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THE POTENTIAL OF IRELAND'S HAGUE CONVENTION LEGISLATION TO RESOLVE ETHICAL DILEMMAS IN INTER-COUNTRY ADOPTIONS

By Dr Valerie O'Brien

INTRODUCTION

This paper, developed from a workshop presentation at the 2008 Irish Association Social Work (IASW) conference, explores the extent to which the 1993 Hague Convention assists in resolving ethical dilemmas for social workers involved in inter-country adoption practice. With the recent publication of the Irish Adoption Bill, 2009, intended in part to give legislative ratification of the Hague Convention, the paper reflects on the extent to which this long-awaited but significant development will assist in the resolution of ethical dilemmas faced by social work practitioners in an Irish context.

The practice of trans-national adoption of children has its genesis in the early 1950's. It reached a peak in 2004 according to Selman (2008) when an estimated 45,288 children were adopted internationally. This growth trend has shown some indications of a slow-down in more recent years, and in 2007, an estimated 34,403 children were involved in international adoption (Selman 2008).

Ireland's involvement in inter-country adoption over this period has been most interesting. It has been both a sending country (Milotte 1997) and a country which has received international children in increasing numbers since 1991 (Adoption Board 2007). The continuing trend of increasing numbers of children adopted into Ireland (Adoption Board 2007) runs contrary to the international trend, where numbers are falling. While there has been no specific analysis of this aspect to date, it may be associated with certain demographic features of our population i.e. population growth and higher numbers in child-rearing stage, recent economic prosperity, and a later starting point for

international adoption, compared to other countries.

In response to the increasing phenomenon of inter-country adoption, the Permanent Bureau of Hague Convention advocated in 1987 that a new Convention on international co-operation around adoption was needed (HcCH 2008). It was clear that the phenomenon was creating 'serious and complex human and legal problems and the absence of existing domestic and international legal instruments indicated the need for a multi-lateral approach' (HcCH, 2008, p 21). The Hague Convention was published in 1993.

While Ireland signed the Convention in 1996, the first firm step towards actually ratifying the provisions of the Convention and giving them legislative under-pinning came in January 2009, thirteen years after Ireland signed up to the Convention. The Adoption Bill, 2009 was published and contains provisions for enacting the Convention into Irish Law.

This paper sets out to discuss if the new Hague Convention legislation will assist social workers in dealing with ethical dilemmas they may encounter in inter-country adoption practice. The context in which social workers are involved in inter-country adoption practice, the ethical dilemmas encountered, and some of the basic tenets of the Hague Convention are presented. This paper is intended as a prelude to the debate on the extent to which the Hague components of the Adoption Bill, 2009 offers a framework for ethical social work practice.

INTER-COUNTRY ADOPTION: THE ETHICAL DILEMMAS ISSUE

An attempt to elucidate the ethical dilemmas involved in inter-country adoption would benefit from a brief overview of the much-debated case for and against inter-country adoption (DOHC 2005, p. 81; Green et al 2007, p.12-13). This brief overview is intended to set the scene, and is by no means exhaustive nor does it claim to capture the complexities of the multiple stakeholders' viewpoints.

The case against inter-country adoption might be stated as follows:

- In inter-country adoption, children are removed from poor families in under-developed countries and adopted by parents in countries that are financially advantaged. Therefore, inequity and injustice are at the core of the practice.
- The process of inter-country adoption provides incentives by which poor families are encouraged to see it as a help to their very survival, and very often the implications of the legal severance of the family relationship is not fully understood.
- The commodification of adoption serves as an incentive for disingenuous practices to emerge and be sustained. The huge differential in the value of the money involved between the sending and receiving parties combined with a lack of transparency about the financial transactions, acts both as an incentive for and masks corrupt practices.
- At the heart of inter-country adoption is the myth that children are destined to live their lives in institutions if they are not 'rescued' by parents from other countries. Those opposed to the practice suggest that the rate of abandonment increases and the rate of relinquishment decreases sometimes when inter-country adoption emerges as an option. They further suggest that in some countries institutional care is seen by parents and communities as a form of community/state support to assist people in times of crisis in their lives.
- The reality is that there are less children available for legal adoption in the world than there are prospective parents willing to adopt (Hcch, 2008), and yet the impetus of "child rescue" is used to sustain the practice. On the other hand proponents of inter-country adoption argue that:
- Time does not stand still for individual children destined to live out their lives in institutions while families, communities and

countries are assisted to improve life situations which could result in children remaining within their own family or an alternative family in their own country.

