

Practices to Improve Communication between Birth Parents and Permanent Families

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ABSTRACT

Background: Support to maintain important family relationships is seen as a right for children in permanent care in Australia. In New South Wales, newly legislated permanency principles prioritise open adoption over long-term foster care and require plans for ongoing, face-to-face (known as direct) birth family contact for children in permanent placements. Countries with similar child welfare systems do not place the same emphasis on contact after permanent removal and it is especially uncommon to see direct contact given priority in open adoption.

The problem: There is mixed evidence on the benefits of contact for children in permanent care. The quality of the relationship between birth relatives and caregivers is critical to the success of contact. Casework support is key to promoting understanding and communication between children's birth parents and permanent carers or adoptive parents. The emerging permanency model in New South Wales does not yet have an evidence base and most caseworkers lack the skills to help these families build a constructive relationship in the interests of ongoing contact for children.

The solution: Casework practices developed for use in child welfare placements elsewhere may be successfully applied to New South Wales to help build the practical skills needed to facilitate openness, empathy and respectful interactions. These practices need to be tested and refined to build an evidence base on what works to support ongoing direct contact for children who are permanently removed from parental care.

Keywords: *Open Adoption; Contact; Out-of-home Care; Permanency*

BACKGROUND

This article describes some foundational principles and promising practices to support relationship-building between children's families in open adoption and other forms of permanent care. National reforms are under way in Australia to improve permanency outcomes for children in out-of-home-care (Australian Institute of Family Studies, 2017). Permanency involves stability, security, connections and enduring relationships when children cannot return home (Tilbury & Osmond, 2006). The Australian National Standards for Out-of-Home Care (Commonwealth of Australia, 2011) state that children and young people in care should be supported to maintain relationships with significant others through contact (Standards 9 and 10). Legislative, policy and funding reforms are under way in the Australian state of New South Wales in line with the national permanency agenda (NSW Family & Community Services [FACS], 2017). Amendments in 2014 to the NSW Children and Young Person (Care and Protection) Act (1998) established guiding principles for the permanent placement of a child or young person. The order of preference is family (restoration or preservation), guardianship (or kinship care), open adoption, and parental responsibility to the Minister (usually long-term foster care). Ongoing, direct (face to face) birth family contact is expected to occur in all permanent placements, including open adoption (Ross & Cashmore, 2016).

In many countries, children in out-of-home care continue to have direct contact with birth parents (Boddy et al., 2014; Taplin, Bullen, McArthur, Kertesz, & Dobbins, 2015). This is consistent with their right to maintain family relationships, as outlined in Article 9 of the Convention on the Rights of the Child (United Nations, 1989). However, the emphasis in Australia on ongoing relationships with birth family for children who are adopted from care departs from the approach taken in countries with similar child welfare systems, such as England and the United States (US) (Ross & Cashmore, 2016). Both these countries have significantly higher rates of adoption from care than Australia (Boyle, 2017; Crea & Barth, 2009). In the US, where timely permanency is primarily achieved through adoption, research reports low rates of birth parent contact after adoption (Ryan et al., 2011). In England, whilst courts must consider whether a child adopted from care should have contact with their birth family (Adoption and Children Act 2002, Sec 46/6), there is no duty to promote contact and, in practice, the norm in adoption is professionally mediated "letterbox contact". This refers to a confidential, agency-mediated process whereby birth parents and children exchange letters and possibly photographs (Neil, Beek & Ward, 2015). Direct contact occurs in a minority of cases (Neil, Hartley & Young, 2018). In both these countries, children's contact with birth family, particularly parents, tends to decrease over time after adoption (Crea & Barth, 2009; Neil, Cossar, Jones, Lorgelly, & Young, 2011).

In NSW, direct contact, particularly with birth mothers, is expected to continue for children who are adopted from care (NSW FACS, 2016). In order for adopted children to maintain birth family contact, caseworkers are expected to facilitate the relationships between all parties. To date, however, there is limited practice-based research on what helps families to manage contact in permanent placements.

