

INTERCOUNTRY NON RELATIVE ADOPTION IN THE NETHERLANDS

The report is based on scientific and legal resources, as well as (internet) discussions and personal experience in the Dutch (intercountry) adoption, foster care and child protective services. The views expressed in the report are derived from this. They are not official views of the Dutch government.

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Netherlands**

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INTRODUCTION

In intercountry adoptions, the Netherlands are mainly a receiving State. Dutch adoption law originates from 1956 and currently over 50.000, both domestic (approx. 17.000) and intercountry (approx. 33.000) adoptees are living in the Netherlands. The total population of the Netherlands is nearly 16,5 million people.

On a yearly basis the adoption rate is about 800 children entering the Netherlands from far away countries and somewhere between 40-50 children that are domestically adopted. The birth rate in the Netherlands is approximately 180.000 live births each year. The part adoption has in the population growth is therefore very small: 0,4%.

Both in public opinion as in policy, adoption is considered primarily a child led service, meant to provide those children with a family that have otherwise no chance of growing up in a family (type) environment. This corresponds with both the United Nations Childs Rights Convention as well as with the Hague Adoption Convention. Also, it is backed up by scientific evidence showing that a family type environment is to be preferred to institutional care in order for children to have their developmental needs met properly (Van IJzendoorn & Juffer, 2006).¹

The preferred subsequent options for children that can not live with their birthparents can be seen as given in the diagram Wheal (2001)² published. This model fits – generally speaking - current youth care practice in the Netherlands.

¹ In the appendices a decision tree on preferred care for children is added.

² Wheal A. (2001), Family and friends who are carers: a framework for success. In B. Broad (eds.) (2001). *Kinship Care*. Dorset: Russell House Publishers

SECTION 1: LEGAL AND POLICY FRAMEWORK

The legal framework in the Netherlands consists of nineteen formal documents, listed in Appendix A³. The 1989 intercountry adoption law has been adapted in 1998 order to meet the Hague Adoption Convention requirements as well as the requirements of the International Childs Rights Convention [I, II, IV].

There are a six laws (wetten) that cover intercountry adoption, next to regulations, directives, protocols and agreements between accredited bodies and other organizations working the adoption field. In a whole, the Netherlands have a very detailed system and explicit framework both legal and practical for adoptions, with intercountry adoption as a last option. Intercountry adoption can only be chosen if all alternative family type care arrangements in the birth country are unavailable. All rules applying to intercountry adoption (e.g. age limits, formal requirements of adopters etc.) apply equally to domestic adoptions and are set from the perspective of maximizing the chances of the child for a good future. The procedure is strictly regulated and all steps require involvement of several disciplines (mostly social work, psychology, medical and legal).

In 2004 the Dutch adoption law was evaluated and new law proposals were made [XXVI]. Still, some issues remained sensitive, e.g. same-sex adoptions, age limits, waiting lists. Next to these issues some adoption scandals were broadly covered in the media (e.g. alleged child trafficking in India, Haiti and China). Finally, the adoption rates dropped during the last few years, mainly due to the increasing number of states ratifying The Hague Adoption Convention and implementing the subsidiarity principle. This also makes clear that the children in need for intercountry adoption, are more and more special needs children (older, siblings, handicapped) since they seem to be at least likely to find a family type home within the birth country. Therefore, reconsideration of policy and services proved necessary.

The Dutch government installed 2007/2008 a special committee with the task to advice on these and other sensitive adoption related matters. The report came out in May 2008 and currently policymakers are looking into the advice and are evaluating what to incorporate in the revision of the adoption law [XX].⁴

General information

The listed laws and regulations in the appendix control and monitor adoption procedures in the Netherlands and are being executed by the following parties in the Adoption field⁵:

1. Ministry of Justice /Central Authority: Formal responsibility for the whole of the procedure.

Issues a permission in principle to adopt to all prospective adopters that meet the formal and social/psychological criteria as laid down in the law.

2. Foundation Adoption Services (FAS): accredited body/NGO with several tasks [IV, VII, X, XI, XVI]:

1. Registration of new applications and issue of BKA –number. First come, first serve principle. BKA number is only issued when formal criteria (age, marital status) are met.

2. Compulsory preparation programme of 6 meetings for 8 couples (max.) regional. Attendance is compulsory. Handbook of adoption is provided. After completion of the programme the name of the prospective adopter(s) goes to the Child protection board and the home study may start. Prospective adopters pay for the programme upfront [XXIII].

3. Video Interaction Guidance for newly placed adoptive children video guidance to enhance the attachment process is offered on a yearly basis to approx. 100 new

³ In the text referral to these documents is made by putting the Roman number between brackets []

⁴ Report on Intercountry Adoption – ‘all things of value are defenceless’ (29th May 2008).

Committee on Lesbian Parenthood and Intercountry Adoption.

⁵ Since space for this report is limited, it is not possible to go into detail of all requirements, laws, regulations and protocols. In the reference section, some websites are mentioned with detailed background information.

children/families.

4. Consultation services both for parents/adoptees (referrals to specialized therapists) as well as other professionals (adoption specific information)
The formal requirements of FAS are laid down in the law and in the specific requirements concerning the FAS.

3. Child Protection Board: advises the Ministry of Justice on the issue of the permission in principle. In order to do so a home study is conducted. Home study consist of 3 or more contacts according to a standard format and guidelines given on assessment of risk and protective factors in the family. The assessor is a licensed social worker, who operates within a multidisciplinary team. If any doubt or risk is found, a psychologist will do an additional evaluation of the prospective adopters. As a result of the home study a report is issued and advice to the Minister is given. The formal framework for this work is given in chapter 4 of the Dutch adoption law [IV, XXII, XXV]. The home study is also used as a matching document by the Adoption Agencies.

4. Permit Holders/Adoption Agencies: there are 6 Adoption Agencies that are formally licensed to mediate in bringing children into the Netherlands. The Ministry of justice issues the permits that are valid for 3 years. The formal requirements for the permit are listed in chapter 5 of the 1998 Adoption law [IV,II, VII, XII, XIII, XIV, XVI]. They provide matching and support services (translation, travel e.g.) throughout the procedure and working through an agency is seen as a way to minimize risk of trafficking.⁶ After the placement there is a follow up support period of 1 year mandatory through the law.

Also, most agencies organize informal meetings to exchange experiences or offer lectures by specialists to help parents raise their adoptive children.

5. Board of Complaints: a committee of 10 independent people (not employed by nor in the past worked for Justice Department, Adoption Agency or Foundation Adoption Services) that evaluate complaints against the Adoption Agencies/Permit Holders. As is referred to in chapter 5A of the law and made explicit in the decision to install the committee in 2000 [IV,VIII, XIX]. On a yearly basis they deal with 5-7 complaints.

6. Family Court: in cases of a non Hague Adoption Convention Adoption, the adoption needs to be formalized according to Dutch law. This happens in family Court according to the Wet Conflictenrecht adoptie (WcAd) [II, all legal instruments named in Appendix A apply].

7. Council for the Administration of Criminal Justice and Protection of Juveniles, that takes into consideration all cases of adopters that were not granted a permission in principle and object to the decision the Minister of Justice has made. Also they advice on the broad topic of adoption related issues e.g. in 2006 where they advised to keep up the age limits (46 years for the oldest partner) in the Dutch adoption law [all legal instruments named in Appendix A apply].

8. Youth Inspectorate this body is formally equipped to inspect and monitor the work of all professionals in the youth care and protection field. This encompasses the Adoption Agencies. They help to uphold the quality standards. As is referred to in chapter 6 of the Dutch adoption law [IV,II, VII, XII, XIII, XIV, XVI].