- Of course, everyone agrees that children should be reared among their own family or within their own country, but if viable options are not available, why use the innocent child as fodder in some ideological argument.
- Evidence shows that prolonged institutional care can have a damaging effect on children, and the alternative, while involving loss, is preferable to the damage done by remaining in institutions.
- Outcome research, by and large and despite the perceived risks involved in bringing children from one country to another and away from family, culture and race, indicates that the a majority of children in inter-country adoption do well overall (Bagley & Young 1993, Lingblad et al 2003, Green et al, 2007).
- Somewhere in the world a family can be found for every child in need, and that well-regulated inter-country adoption should ensure that practices are safe and that children's interests remain at the heart of the process.

Little wonder then when the polarity contained in the arguments for and against inter-country adoption is considered, that the process can present some dilemmas for social work practitioners involved in the practice here in Ireland.

ETHICAL DILEMMAS AND THE CONTEXT OF SOCIAL WORK PRACTICE

It can be argued that ethics are at the core of all human activity, and that an ethical dilemma emerges when there is a level of significant polarity involved in deciding an action that needs to be taken. Arising from the arguments for and against inter-country adoption, what are some of the ethical dilemmas involved for social workers involved in the practice? In

developing these dilemmas, the particular context of inter-country adoption practice in which Irish social workers are involved are discussed (O'Brien and Richardson 1999, O'Brien 2002, Conway and O'Brien 2004, Green et al 2007). The IFSW position, which is stated below, is also applicable in gaining an understanding of Irish practice:

'Social workers play a key role in supporting good adoptions and making sure that all the parties are treated fairly and legally.....Social workers know from bitter experience that adoption processes can easily be corrupted and can harm the rights and feelings of all involved — child, birth parents and adoptive parents. Social workers also understand very well the strong feelings of prospective adopters and their wish to provide care for a child' (IFSW 2008).

McCarthy and Goolishian (2002) suggest that the headings of law, policy, resources and values offers a framework within which to understand ethical dilemmas, connected to lack of congruence between two or more of these quadrants. They advocate that the following questions - Law (what the law requires); Policy (what the agency says should be done); Resources (what can be done) and Values (what one wants to do) are useful as a means by which the practitioner can identify the issues that are most at variance, and in so doing can simultaneously offer options for resolution. Notwithstanding the contribution of this framework, the impact of the difference and similarities in ethical positions, the change that can happen over time, understanding disparity within and between cultures and the challenge of obtaining agreement and creating space for divergence is not without difficulty for the participants involved in working out ethical dilemmas.

CONTEXTS THAT SHAPE IRISH SOCIAL WORKERS PRACTICE

Currently, inter-country adoption practice in Ireland is shaped by the Adoption Act, 1991.

This Act provides mainly for the assessment of prospective adopters, the granting of declarations of suitability and the recognition of foreign adoption laws. It does not concern itself with the adoption process. The limitations of this legislation, including that 'the Adoption Board has no way of determining whether or not the laws and proper procedures were adhered to when asked to recognize an adoption' (DOHC, 2005, p 80) are self-evident. Furthermore, a major issue is that, even when they are strongly of the view that a proposed match is not in the interests of the child, Irish authorities cannot block particular adoptions from going ahead. The lack of regulation of those involved in mediation processes, with which Irish applicants have to deal when they go overseas, is also seen as a major concern. The most serious issue is that there are no sanctions available against those who go outside the terms of the Act (DOHC 2005, p 80).

Social Workers, employed by the Health Service Executive and Adoption Agencies, are mainly involved in assessing the suitability and eligibility of the prospective adoptive parents for the purposes of the 'home study' in inter-country adoption practice. This home study underpins the decision-making of the Irish Adoption Board in granting applicants a declaration of suitability. This declaration and the home study itself are then used by the sending country as the basis for deciding to allow a child to be adopted by Irish parents. Social worker involvement with adoptive families continues after the child is placed for the sole purpose of compiling post-placement reports. These progress reports are included as a requirement of certain sending countries prior to the adoption being made, but they are not legally binding. There are very limited post-adoption support services available, once the adoption is completed. This service deficit was identified by Green et al (2007), and since then a limited, Dublin-based, service has been set up by Barnardo's.

