be given [‘Is there a plan for your brother or sister to be adopted by their carers?’](#) resource.

Often a child's siblings (in other placements) can be the most vocal about their opposition to adoption. For the child to be adopted, their greatest fear about being adopted can be losing the connection and family time with siblings. Children have the right to be connected to their siblings. If a child is being adopted and has siblings, the ways they will remain connected with their siblings must be detailed in the adoption plan. If they cannot be connected with their siblings, this should be recorded on the adoption plan as well as ways they can be re-connected in the future.

There are times when siblings, living together with a carer, will have different views about adoption. For example, an older sibling may feel secure within a carer family and living with their siblings, without the need to be adopted by their carer. However, they understand the need for a younger sibling in the carer household to feel the security that can be offered by adoption. The needs of individual children in a sibling group should be thoroughly explored by the adoption assessor, and reasons for their permanency recommendation detailed in their assessment report.

For more information, see: [Life Story Work and Open Adoption](#), [Family Time and Open Adoption](#), [OOHC Open Adoption Assessment](#) and DCJ factsheets [What is an Adoption Plan](#), [Guide to drafting an adoption plan](#), [Registration of adoption plans](#) and [Guide to drafting a registered adoption plan](#).

## References

Kosonen, M. (1996). Maintaining Sibling Relationships – Neglected Dimension in Child Care Practice. *British Journal of Social Work*, vol. 26, pp. 82.

Littner, N. (1956). Some traumatic effects of separation and placement. New York: Child Welfare League of America.