9. FIOM organization of social work with expertise on the subjects of relinquishment and roots. Involved in domestic adoptions, counselling of the birth mother and contact after the adoption (on demand of adoptee or birth mother). Next to FIOM there is VBOK, an organization involved in counselling to prevent abortion and from that scope also involved in domestic adoptions and a formal partner on the domestic adoption subject [XXV]

10. Support groups and societies of adoptees, birthmothers and adoptive parents (see appendix for a full listing). The Dutch adoption field consists of a large number of social and

⁶ Next to full mediation, they offer a limited number of partial procedures where only a check of the contact is executed and applicants arrange all other things themselves. Partial procedures are only allowed in countries that are not officially engaged in adoption with the Netherlands.

supportive foundations and (semi) organized groups that are bound by either the country of origin of the adoptee, the fact that they relinquished a baby (birthmother foundation) or the fact that problems arise after adoption (support groups for attachment or family problems).

11. Science: the Netherlands have a chair of adoption studies at Leiden University, held by prof.dr. F. Juffer. Next to this chair there is the Adoption Triangle Research Centre, that upholds a data-bank with adoption and foster care related studies. Consequently, students come into contact with the subject and do research on adoption related subjects to obtain their Bachelor or Master thesis.

The Dutch normally speak of the 'adoption chain', consisting of Foundation Adoption Services, Child Protection Board and Adoption Agencies and all adoptions have to go through this chain. In policy making, the field is heard and valued since next to science, personal experiences are important input for policy makers.

Adoption procedures and safeguards

The Netherlands know only full adoptions that can be revoked by the adoptee at the age of 18 year and before reaching the age of 21 [IV]. In revocation family bonds with the family of origin are reinstated. Although possible, revocation is rare. According to statistics provided by the Department of Justice, between 1956 and 2004 a total of 11 adoptions were revoked by the adoptee. There is a debate on the length of the revocation period. Adult adoptees argue there should be no limit to this period.

Since intercountry adoptions are common practice and domestic adoptions are rare, the adoption procedure takes the intercountry adoptions as a standard. The procedure is pluridisciplinary. There is a judicial check, medical check, social and psychological evaluation and all applicants follow a compulsory group preparation. There is no separate procedure for domestic adoptions: applicants who consider domestic adoption, have to go through the same procedural steps as those who wish to adopt from abroad.

Procedure

The adoption procedure is quite lengthy: a mean length of 4-5 years between application and actual placement of the child is quite common. We've seen fluctuations over time and now the number of adoptions seems to stabilize around 800 each year, whereas the number of applications has been rising the past few years.

In order to abide with the subsidiarity principle protocols and checks are made through the agencies and their foreign contacts. Although some countries have signed the Hague Convention, they still can not live up to the set standards. In those cases, adoptions from those countries are not allowed (e.g. Guatemala). If the State is a member to the convention, but have no Central Authority, also adoptions will not take place. Finally, there have been some problems in the past with certain countries

Also most agencies invest in projects in the sending countries in order to prevent relinquishment and help them keep children within their birth country and social environment. There is no relation between projects and adoption.

After the formal application and registration (BKA-number) with the Foundation Adoption Services for a first adoption, the first waiting period of 15-18 months starts. One year after application, the applicants pay for the preparation course (900 Euro)⁷ Shortly after payment, the handbook is send to the prospective adopter(s). A few months later, the preparation starts, a full schedule is given on the site of the FAS⁸. This programme takes three months.⁹ The names and BKA-numbers of the prospective adopters that completed the course,¹⁰ are send through to the child protection board, who aim at starting the home study within three months. This is not always possible, so waiting times can go up to half a

⁷ Appendix D provides an overview of planning of preparation courses is given.

⁸ <http://www.adoptie.nl/adoptieprocedure/stapvoorstap/planning.htm>

⁹ A renewal can be needed since the procedure often exceeds 3 years. Then an additional interview by the Child Protection Board is needed in order to get the –also 3 year valid renewal

¹⁰ Drop out rate in the procedure is about 30-40%: part drops out before 900 Euros are due, others drop out after the preparation. All is aimed at self-selection and insight in ability to adopt.

year or longer. The home study takes three months maximum and ends with a report. The report comprises an advice to the Ministry of Justice in order to issue or to decline a permission in principle to adopt a child from a foreign country.

At the end of the home study, the prospective adopter(s) choose an Adoption Agency and the report is send directly to this agency together with the issued permission. The permission is valid for 3 years.¹¹

The home study report serves a double purpose: firstly it is the written assessment of the suitability of the applicants, secondly it is the basis for matching and will be translated and send over to the birth country of the child. It will never be given in copy or otherwise to the applicant(s). It will be kept by the Central Authority and send directly to the agency the applicants choose.

At the Agency, an intake follows at the agency, where, based on home study and eventual new information, the applicants state their choice for sending country, child age, siblings and special needs.¹² Preparation course as well as home study have made the applicants aware of their preferences and of the (im)possibilities for adoption. In choosing the agency, the first choice for matching is set too. After this intake, the applicant(s) will be placed upon a country waiting list. Then the last waiting period starts and after 2-4 years (often after renewal of the permission in principle) a child will arrive in the Netherlands.

The applicants inform the agency of what they wish for and the agency makes a match according to waiting time, age, wishes of the adopters, family circumstances and so on. This match adds up to a proposal. This is a proposal by phone, if the applicants agree, they are invited to look into the (anonymous) information of the child(ren) in detail. Then they have time to think and (re)consider the proposal. After acceptance, name, photographs and full details are given. If parents do not accept the proposal, then a new match will be sought. Parents are not allowed to pick out the child. This would be contrary to the subsidiarity principle. Adoption is – in Dutch law and society – thought of as the ultimate means of finding families for children in need and NOT a means of finding children for waiting would-be parents.

The costs of the actual adoption part of the procedure vary very much¹³ and are paid for by the prospective adopters. Grossly we are looking at 7.000 to 20.000 Euro's (this includes all formal costs and travel expenses) and on the websites of the permit holding agencies a full breakdown of costs is given.¹⁴

A few people go through partial procedures in which they go through a personal contact and arrange the adoption all by themselves. The contact needs to be checked though according to the same standards as otherwise apply for agency contacts. The fee for this procedure is 1000 Euro's (this still leaves formal costs to be made e.g. translation, fees for legal aid etc. and of course the travel costs).

The differences of adoption procedures in Hague Adoption Convention and in non convention countries is looked after in the Wet Conflicten recht Adoptie (WcAd). Also the Kalsbeek committee advises to be more strict and apply all Hague Adoption Convention rules to all adoptions.

In case the permission is denied and the applicants do not agree with the decision, a formal objection procedure can be started, presenting the case for the highest independent board

¹¹ Currently, the proposal by policy makers is, to lengthen the validity period of the permission in principle to 4 years.

¹² When the prospective adopter(s) have special wishes, e.g. want to adopt siblings, an older child or a child with special needs, they will be assessed stricter during the home study in order to provide as many guarantees as possible for the child(ren) that the adoption will succeed or, when the wishes for special needs adoptions emerge during the waiting time and after the home study, the agency will ask for an addendum to the home study and the Child Protection Board will execute an extra assessment. Special standards are given in the working protocols of the Child Protection Board. If proven suitable to adopt a child with special needs or a sibling, the waiting period may shorten since currently most children in need of a family are over 2 years old, have special needs or are waiting to be adopted together with one or more siblings.

¹³ Size of the adoption agency, number of paid professionals working there, as well as specific demands of birthcountry e.g. a 6 week stay or special requirements for the paperwork, account for this.

¹⁴ It is not possible within the limited scope of this report to give an analysis per country or agency of costs. Information can be obtained directly through the permitholders, the websites are listed in Appendix C.

of the Ministry of Justice: the Council for the Administration of Criminal Justice and Protection of Juveniles. This council will advise on both content and procedure of the home study. Sometimes a second opinion is called for and a psychiatrist or psychologist will perform an independent assessment. The Ministry takes the council's advice very seriously: often it will be followed.