SUITABILITY And ELIGIBILITY CRITERIA FOR ADOPTIVE PARENTHOOD

Many of the dilemmas experienced by social workers are associated with the apparent different standards applied in determining who is designated as suitable for domestic or inter-country adoption. While the eligibility conditions are the same for both sets of applicants, differences seem to emerge in the assessment of suitability at the decision-making stage. At the core of this situation is the fact that adoption agencies involved with domestic adoption cater for a very small number of children that require placement each year. There are many more families that would like to adopt than children are available, and as a result, agencies chose families they consider can offer optimum conditions for child rearing. In these cases, the agencies act as gate-keepers as to which families are matched with available children, even though the making of the adoption order is the responsibility of the Adoption Board.

On the other hand in inter-country adoption, decision-making about what constitutes suitability and eligibility is not connected with the numbers of children requiring a home, as in domestic adoption. On the basis of the 1991 legislation, people have a legal entitlement to an assessment, and agencies have a gate-keeping role only in so far the available resources determine the speed at which applicants can obtain this assessment. In this context, the decision about what constitutes a suitable adoptive family is made within a quasi-judicial context, on the basis of evidence that the applicant/s meet the capacities for adoptive parenthood set down in the standardised framework (DOHC 2000). A consequence of these two different contexts is that, a significant difference has emerged in the profile of domestic and intercountry adoptive parents and families. The principle of the best interest of the child should be at the heart of decision-making (Euradopt 2009, IFSW 2004) but it is common for social workers in inter-country adoption to encounter dilemmas connected with:

- conducting an assessment within the legal parameters in the 1991 Act and yet ensuring that the right to an assessment is not confused with some concept of a right to become an adoptive parent.
- ensuring that the potential dominance of 'legalism' does not constrain the contribution of research, clinical knowledge and best practice in decision-making.

It is not uncommon for social workers to be faced with dilemmas in decision-making in the assessment process connected with determining capacities vis-à-vis the best interests of a hypothetical child and criteria about applicants' age, and mental and physical health/capacity are often to the forefront. Questions arise such as:

- How to understand a context in much older applicants are permitted to adopt young children overseas, whereas the same applicants would not be considered for a domestic adoption? (In child welfare practice, a maximum 42-year age gap between parent and child is considered more appropriate for the long-term development of the child, as it fits with the limits of a more normative child rearing experience in society).
- Similarly, how can a single applicant be considered/ deemed suitable when a person of the same age may not be permitted to adopt because they are married to a much older applicant. In this scenario, the risk of the older partner not surviving to parent the child to adulthood is given as the reason for not permitting the adoption. The paradox of this scenario is that not having any father figure is deemed to be less of a risk than to have a father figure and to risk losing this person at some stage in the adopted person's life before they are eighteen.
- Other dilemmas connected with difference in domestic and inter-country practice centre on striving to understand the basis for decision-makers permitting seemingly different standards in relation to physical and mental health conditions in the

selection of adoptive parents. The apparent difference in standards is sometimes accentuated by failing to distinguish actuarial and clinical assessment of medical risk, and the need to consider these within an over-arching evidence base, as distinct from using them as polarities/ different entities.

A further dilemma can arise for the social worker if a decision is made by the adoption committees in the HSE and the Adoption Board, or by the Adoption Board alone, to grant a declaration despite their negative recommendation.

This negative recommendation, contained in the home study, remains part of the document that applicants take overseas to seek a child. However, many sending countries have a policy where they will not place a child with applicants that have a negative recommendation in the home study report, irrespective of further legal documentation that declares their suitability. This of course may not be a dilemma for the social worker, as they may feel vindicated in their original viewpoint. However, it does raise questions as to the apparent injustice involved where applicants are determined as suitable to parent a child in a multi-disciplinary forum with a quasi-judicial function, and are prevented from doing so by a single professional viewpoint.

THE MEDIATION AND MATCHING STAGE

It is also common for workers to experience dilemmas in inter-country adoption practice arising from the lack of regulation involved in the mediation process. Mediation refers to the process by which a child, identified as needing a home in the sending country, is matched with parent/s deemed suitable to adopt in a receiving country. Currently, prospective adoptive parent/s can progress their adoption plans in one of the following ways:

- Select a country with which Ireland has a country-to-country or bi-lateral adoption agreement. In 2009, Ireland has country-to-country agreements with Vietnam and the Philippines and an administrative

agreement with China and Thailand. In both these instances, the Adoption Board has various functions in receiving and passing on referrals, etc.