THE RATIONALE FOR ONGOING BIRTH FAMILY CONTACT

The literature presents a complex picture of the impact of birth family contact on children in permanent care (Boyle, 2017). The principle of permanency recognises that children need belonging and stability that comes from knowledge of, and contact with, their birth families regardless of their legal placement (Tilbury & Osmond, 2006). Children's perceptions of their relationship quality and sense of security, of feeling loved and cared for, are critical to their experiences of birth family connections and to their outcomes (Cashmore & Taylor, 2017). A recent systematic review highlights the lack of quality evidence to inform policy and practice, as well as the need to avoid prescriptive approaches (Boyle, 2017). In the studies reviewed by Boyle (2017), results suggest that, when contact goes well, it can support identity formation and attachment, and help resolve grief and loss. Contact can also provide children with valuable information and insight to understand their family history and the reasons they entered care and maintain positive, including relationships with siblings and grandparents. On the other hand, when contact goes badly or does not proceed as planned, children's sense of security and placement stability can be undermined. Children can become distressed by negative interactions between adults, and confused if birth parents undermine carers. Promises or gifts can encourage an idealised view of parents. In extreme cases, covert abuse may continue during visitation. Research suggests that physical separation from carers and the need to travel long distances to attend contact visits may be particularly disruptive for young children (Cashmore & Taylor, 2017).

THE NEED FOR PRACTICES TO SUPPORT CONTACT

Within the Australian context, there is limited practice guidance for caseworkers seeking to build relationships between birth parents and permanent carers or adoptive parents and to promote positive contact experiences for all parties. Typically, agencies have built specialist expertise to work with either birth parents *or* foster carers, and most agencies lack any experience in working with both sets of families. Barnardos is the only non-government agency with experience working with families during and after adoption from care (Tregeagle, Moggach, Cox, & Voight, 2014). The NSW legislative changes and subsequent reforms to contracting services under the Permanency Support program upend the expectation that service providers can specialise in long-term foster care only, by holding service providers accountable for the range of permanency case plan goals, including restoration, guardianship and open adoption (NSW FACS, 2018).

Caseworker support is key to promoting positive relationships between children's birth parents and foster carers or adoptive parents. In the absence of support, these can be fraught relationships with considerable pressures. Foster carers and adoptive parents may never have met birth relatives and may hold preconceived views of them, and kinship carers have existing dynamics with birth parents – often their own children – that can affect their views of contact (Cashmore & Taylor, 2017). Birth parents will have painful and difficult emotions related to the loss of their child (Ross, Cocks, Johnston, & Stoker, 2017). These emotions are sometimes exacerbated by issues that precipitated their removal, commonly social disadvantage, substance abuse, mental health problems, family violence, and intellectual disability, in various combinations (Collings, Dew, Gordon, Spencer & Dowse, 2017). This context inevitably influences the capacity of these adults to form or rebuild positive relationships with one another.

Emerging evidence from NSW suggests that contact is an area of stress for families and caseworkers, a site where clear guidelines and support for relationship building are needed. Foster carers have indicated that birth parents need support in understanding the implications of the change in legal status for open adoption or guardianship, and support to maintain appropriate boundaries and strategies to relate to their children in positive ways consistent with the changed nature of the relationship (Luu, Collings, Wright, Pope & Spencer, 2018). Birth parents have requested more focus on opportunity to build quality relationships, based on recognition that they love their child and can play a positive role in their life if given the chance (Ross et al., 2017). Caseworkers in the NSW statutory child protection agency have reported feeling unprepared to have difficult, potentially disruptive conversations with carers around the need for unsupervised contact with birth parents if adoption occurs (NSW FACS, 2014).