In case a second, third or following child are adopted, no preparation course is needed, but there will be a home study and need for a new permission. In the home study however, there will be specific attention to the needs of the new to come adoptee and the risks and benefits of a second child in the family. Also, in order to mimic the regular building of families as much as possible, the procedure for a second child is fast and the waiting time is shortened. Only children younger than the child already living in the family will be placed.

Formal requirements for applicants and children

The most important formal requirements for prospective adopters are:

- * not older than 41 years when starting the procedure, the age difference between the eldest of the parents (if a 2-parent adoption is to take place) is 40 years. An exception can be made for those between 42-46 years of age adopting children over 2 years of age. This is a special procedure called IBO and called into force to help find families for older children. When a prospective parent is over 46 years of age, adoption is no longer possible. For those adopting siblings, adopting a hard to place child (behavioural difficulties, developmental delay) or adopting a sibling of a child that is already in the family there can be made an exception to the 40 year difference.
- * the prospective adopters should be healthy and a formal medical declaration of a non-familiar doctor is needed.
- * the prospective adopters should have no offences in the past (no judicial record), this is controlled before starting the home study.
- * the prospective adopters have to sign a declaration that they will give the child all necessary medical treatments (e.g. blood transfusion, vaccinations)
- * the prospective adopters need to guarantee to be able to take on the costs of the upbringing of the child.

Single adoption is possible, also singles having a relationship (marriage or living together) can adopt.

The main formal requirements for children to be adopted into the Netherlands are:

- * a valid declaration of relinquishment or freeing order is needed that proves there has been a trustworthy procedure in the birth country. This requirement is very important since it is one of the ways to proof the subsidiarity principle was followed.
- * the authorities of the birth country must approve of the adoption
- * not older than 6 years on arrival (exception when a younger sibling comes along)
- * medical examination needed (not critically ill, mentally handicapped etc.)

Adoption without a permission in principle is not allowed, neither are full private adoptions.

Domestic adoptions

Domestic adoptions take place only 40-50 times a year and for the applicants a double trajectory is set into motion: after the permission to adopt, a couple will also be placed on the Dutch list. This is only offered to those families that prove to be able to cope with contact and are found especially resilient when dealing with open adoption during the home study. The home study will explicitly assess these qualities.

FIOM/VBOK is involved in the procedure leading to the relinquishment by providing pre-relinquishment counselling. The national relinquishment protocol in Dutch adoptions supports the prevention of forced relinquishments and is meant to safeguard free choice of the birthparent(s). The files of 50 years of counselling have recently been studied and analysis reveals that lack of material basis, too young, the idea that a child destroys the future next to lack of family support are main motives to give the child up for adoption (50

files over 50 years were studied)¹⁵. The child's view towards his adoption can not be expressed since these relinquished babies are too young to be consulted [XXV].

Children in need for adoption in the Netherlands are babies, relinquished at birth for various reasons and placed in the adoptive family at the age of 3 months. Other Dutch children are in need for a family but when not officially and freely relinquished, these children can not be adopted. A permanent foster home, family type unit or residential home is what provides continuity in care. Guardianship will be initially performed by the regional Bureau of Youth care and in some situations the guardianship can be transferred to the foster parents. Currently the transfer of guardianship after a set period (2 years) for those children that are to grow up in their foster families is under debate. Over the age of 12 years the child will be heard separately by the Family Court, under the age of 12 years, as of 8 years a child can be heard in court but it is not obligatory. This applies mainly in foster care and residential care.¹⁶

Under current laws, the Dutch do terminate parental rights and parental responsibilities. However, there is no such thing as a freeing order in Dutch law. Although the child protection laws are currently under revision, a freeing order is not part of the proposals. The common view is that permanency can be achieved by providing other (legal) safeguards and there is (mostly) no need for terminating all family bonds, whilst there can and will be reasons to terminate parental responsibilities. The option of weak adoption whereby a child may gain a second set of parents in the adoptive family is currently under debate [XX].

Anonymous birth does not exist and the name of the birthmother will be on the birth certificate. After relinquishment the baby is placed in a foster family for 3 months in order to give the birthmother time to rethink her decision. She is also involved in setting standards for the adoptive family (e.g. Age, religion, single or married etc) and the Child protection board tries to meet those as much of those standards as possible in providing the right match. During this 3 month placement period, the local Bureau of Youth Care has full custody of the child. After 3 months, when the relinquishment is not revoked, the child is placed in the adoptive family. The couple is taken of the intercountry waiting list. After 1 year the adoption is legally finalized. At this point the birthmother finalizes her relinquishment or withdraws it. If she withdraws her consent, then the judge will weigh the interest of the child and can decide not to return the child to the birthmother. Recent case law shows that the judges ruled in favour of the birthfamily and the adoptive family had to return the child, whom they had cared for during a period of 5 months.¹⁷

By placement of the child, the permission to adopt ends. If the parent(s) want to adopt another child they will have to start a new procedure.

Records and roots

Adoptees have access to their records as of the age of 12 years, according to current privacy laws in the Netherlands. Records are kept for at least 30 years. In roots issues counselling is provided either by the agencies, FIOM or by private support groups of adult adoptees.

EU citizens

Generally speaking, all people residing in the Netherlands apply to adopt under the above described procedures and laws and no difference is made towards background or citizenship. To my knowledge, when living in the Netherlands the adoption procedure has to be followed according to Dutch law. The WcAd [II] deals with all conflicts arising from the point of view of international private law.

Fees

Applicants pay for the main part of the procedure (preparation course, mediation and matching). The home study by the child protection council is free (tax payers money). All Adoption Agencies are either foundations or associations all working not for profit. This is

¹⁵ Reitsma, M. (2008). De keuze voor afstand ter adoptie in 1956-2006. Leiden University Master Thesis. Unpublished.

¹⁶ Vinke (2008). The right to a family. Oxford, conference poster presentation and digested paper.

¹⁷ www.rechtspraak.nl Casenumber LJN AR3391 Gerechtshof Leeuwarden, rekestnummer 0400271

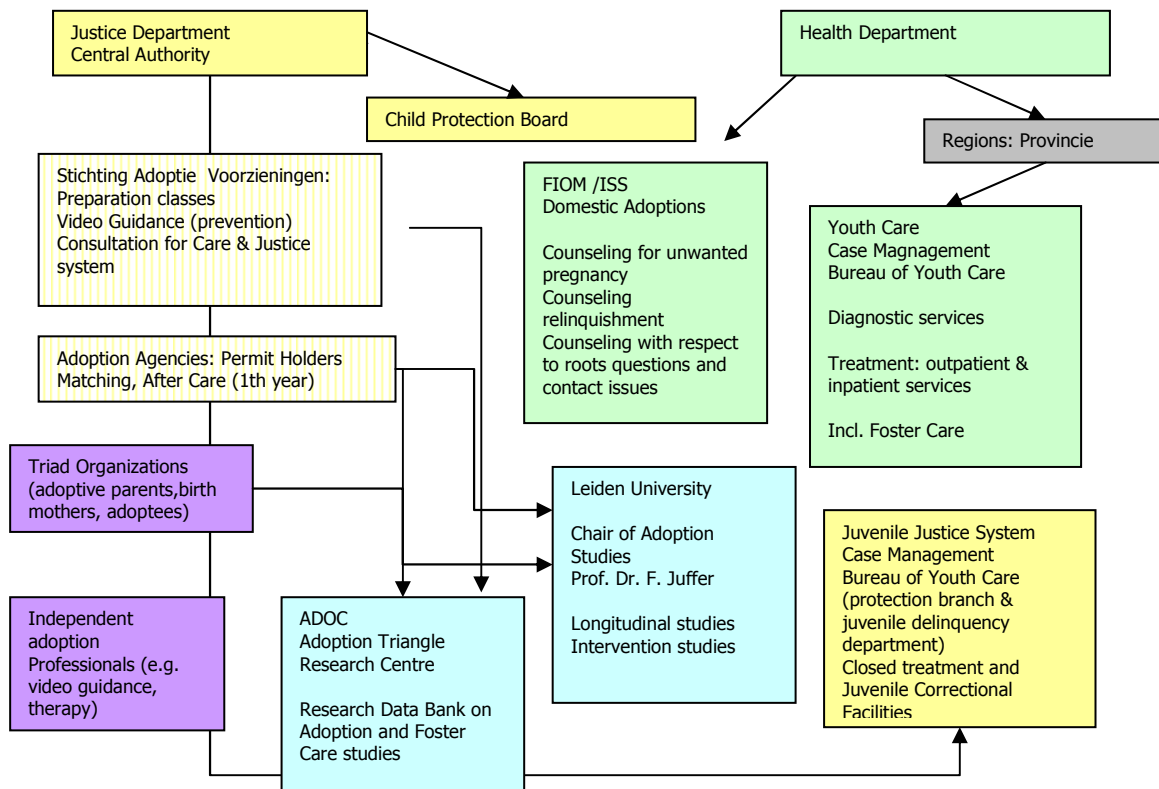
very strictly monitored. With the introduction of the quality framework, control by accountancy will be installed.