- Prospective adopters wishing to adopt in other countries have to use the services of inter-country adoption mediation agencies or lawyers if they wish to adopt in these countries. Most of the mediation adoption agencies are based in the USA, and these agencies have agents in the sending countries. Lawyers based in the sending countries also play a critical role, and prospective adopters give such lawyers Power-of-Attorney to act on their behalf in progressing their inter-country adoptions.
- Use an Irish mediation agency. Currently, there is only one Irish adoption agency registered with the Adoption Board for the purposes of providing mediation services to adoptive parent/s, and this is solely in respect of adoptions from Vietnam.

In recognising the unsatisfactory nature of the present situation, the Department of Health & Children reported:

'The 1991 Act does not regulate agencies involved in foreign adoption. In practice, prospective adopters have to use mediators and facilitators if they are to negotiate the adoption procedure in most countries of origin. It is the action of such mediators which have made adoptions a market in some countries and which have undermined efforts to introduce good adoption practice' (DOHC, 2005, p80).

Furthermore, this report states 'that the Irish authorities are not in position to block particular adoptions even where they are of the opinion that the child selected is not suitable for the prospective adopters' (2005, p80).

It could be argued that, while the Adoption Act, 1991 does not make provision for registering mediation agencies, it is possible for such agencies to apply for registration under the Adoption Act, 1952. Agencies have been slow, however, to apply for registration, as they are constrained by this same legislation from charging fees in respect of

services in Ireland (O'Brien 2004). However, as noted above, there is one mediation agency registered under this Act as required by the specific Vietnam-Ireland bi-lateral agreement. This agency, 'Helping Hands', was brought into being in 2007. This agency is supported by a grant from the HSE, which is provided to meet the costs of the Irish dimension of their service provision. It is not unlawful for Irish applicants to meet the costs of the adoption process overseas. Yet the reality is that both potential Irish adopters and prospective adoptive children and their families are in a very vulnerable position, without a regulatory framework to govern the mediation process in inter-county adoptions. Adoptive parents sometimes share experiences or voice some concerns to social workers on their return from an adoption trip, but there is little or no current legislative basis to address such concerns on a more systemic basis.

THE DILEMMAS CONNECTED WITH NOT YET HAVING RATIFIED THE HAGUE CONVENTION

It could be argued that Ireland's position in not ratifying Hague in the years since signing it has not had an impact on the prevalence of inter-country adoption in Ireland. Adoptive parents support groups are more likely to say that a bigger impact on the prevalence is the length of time applicants wait for an assessment. In Figure 1, the rate of placement of children from 1991 – 2007 from the six main sending countries is presented. This data shows that a large number of Irish people have adopted from countries that have not ratified the Hague Convention either. Russia and Vietnam are two countries in this category, although Vietnam does have a bi-lateral agreement with Ireland that offers some level of safeguard to all involved in the process.

FIGURE 1

Numbers of Children Placed between 1991 – 2007 from the Top Six Sending Countries, based on Adoptions Entered in the Registrar of Foreign Adoption

Country	Number of Children	% of Total children Adopted into Ireland 1991 - 2007 (n=3596)
Russia	1112	31.16
Romania	785	22.00
Vietnam	454	12.72
China	340	9.53
Guatemala	176	4.93**
Belarus	145	4.06 *

DILEMMAS IN THE MEDIATION PROCESS

We need to look also at some of the dilemmas identified by social workers that may occur in the inter-country adoption process at the mediation / placement stage, and how these dilemmas might affect their practice at assessment and post-placement stages. These dilemmas are connected with the following.

- The total lack of, or limited in the case of bi-lateral agreements, supervision of adoption practice by competent authorities to ensure that the best interests of children are protected after the declaration of suitability is made.
- In many instances in sending countries, neither the administrative nor professional systems are in existence to provide a sufficiently robust audit trail of the practice involved prior to the legal orders been made. The absence of mediation agencies with accountability to the Irish system is a further vulnerability.
- There is simply no systematic process for matching prospective adopters with children's individual needs, and even when social workers recommend a certain age and profile of child, this is very often overlooked in the process.

- Where bi-lateral arrangements exist, the resources of the Adoption Board are engaged in part of the process, (e.g. arranging translation and transmitting documentation) yet the Board does not exercise a supervisory role on the critical mediation process.
- Even where there are bi-lateral agreements, confusion exists regarding the role of the Adoption Board in overseeing the practices, as the agreements are generally government to government, and the Adoption Board's role in the initial negotiations and subsequently is largely advisory.
- Where bi-lateral agreements do not exist, prospective adopters have themselves or through agents based in other jurisdictions, to navigate through unknown and complex systems to identify potential adoptive children, and to make arrangements for their adoption.
- The integrity of inter-country adoption may be brought into disrepute by prospective adopters being requested and/ or agreeing to pay disproportionate fees or charges to arrange an adoption.
- Overseas agencies are operating on behalf of some prospective adopters in a manner which appears contrary to Irish legislative provisions i.e. matching children with parents prior to the actual birth and requesting birth parents to reimburse medical fees if they decide to keep the children.