Longitudinal adoption research in the UK, which was led by the second author, shows that children are most likely to benefit from ongoing connections with birth relatives when their adoptive parents have an open attitude toward contact and when birth parents accept the placement and the child's dual connections to both families (Neil et al., 2015). This requires a relationship-building process that involves negotiating boundaries, managing feelings, developing open communication, and having empathy and respect for each other. Based on this evidence, Neil and colleagues developed practical resources grounded in the experiences of families and informed by the real-world challenges faced by practitioners working with families affected by adoption from care. Together with practices used in the USA (Biehle & Goodman, 2012; Corwin, 2012 *Research in Practice*) and recommendations from research with birth parents (Ross et al., 2017) and consultation with sector representatives in Australia (NSW FACS, n.d.), these principles and practices can be applied across permanent placements. The following section synthesises this international practice-informed evidence to identify the core principles that foster positive direct birth family contact experiences for children and their families.

PRINCIPLES FOR PRACTICES THAT SUPPORT ONGOING CONTACT

The first principle is that there is no single contact plan that can work for *all* families. The level of professional help families need to establish high quality relationships will depend on their unique circumstances and personal resources. Some will need support early on but, as both family groups gain confidence and develop rapport, they will be able to manage things perfectly well on their own. However, extra support may be needed later on, such as during adolescence. Other families may need more intensive support over a longer duration to adjust to their changed life circumstances. This may be particularly the case when birth parents continue to struggle with mental health or substance misuse problems.

The second principle is that contact is dynamic and should be seen as a relational process (Ross et al., 2017). Contact plans will have to be renegotiated as children grow and their preferences and needs change. Caseworkers who actively engage families and children in planning contact help to create shared goal-setting and power-sharing (Neil et al., 2011; NSW FACS, n.d.). Contact is also dynamic in the sense that the relationships forged between the important adults in a child's life will evolve over time. Contact itself can

be transformational. Positive contact experiences can change how each person feels about the others as they learn to trust each other (Neil & Howe, 2004).

The third principle is that contact works best where all adults are willing to work together for the sake of the child. Interpersonal skills like openness and empathy are critical, especially in the early days, and take patience and commitment. Trust can be fostered or undermined by small things, such as showing respect for birth parents' time by keeping appointments and agreed phone calls (Ross et al., 2017). Caseworkers can help build a bridge by suggesting that carers call or write to birth parents to reassure them that they have not been forgotten and to open a line of communication (Gerring, Kemp, & Marcenko, 2008; Neil et al., 2011). An informal meeting between the carer and birth parent to exchange information about the child and share hopes, expectations and fears about contact can foster collaboration (Biehle & Goodman, 2012). Preparatory and debriefing meetings before and after contact with birth parents can validate their feelings, allow problems to be aired and resolved early and provide a space for reflection and planning of future visits (Taplin et al., 2015).

Finally, the fourth principle is that caseworkers will need skills in reflective practice to understand their own attitudes, beliefs and values, and training to develop the relational and therapeutic skills needed to build a bridge between family members (NSW FACS, n.d.). This is particularly critical for engaging birth parents and helping them move beyond the paralysing, negative emotions brought about by their child's removal (Gerring et al., 2008). Communication skills to have difficult conversations or offer constructive feedback when differences arise can be improved using peer-group training and role play (Frame, Conley, & Berrick, 2006). Developing scripts to initiate difficult conversations or facilitate introductions of family members can help new caseworkers to build confidence and mastery. Caseworkers can build rapport and trust with birth parents through practical assistance with transport or referral to services.

CONCLUSION

Support for contact between children in permanent care and their birth relatives is an underdeveloped area of research and practice in Australia. With national reforms under way to improve permanency for children who cannot be restored to parental care, this gap needs urgent attention. Reforms to out-of-home-care in Australia and particularly the NSW reforms to open adoption, present an opportunity to test, refine and evaluate new practices in real world contexts. Evidence-based practices developed in countries with similar child welfare systems to Australia such as the US and UK could be adapted for Australia.

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