SECTION 2: PLURIDISCIPLINARY AND POLICY ASPECTS

For understanding the Dutch situation it is important to start with description of the Dutch Youth Care system. The Netherlands are divided into 15 regions for youth care. All regions are fairly autonomous and provide care to children and families in need. Funding is found partially through the Health Department (who funds the regions), partially through the Justice department. When a child and family are in need of care arrangement out of home, e.g. foster, open or even juvenile residential care, we aim at a placement near to the residence of the parents in order to be able to facilitate contact.

In the following figure a (simplified) picture of the positioning of adoption in the Netherlands is given

Figure 1. Organizations involved in Adoption in the Netherlands



Yellow services are paid for through the Justice Department: dark yellow direct payment and control through the Justice department; lighter yellow are agencies that are formal accredited bodies, but not directly paid for by the Central Authority.

Green services are paid for, controlled and supervised by the Health Department either through direct control or through local

Purple are the independent services, organizations of birthmothers, adult adoptees organizations of adoptive parents and adoptive families. Blue is assigned to scientific work in the adoption field.

Adoption is not a part of the (governmentally funded) youth care and protection system. Adoption emerged from private initiative and half of the Adoption Agencies, all formal accredited bodies, are run by volunteers, mostly adoptive parents themselves. Three agencies employ professionals but only one is a fully professional organization, still they rely on many volunteers for support groups and regional work too. The work of the agencies is not funded by the government. All funding comes from the adoptive parents, who become members of the agencies organization and then pay for rendered services.

Four agencies are fully run by volunteers, all agencies have activities organized by volunteers (e.g. support groups, welcome home visits for new adoptive families etc.) The standards set for both the volunteer organizations as for the professional organization are the same and all permit holders have committed themselves to the quality-framework to check the quality on their work.

Research shows that most adoptees do very well in comparison to non adopted peers. Still a large proportion need mental health services, both in international research (Van IJzendoorn & Juffer, 2006)¹⁸ as in Dutch studies (Storsbergen, 2004; Tieman, 2006; Jaffari Bimmel, 2006)¹⁹ Also there is lack of specific attention to identity and ethnicity issues in research, which is confirmed by Wekker and colleagues (2007)²⁰.

Cooperation and integration of adoption services in the regular (youth) care system in due time is being explored. The question is whether regular services suffice or specialization is needed. Specialization of care services is contrary to the movement in Dutch youth and adult care, where all therapists need to be able to treat the whole range of patients. Adoptive parents, adoptees and birthmothers however argue a case towards specialization and specialized services²¹. The sector that comes closest to adoption is foster care. A joint venture is therefore currently under debate.

The special and separate position of Adoption Agencies and services makes the process of integrating adoption into the larger field of youth care and protection services challenging. For instance the involvement of many volunteers that have personal experience as adoptive parent is unique to this sector. This is completely different from regular (youth) care.

The following issues contribute to the current debate:

1. the unbalance between children waiting to be adopted and people wanting to adopt;
2. the unbalance between children in need for family care homes in the Netherlands versus a lack of foster or other substitute care (waiting lists)
3. the growing awareness that adoption in itself is not problematic, but the relinquishment and separation from family, birth-soil and culture, leading to the adoption are. Adult adoptees associations ask for specialized care and awareness of this issue. This also pleads for a support system throughout live instead of a support system focusing on childhood and youth.²²

During the waiting periods, adoptive parents rely on peer-support through their private organizations or e-mail contact.²³ Main topics being debated are the waiting time, special needs adoptions and currently the situation in China, issues on roots (how to find contact), questions about treatment of attachment problems and issues on how to relate to scandals that have made the press. What to tell your child when you know it comes from an orphanage that is known for child trafficking?

Research

As for research: the Netherlands have a tradition of adoption research. The first chair in adoption was installed at Utrecht University during 1984-2000. Thereafter it was transferred to Leiden University, where it is currently held by prof. dr. F. Juffer. The Adoption Centre, moved with the chair from Utrecht to Leiden and currently is a documentation and research centre called Adoption Triangle Research Centre (ADOC). Adoption is a popular subject with students. Not only Leiden University provides classes on this theme also Erasmus university in Rotterdam, Amsterdam University and Utrecht University remain interested in the subject.

¹⁸ Van IJzendoorn, M.H., & Juffer, F. (2006). The Emmanuel Miller Memorial Lecture 2006. Adoption as intervention. Meta-analytic evidence for massive catch-up and plasticity in physical, socio-emotional, and cognitive development. *Journal of Child Psychology and Psychiatry*, 47, 1228-1245.

¹⁹ Jaffari-Bimmel, N.(2005). Development and adjustment of adopted adolescents: longitudinal and concurrent factors. Leiden University: Doctoral Dissertation. Storsbergen, H. (2004). *Psychische gezondheid en welbevinden van volwassen geadopteerden*. Delft: Eburon. Tieman, W. (2006). *Mental health in young adult intercountry adoptees*. Doctoral dissertation, Erasmus MC, Rotterdam.

²⁰ Wekker, G., Asberg, C., Van der Tuin, I., & Frederiks, N. (2006). *"Je hebt een kleur, maar je bent Nederlands."* *Identiteitsformaties van Geadopteerden van Kleur*. Utrecht: Universiteit, Wetenschapswinkel Letteren. (You are coloured, yet Dutch. Identity formation in adoptees of colour. Utrecht University).

²¹ Video Interaction Guidance is available for newly formed families. This is a specialized, preventive intervention aimed at enhancing attachments in the adoptive family. In the regular system, there is limited adoption expertise in the general field. When problems are very complex, there are a (small) number of private adoption-experts who the Foundation Adoption Services refers families to. Funding of support services both preventive and curative goes through health insurance but often adoptive parents have to pay for (specialized, private) services themselves.

²² the Dutch birthmother foundation contributed largely to the awareness as have media and documentaries (e.g. 'Doe mij maar zo'n Koreaantje' by Andere Tijden – a documentary over Korean adoptions).

²³ For example by organizing evening meeting for parents waiting to adopt from China. There are many e-mail groups and lists prospective adopters can join. Mostly these are closed lists and only available by those being able to provide their BKA number, as a check that they really are going through the adoption procedure.

Secondly two longitudinal adoption studies are being conducted in the Netherlands, the Sophia Longitudinal Adoption Study in Rotterdam (prof.dr. FC Verhulst) and the Leiden Longitudinal Study of Adoption (prof.dr. F. Juffer). Each year larger and smaller research reports appear on adoption related issues, some by senior staff, some by students (e.g. the earlier mentioned study of relinquishment files).

EU-wise the Dutch are eager to share their experiences, especially in adoption related prevention and care (e.g. video guidance techniques). The Kalsbeek committee advises to try to achieve an European vision on intercountry adoptions in order to consider whether and in which form international regulation of compliance with the Hague Adoption Convention can be discussed (recommendation no. 14, p. 55)

SECTION 3: STATISTICS AND POLICY (2003-2006)

There are no children waiting to be adopted. In the appendices an overview (Vinke, 2008) is given of children waiting for family care. All figures in this section apply to intercountry adoptions. There is no waiting list for domestic adoptions, nor is there a breakdown on age or gender of relinquished children. It always concerns babies (under age of 3 months). Domestic adoptions account for between 5.5% and 1.3% of the total adoption rate in the Netherlands. This rate has been stable throughout the past ten years and has gone down from fairly equal number in domestic and intercountry adoption in 1975 (1000 each) to around 800 intercountry adoptees and only 11 domestic adoptions in 2006.

Table 1. Total adoption in the Netherlands 2003-2007 (Figures provided by Ministry of Justice & CBS)

Year	ICA	Domestic	Total /year	% domestic
2003	1156	29	1185	2.45%
2004	1307	76	1383	5.50%
2005	1186	54	1240	4.35%
2006	816	11	827	1.33%
2007	778	unknown	778	
Total/period	5243	170	5413	3.14%

A remark is in its place: figures are given for the calendar year. Since the procedure takes several years, it is difficult to see the trends and to get a good idea of the real waiting lists. Therefore in the appendix, some more long term figures are given. Due to the length of procedure, permits issued in 2004 will result in proposals in 2007 and placement in 2008 (or later).

Table 2. Intercountry Adoptions 2003-2007, broken down as Hague Adoption Convention and non convention adoptions.

year	Adoptions under Hague Adoption Convention	Non convention adoptions	Total of intercountry adopted children
2003	237	917	1154
2004	265	1042	1307
2005	269	916	1185
2006	231	585	816
2007	226	552	778
	1228	4012	5240

Although the aim is to adopt mainly under the Hague Adoption Convention, this is not yet common practice. Most adoptions in the Netherlands come from non-convention countries. Therefore the Kalsbeek committee advised to introduce accredited bodies for mediation in non convention adoptions, so an authorisation per country can be realised (p.54, 4th recommendation Kalsbeek).

Table 3. Application and adoption procedure 2003-2007

Adoptions: application to permit				
	applications	issued permits	withdrawals	refusals total
2003	2714	1366	1083	24
2004	2474	1431	1024	32
2005	3135	1446	1218	132
2006	3197	1644	1230	145
2007	2491	1546	1369	99

Table 3 shows that of all prospective adopters, 39% - 54% withdraws their initial application.

KPMG (2002) showed that about 15% of all applications withdrew and made a prognosis for needed capacity of home studies and preparation courses as of 2003 of about 2750 investigations (including renewals). This led to an investment in both preparation and home study capacity. However, the numbers of children in need for a foreign family keep on dropping and the withdrawal rate has been on the rise since this KPMG report. Due to this policy makers decided to diminish the preparation and home study capacity as of the mid of 2007. The consequence of this action is a longer waiting time for applicants.

Table 3. Breakdown of refusals 2003-2007

Year	Refusal			Total of refusals
	not suitable	Too old/ > age limits	second procedure too soon start	
2003	6	18		24
2004	5	27		32
2005	20	19	93	132
2006	25	17	103	145
2007				99*
totals	56	81	196	432

* 2007 is not broken down, since these data have not been officially published for 2007.

Table 4. Permission in Principle issued 2003-2007

	1st child	2nd child	3rd child	4th and following children
2003	886	389	81	10
2004	954	399	73	5
2005	984	370	78	14
2006	1115	446	76	7
2007	1091	384	61	10
	5030	1988	369	46
				7433 issued permits

In the period between 2003 and 2008 a total of 7433 permits were issued, and 5413 children were placed in a new family through full non relative adoptions, both domestic and non-domestic.

2. Data on the children

Children coming to the Netherlands come from a number of countries, in fact children originate from over a 100 countries. In the appendix an overview is given of all adoptions since 1956 as well as a breakdown of the birth countries in the most recent adoptions.

Table 5. Continent of origin of adoptees

	Europe	Africa	Asia	America
year				
2003	23	94	724	313
2004	28	149	917	214
2005	37	158	768	218
2006	32	135	462	187
2007	41	142	450	145
	161	678	3321	1077

Most children come from Asian countries and only a small amount of children adopted into Dutch families were born in Europe.

As for age and gender, data are available from 2003 to 2007,

Table 6a. Age and gender of children adopted in 2003

	2003			
age	boys	girls	total	
0 to 1 year	141	233	374	
1 to 2 year	97	280	377	
2 to 3 year	69	142	211	
3 to 5 year	64	74	138	
5 year and older	29	25	54	4.68%
	400	754	1154	
	34.66%	65.34%		

Table 6b. Age and gender of children adopted in 2004

	2004			
age	boys	girls	total	
0 to 1 year	102	225	327	
1 to 2 year	93	456	549	
2 to 3 year	65	145	210	
3 to 5 year	69	85	154	
5 year and older	32	35	67	5.13%
	361	946	1307	
	38.16%	72.38%		

Table 6c. Age and gender of children adopted in 2005

		2005			
age		boys	girls	total	
0 to 1 year		107	221	328	
1 to 2 year		85	381	466	
2 to 3 year		68	114	182	
3 to 5 year		87	51	138	
5 year and older		34	37	71	5.99%
		381	804	1185	
		32.15%	67.85%		

Table 6d. Age and gender of children adopted in 2006

		2006			
age		boys	girls	total	
0 to 1 year		101	136	237	
1 to 2 year		78	154	232	
2 to 3 year		72	99	171	
3 to 5 year		54	52	106	
5 year en ouder		38	32	70	8.58%
		343	473	816	
		42.03%	57.97%		

In general more girls (mostly from China) than boys are adopted by Dutch parent(s), also we see nearly a doubling towards adoption of older children: from 4.1 to 8.5 % . Time will tell if this is a trend or not. With respect to the advice of the Kalsbeek committee to raise the age of the adoptable child towards 8 years, this number might rise over the years.

In the following four tables, the number of children in sibling placements is shown between 2003-2006. Here we see a quite steady 6% percentage of adoptees being one of a sibling when adopted by (a) Dutch parent(s).

Table 7.a. Sibling adoptions 2003

2003					
	placements		boys	girls	total adoptees
2 siblings	56		52	60	1154
3 siblings	10		17	13	
4 siblings	3		4	8	siblings %
	69				5.98%

Table 7b. Sibling adoptions 2004

2004					
	placements		boys	girls	total adoptees
2 siblings	38		34	42	1308
3 siblings	13		19	20	
4 siblings	1		2	2	siblings %
	52				3.98%

Table 7c. Sibling adoptions 2005

2005					
	placements		boys	girls	total adoptees
2 siblings	55		65	55	1185
3 siblings	21		22	21	
4 siblings	3		4	8	
4 siblings	2		3	2	siblings %
	81				6.84%

Table 7d. Sibling adoptions 2006

2006					
	placements		boys	girls	total adoptees
2 siblings	40		42	38	816
3 siblings	9		15	12	
4 siblings					siblings %
	49				6.00%

As for adoption breakdown rates, these are not systematically available for the Dutch situation only.

SECTION 4: GENERAL COMMENTS

There are many good practices to share, as there are in all countries of Europe. In 2007 a Dutch-English team did a Twinning Light project in Romania that produced a good practice manual with information on both the Dutch as well as the English procedures, safeguards and practice issues. This manual I believe to be good material to use in the broad context of Europe.

Also we could share experiences of triad members since they are very well organized in the Netherlands. Especially the voices of the birthmothers and adult adoptees are important to be heard. The mostly heard voice in politics and media has been the voice of the prospective adopters. The three perspectives need to be equally important when designing services to support birthmothers in need, children in need and families to be formed.

A very great concern in the Netherlands are all recent scandals and problems that are covered in the media. It asks for a new ethical discussion: can we continue adopting since in spite of all laws and regulations are in force, still problems can arise, still children prove to be trafficked. This makes the Dutch very aware of the need for even stricter and more ethical approaches to adoption, as well as exploring weak adoptions, linking foster care and funding projects in birthcountries. Also the stories of triad members have raised awareness on the complicated sides of adoption, the live long issues that may be involved and have scarred some adoptees for live. On the other hand, most adoptees do well and are – in the end content with being adopted, but it has never been an easy road. Not for the parents to embark upon, neither for the children to be put into.

The Dutch would like to debate the use of the Hague adoption Convention and as I see it, there is a need for more instruments to deal with problems arising from trafficking. The general feeling is that there always will be children in need for adoption, but the intercountry adoptions can only be the last resort. In my personal opinion, it is very desirable for the European Union to debate common ground and find a way to uphold the Child Rights and Adoption Convention. The subsidiarity principles in the strictest form needs to be in place, so that adoption can serve its ultimate means: being a child led service but only for those that can not be cared for adequately in their birth country or for those given up freely and after counselling.

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30.09.08

Appendices:

- A. Legal instruments
- B. Preferences of placement choice
- C. Adoption Agencies and sending countries
- D. Information on waiting lists
- E. Adoption and Foster Care, comparison

Separate appendices:

- * The right to a family: adoption and foster care practice in the Netherlands (Vinke, 2008)
- * Kalsbeek Committee: Report on intercountry adoption (2008).

Appendix A. LEGAL INSTRUMENTS

Legal instruments and important background information on the Dutch Adoption situation

Laws

I. Uitvoeringswet Verdrag inzake de bescherming van kinderen en de samenwerking op het gebied van de interlandelijke adoptie (Uitvoeringswet). Implementation Law of 14 May 1998. Aim is to implement the 1993 Hague Adoption Convention on Protection of Children and Cooperation in respect of Intercountry Adoption, as well as to modify existing legislation (Wet opnemning buitenlandse pleegkinderen e.g.) in order to abide with the 1993 Convention.

II. Wet conflictenrecht adoptie (Wcad). Act regulating conflict of laws regarding adoption of July 3rd 2003 that provides the legal framework on dealing with conflicting law issues arising from international different systems. Also this law provides the framework and standards for recognizing legal procedures that took place in sending countries where the Hague Adoption Convention is not (yet) fully implemented.

III. Wet herziening afstammingsrecht en regeling van adoptie. Law of December 24th 1997 revised law of lineage and arrangements of adoption, providing the framework to deny parental lineage and revoke the adoption.

IV. Wet opnemning buitenlandse kinderen ter adoptie (Wobka) Law of May 14th 1998, that provides the legal framework for intercountry adoptions. Currently, the Wobka is under revision and a new law is being written.

V. Wet tijdelijke openstelling mogelijkheid van adoptie Law of July 12th 1962 providing the possibility to adopt for those families that had already taken in a child before 1956, to adopt this child (first adoption law came into force 1956).

VI. Wijzigingswet van Boek 1 van het Burgerlijk Wetboek (adoptie door personen van hetzelfde geslacht) Law of December 21th 2000 creating the possibility for adoption by couples of the same sexe.

Next to the laws there are several formal regulations (AMvB's) and formal Royal Decisions (Koninklijk Besluit) that cover the following subjects:

VII. Besluit opnemning buitenlandse kinderen ter adoptie (Bopka). Decree acceptance of foreign children with respect to adoption of July 4th 1989. This Decree describes the rules and regulations to be applied on the matching and placement by Adoption Agencies.

VIII. Besluit klachtencommissie vergunninghouders interlandelijke adoptie. Decree Complaints Committee: herewith a formal and independent assessment committee is installed to deal with complaints relating to the functioning of the Adoption Agencies (March 13th 2000). All complaints against Adoption Agencies (Permit Holders) go through this independent committee

IX. Wijzigingsbesluit Besluit opnemning buitenlandse kinderen ter adoptie kosten algemene voorlichting. Alteration of acceptance decree, concerning the costs of the general preparation. (April 1th, 2004)

Governmental arrangements

X. Aanwijzing Bureau Voorlichting Interlandelijke Adoptie als rechtspersoon. (Stichting Adoptie Voorzieningen, SAV). The appointment of the Foundation Adoption Services as a legal body (July 10th 1989).

XI. Machtigingsbesluit directeur SAV. Authorization decision with respect to the position of the Director of the FAS (July 2th 2004).

XII. Regeling aanvraag vergunning bemiddeling interlandelijke adoptie, Regulation to obtain a formal permission to act as an Adoption Agency (August 17th 1989).

XIII. Regeling gegevens buitenlandse betrekkingen vergunninghouder interlandelijke adoptie. Regulation with respect to foreign relations upheld through Adoption Agencies (August 17th 1998)

XIV. Regeling betreffende de verklaring houdende toestemming tot adoptie. Regulation on the declaration on adoption consents (July 29th 1998)

XV. Regeling verklaring overeenstemming (omzetting) interlandelijke adoptie. Regulation concerning the declaration of agreement to intercountry adoption and the declaration concerning agreement of conversion of intercountry adoption (with respect to Hague Adoption Convention Adoptions)(August 5, 1998)

XVI. Richtlijnen opnemning buitenlandse kinderen ter adoptie 2000 (Robka). Guidelines on adoption of foreign children (November 10th, 2000)

XVII. Decision to install the committee lesbian parenthood and intercountry adoption. (also know as the Kalsbeek committee since Mrs. Kalsbeek chaired this committee). Regeling instelling Commissie lesbisch ouderschap en interlandelijke adoptie. [Arrangement will expire 01-12-2008]

Published rules

XVIII. Adoption and obtainment of Dutch Nationality

Other relevant documentation binding to all Adoption organizations in the Netherlands.

XIX. Kwaliteitskader Vergunninghouders. Quality Framework Adoption Agencies (signed June 2008) Framework intended to be able to monitor, control and evaluate the adoption process for the part that is the responsibility of the agencies.

XX. Rapport Interlandelijke Adoptie: alles van waarde is weerloos. Report on Intercountry Adoption – ‘all things of value are defenceless’ (29th May 2008). Committee on Lesbian Parenthood and Intercountry Adoption – formal committee asked to advise the Minister of Justice on Intercountry Adoption (available in English)

XXII. Normen 2000 en Handreiking gezinsonderzoek. Norm 2000 and Practice guide home study, work process and assessment guide for the Child protection board (not accessible to the public).

XXIII. Handboek Adoptie Handbook Adoption, issued every other year by the SAV and used as basic material in the preparation course. Regularly updated and only available through the SAV for people attending the course. No public publication (updated regularly).

XXIV. Blauwdruk Nazorg. Blueprint adoption care: formal document of the field in which gives the view of all parties involved in specialized adoption care. Also it debates current collaboration and alignment with the field of youth care.
http://geadopteerd.info/joomla/index.php?option=com_content&task=view&id=26&Itemid=58

XXV. Protocol afstand. Protocol on relinquishment by FIOM/Child Protection Council/VBOK (2008).

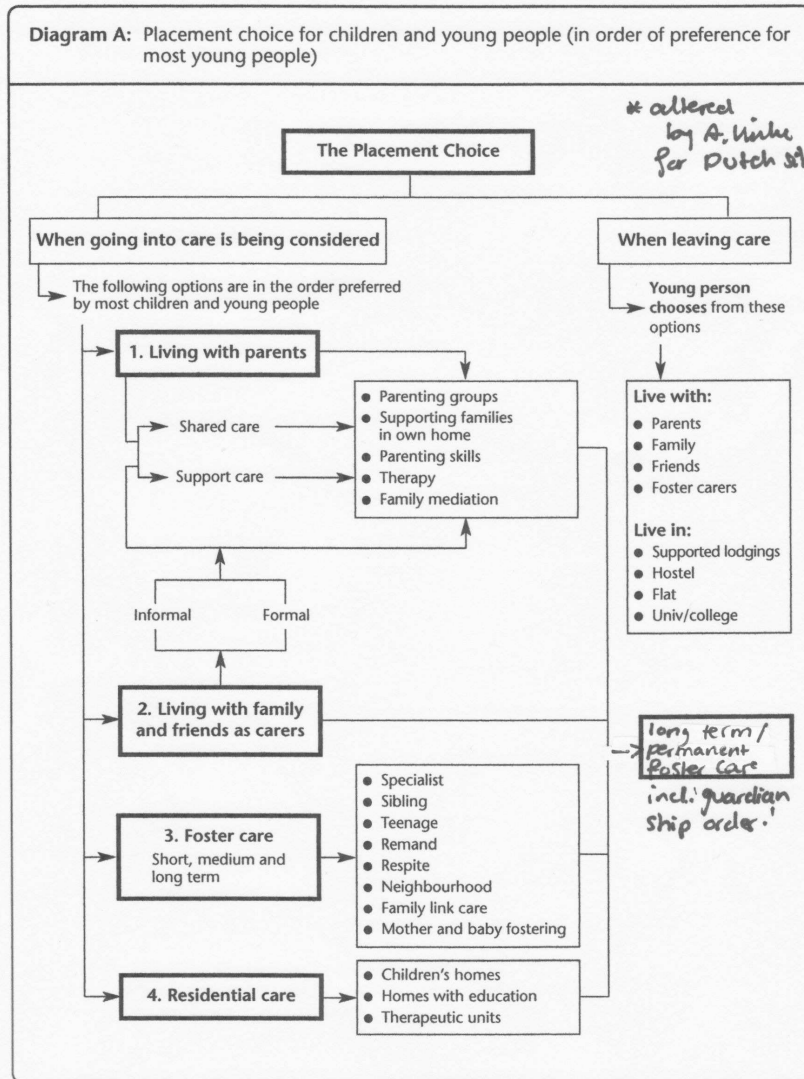
XXVI. Evaluation Dutch Adoption Law, 2004 Adviesbureau Van Montfoort.nl

APPENDIX B. PLACEMENT CHOICES.

Wheal A. (2001), Family and friends who are carers: a framework for success. In B. Broad (eds.) (2001). *Kinship Care*. Dorset: Russell House Publishers.

A. Wheal (2001) in: Broad (2001) (eds), Kinship Care. Dorset: RHP

A. M. Wheal: Family and Friends who are Carers: A Framework for Success 23



To enable clear policies to be defined and to put some form of order into a very ad hoc, but most important, system of caring for children, I believe these groupings should be considered.

APPENDIX C. AGENCIES AND PEER SUPPORT GROUPS IN THE NETHERLANDS, INCLUDING THE WEBLINKS

Adoption Agencies, permit holders

1. Wereldkinderen – largest and professional organization for project aid and adoption www.wereldkinderen.nl.

Wereldkinderen mediated 322 adoptions in 2007 of children born in the following countries:

- | | | |
|-------------|----------------|------------------|
| 1. Brazil | 5. Ecuador | 9. India |
| 2. China | 6. Philippines | 10. Nepal |
| 3. Colombia | 7. Thailand | 11. South Africa |
| 4. Haïti | 8. Israël | 12. Ethiopia |

2. Kind en Toekomst second largest agency, working with both volunteers and paid professionals. www.kindentoeekomst.nl (between brackets: status of waiting list sept. 2008)

- | | | |
|-----------------------|---|--|
| 1. Sri Lanka (closed) | 7. Slovakia (closed) | 10. Malawi (open, new channel, still experimental) |
| 2. Guatemala (closed) | 8. Bulgaria (open for those wanting to adopt a child > 36 months) | 11. Congo Republic (open) |
| 3. Poland (open) | | |
| 4. Russia (closed) | | |
| 5. China (open) | | |
| 6. Nigeria (closed) | 9. Lesotho (closed) | |

3. Stichting Afrika, working with paid administrative professionals and volunteers www.stichtingafrika-adoptie.nl/

1. Ethiopia
2. Kenia

4. Meiling, www.meiling.nl working with volunteers, mediates adoptions from

- | | |
|-------------|-----------|
| 1. China | 3. India |
| 2. Suriname | 4. Taiwan |

5. Flash, www.stichtingflash.nl, works with 3 countries and works as a voluntary organization. Due to problems with some Haitian adoptions in 2003, Flash was sanctioned and the permit was withdrawn during a period of 6 months. After that and after a full reorganization, Flash made a new start and now mediates 3 countries:

1. Haïti
2. Hongarije
3. Sri Lanka

6. Hogar www.stichting-hogar.nl Hogar works with volunteers and mediates only in adoptions of children coming through the Colombian child protection system.

1. Colombia (CBCF)

7. Nederlandse adoptie stichting www.nederlandseadoptiestichting.nl, this is the newest agency that came to be holding a permit in 2003 and mediated the first children in 2004.

Panamá

1. Bolivia
2. Mongolia
3. Haïti
4. USA

Adoption Agency	2000	2001	2002	2003	2004	2005	2006	2007
Vereniging Wereldkinderen	642	579	498	490	541	475	354	322
Stichting Kind en Toekomst	245	234	233	261	418	391	224	268
Stichting Meiling	135	162	228	224	218	192	111	92
Stichting H.O.G.A.R.	73	69	90	84	62	52	43	0 **
Stichting F.L.A.S.H.	46	29	27	11	6	8	22	57
Stichting Afrika	38	25	25	37	32	23	14	26
Nederlandse Adoptie Stichting	new agency, permit as of 2004				2	6	4	13
Partial procedures (only formal check)	14	24	29	47	29	38	44	48
Total	1193	1122	1130	1154	1308	1185	816	826

** As of May 2008 Hogar has decided to stop adoption mediation. The number of rules as well as cycles of control (e.g. the quality framework) make it impossible to continue working as a purely voluntary organization. Currently about 40 couples are on the Hogar waiting list. They will still be mediated by Hogar.

Remark: the numbers of realized adoptions vary very much between the larger (professional) organizations and the smaller volunteer driven organizations. The Kalsbeek committee advises the Dutch government to set a mediation threshold of at least 30 adoptions on a yearly basis in order to be able to keep the permit. For new agencies there is a 'starting' period suggested in which a lower number may be achieved.

2006 Foundation Happy Child was a new agency that intended to start adoptions from China, however, after achieving the permit, they decided not to start adoptions after all so the permit was withdrawn by the Ministry of Justice.

Organizations by and for Triad Members:

Birthmothers

Steunpunt Afstandsmoeders – Point of support for birthmothers (former birthmother foundation) (www.afstandsmoeders.nl); website and information for and by birthmothers.

Adoptive parents

1. Adoptievereniging Gereformeerde Gezindte (AVVG Adoptive parent foundation for parents belonging to the Gereformeerde Gemeente (Christian church) website: www.avgg.nl)
2. Belangenvereniging Zelfdoeners in Adoptie (BZA association of parents interested in partial mediation) website: www.zelfdoenersinadoptie.nl)
3. Gereformeerde Adoptie Vereniging (GAV Christian adoptive parents association belonging to the reformed church) website: www.adoptiek.nl)
4. De Knoop (the knot – organization for parents that encounter attachment problems in their (adoptive) children). Website: www.deknoop.org)
5. LAVA, Landelijke Vereniging Adoptieouders (LAVA Dutch Adoptive Parents Association) website: www.lava-ouders.nl)
6. LOGA, Landelijke Oudervereniging Gezinsproblematiek Adoptie (association for adoptive parents that experience problems in parenting the adoptive child) website: www.loga.info)
7. OverSchatten (overestimating – organization of adoptive parents that find their child to be functioning on a mentally handicapped level) website: www.overschatten.nl)
8. NERVA (working group within Wereldkinderen for parents that have questions about the behaviour of their adoptive child) website: http://www.wereldkinderen.nl/activiteiten_nerva.html)

Adopted children and families

Some organizations aim specifically at activities for parents and children together. They aim at creating contact opportunities between young adoptees from the same birth country. Also they provide newsletters with information on adoption related themes (recent books etc.)

1. Auntie (Nigeria) website: www.auntie.nl
2. Guateniños (Guatemala) website: www.guateninos.nl
3. Inang Bayan (Philippines) website: www.inang-bayan.tk
4. PROTEA (Zuid-Afrika) website: www.vereniging-protea.nl
5. De Rode Draad (China & Taiwan) website: www.rodedraad.com
6. VONK (Nepal) website: www.nepalvonk.nl
7. Wo De Gu Xiang (Taiwan) website: www.wdgx.nl

In order to have one organization that informs policy makers of the views of adoptive parents there is the Adoptive Parent Consultation Council (AOO), made up by BZA, LAVA, AVGG, AVR D and Protea (www.adoptieoudersoverleg.nl)

Adult Adoptees have their own organizations. Adoption has a 50 year old history in the Netherlands and the adults have organized themselves by birth country. They organize social events and are involved in supportive activities e.g. on the theme of roots.

1. Adoptieclub Nederland (Dutch adoptees) website: www.adoptieclubnederland.nl
- Arierang (South Korea) website: www.arierang.nl
2. Asalsaya (Indonesia) website: www.asalsaya.nl
3. Bemvindo (Brazilië) e-mail: bemvindo2@hotmail.com
4. Condor Colombia website: www.condorcolombia.nl
5. Chicolad (Colombia) website: www.chicolad.nl
6. Desta (Ethiopia)
7. Inesh SAV (Sri Lanka) website: www.inesh.tk
8. Lak Daruwan (Sri Lanka) e-mail: lakdaruwan@hotmail.com
9. Kiran (India) website: www.kiran.nl
10. Peruacha (Peru) website: www.peruacha.nl
11. Shapla (Bangladesh) website: www.shapla.nl
12. Ta Pedia (Greece) e-mail: ta_pedia@hotmail.com
13. VOGN (Austria)

Cooperations where adoptees of the above mentioned organizations participate
Samenwerkingsverband Interlandelijk Geadopteerden (SIG) (Cooperation Intercountry Adoptees) website: www.geadopteerd.info
Werkverband Geadopteerden Nederland (Cooperation of adoptees in the Netherlands)
United Adoptees International (UAI) <http://.uai-news.blogspot.com/>

Furthermore there are a number of webpages of parents telling their adoption story, support groups etc. on the internet. Some can be reached by: adoptie.startpagina.nl or adoptie.startkabel.nl

www.adoptietrefpunt.nl is one of the pages giving much information and hosting forums and groups.

APPENDIX D: INFORMATION ON WAITING LIST, SOME EXAMPLES

From application to preparation course
 (<http://www.adoptie.nl/adoptieprocedure/stapvoorstep/planning.htm>)

Two months before the preparation courses start, the applicants are send the final Schedule for the compulsory programme and handbook.

BKA number starts with year of application e.g. 2006 then the term e.g. 2 and then the number on the list.

A year has 4 terms:

Term 1: January February March

Term 2: April May June

Term 3: July August September

Term 4: October November December

BKA-numbers	Invoice	Handbook and planning	Preparation course
BKA 20062/0276 till 20063/0150	jun-07	aug-07	nov. 07 – febr. 08
BKA 20063/0151 t/m 20064/129	sep-07	nov-07	febr. 08 – apr. 08
BKA 20064/0130 t/m 20071/0085	dec-07	feb-08	may 08 – jul-08
BKA 20071/0086 t/m 20072/0549	mrt-08	jun-08	aug 08 – okt. 08
BKA 20072/0550 t/m 20073/0520	jun-08	aug-08	nov 08 - febr. 09
BKA 20073/0521 t/m 20074/0250	sep-08	nov-08	febr 09 - april 09
BKA 20074/0251t/m 20081/0275	dec-08	feb-09	mei 09 - juli 09
BKA 20081/0276 t/m 20082/0160	mrt-09	jun-09	aug 09 - okt. 09
BKA 20082/0161 t/m ..	jun-09	aug-09	nov 09 - april 10

Ideally, the course is followed by the home study, however due to the longer waiting times, the Child Protection Council is faced with a great number of renewals of permits that will expire.

APPENDIX E. COMPARISON ADOPTION AND FOSTER CARE

*digest of papers Care Matters Conference 7–9 July Oxford **

Developments in adoption and foster care practice in the Netherlands

©Dr. Anneke JG Vinke, child psychologist in private practice and guest lecturer Leiden University / Adoption Triangle Research Centre

Keywords: adoption – foster care – Netherlands

Summary

Services for children in need of a family in the Netherlands are currently under debate: the Netherlands are into the process of revising the child protection laws as well as the adoption law. Collaboration is needed and sought for by practitioners and parents. However the current local structures of youth care do

Whereas several hundreds of minors are waiting to be fostered, nearly 4000 would-be parents are waiting to adopt a child from a far away country.

Whereas foster carers can rely on support and counseling when needed, when the adoption is a fact adoptive parents are 'on their own'. This becomes more and more problematic since the children entering the Netherlands are getting older and/or are having an increasingly more difficult background. Efforts are being made to link adoptive and foster care services. This brief paper discusses the efforts and needs for linking both sectors as well as the subjects on which adoptive and fostering services might profit from each others experiences. There is sufficient evidence base that suggests the need for a continuum in services.

Background

In the Netherlands adoption and foster care are two completely separate routes.

Domestic adoption is rare whereas foreign adoptions were quite common up until last year. As for numbers: on a yearly basis nearly 13.000 children find a new home through foster care, whereas nearly 800 get internationally adopted.²⁴ In the mean while there was December 2007 a waiting list of nearly 1000 Dutch children waiting for a (temporary family) simultaneously over 4000 couples are waiting to adopt a foreign child.

Foster care has been thoroughly linked to child protection in the Netherlands, whereas foreign adoptions emerged from private initiative. This has and have been hovering between child protection and family formation . Also a foster child will rarely be adopted by its foster-carers. Involuntary freeing for adoption is not an option under current Dutch law. However both adoption and fostering laws are under revision as well as child protection laws so this might provide a legal basis for change in the future.

Also some huge adoption scandals have been the focus of attention, leaving prospective adopters doubting their decision to adopt.

Key findings

²⁴ 2007 statistics, provided by Foster Care Netherlands and the Foundation Adoption Services.

Adoption is a good option for children in need for a family (Van Ijzendoorn & Juffer, 2006). Research shows the merits of permanency both on group as well as individual levels, it is therefore important to design services that will provide children with this permanency so needed to support healthy developments.

The number of adoptable children is decreasing dramatically, also the number of children waiting for a foster family is rising. Thirdly media are focusing on the darker sides of adoption, money and market issues are being discussed. Both the public debate, politics and media are redefining adoption (Juffer, 2006; Vinke, 2007). By the end of May 2008, a specific committee will have advised the Dutch government on the issues above. I hope to be able to include this in the poster. As for practice: on the poster some examples will be given of good practice in collaboration between adoptive and foster care services such as campaigning, providing video interaction guidance, support teams for both adoptive and foster care parents etc.

Finally adult adoptees are taking the stand and will most likely influence both the debate as well as the development of services. There is no sign yet of adult foster children, but it is not unlikely that the example given by adult adoptees will help them to develop services targeted at adults who were in care too.

Recommendations

Linking the legal frameworks as well as an extensive collaboration between fostering and adoptive services in the Netherlands is needed in order to be able to address the needs of children properly. There is need for a full debate and design of services in which both professionals, members of the adoption and foster care triangle as well as scientists participate. As far as I can see, the debate is starting and the poster will provide some possible pathways to be explored and developed in the future for children both in foster as well as in adoptive families in the Netherlands.

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