While the Adoption Act, 1991 'gives recognition to foreign adoption laws and does not concern itself with the adoption process' (DOHC, 2005 p.80), there are certain safeguards offered by the law if adoptive parents choose to register their children in the 'Foreign Adoption Register' provided for in the 1991 legislation. The provision in the Adoption Act, 1991 for a foreign adoption register provides limited safeguards as the Board has limited powers to look at the practices and procedures before making the entry. A second

significant limitation is that there is no legislative requirement for adoptive parents to register adopted children on return to Ireland. In reality however, many do register them as it assists smooth interface with other processes e.g. applying for a passport etc.

SO, WHAT ARE THE AIMS OF THE HAGUE CONVENTION ON THE PROTECTION OF CHILDREN AND COOPERATION IN RESPECT OF INTER-COUNTRY ADOPTION AND WHAT HAS IT TO OFFER IRISH INTER-COUNTRY ADOPTION PRACTICE?

The Hague Convention on the Protection of Children and Cooperation in Respect of Inter-country Adoption was finalised on 29 May 1993. It contains 49 articles, in seven chapters. This Convention was most significant in terms of establishing safeguards to ensure that inter-country adoption takes place in the best interests of the child involved and with respect for his or her fundamental rights as recognised in international law, and to prevent the abduction, sale of, or traffic in children. As of February 2009, there are currently 77 countries contracted to the Convention. The recent publication of the 'Guide to Good Practice' (HccH 2008) is a major contribution to understanding the implementation / operation issues and aims of the Convention.

The Hague Convention aims:

- to provide a family for a child in circumstances where a suitable family cannot be found for the child in his or her own country of origin.
- to establish safeguards to ensure that inter-country adoptions take place in the best interests of the child and with respect for his or her fundamental rights as recognized in international law. Subsidiary, non-discrimination and measures to support the best interest principle such as ensuring a child is adoptable, the need to preserve information and matching the child with a suitable adoptive family is central to these safeguards.
- to establish safeguards to prevent abduction, sale of and trafficking in children

for adoption. Key attention is paid to protection of families, and ensuring proper consents are given to adoption without inducements. A particular focus centres on payments, and the need to ensure there is no improper gain and corruption involved in adoption.

- to establish a system of co-operation amongst Contracting States to ensure that those safeguards are respected, and thereby prevent the abduction, the sale of, or traffic in children. The authorisation of competent authorities, and the establishment of a Central Authority in each State, is central to this provision. The Central Authority will generally be given a central role in developing or advising on the development of policy, procedures, standards and guidelines for the adoption process and the accreditation, control and review of agencies operating within their own country, or authorised to operate in a country of origin.
- to secure the recognition in Contracting States of adoptions made in accordance with the Convention.

SO, TO WHAT EXTENT WILL HAGUE, IF TRANSLATED INTO IRISH LAW BY THE ADOPTION BILL 2009, ADDRESS THE DILEMMAS NOTED ABOVE?

This section is not intended as a detailed review of provisions of the 2009 Bill, but rather a perusal to see how the ethical issues identified primarily in the areas of assessment of prospective adopters and the mediation process will be impacted upon if the Bill is passed into law.

Firstly, the Bill addresses the eligibility and suitability issues respectively (Sections 33 & 34). Both domestic and inter-country adoption are taken together in the draft legislation, so this should, in theory introduce a degree of equity between applicants in the two sectors. However the issue will remain that agencies will in practice continue to select optimum parents for the small number of children

available for domestic adoption and therefore a difference will remain in the profile of both sets of parents. A much bigger concern is the extent to which the insertion of detailed criteria re suitability vis-à-vis the child's needs (Section 34) may have the effect of increasing the influence of legal process over best practice and research knowledge in decision-making? This aspect needs careful consideration and debate.

The Bill, by virtue of introducing legislation into a largely unregulated mediation process, is welcome and will provide safeguards. A question remains, however, as to the robustness of the proposals to achieve what is required.

The first contribution is that the legislation sets out a framework for identifying the countries that Ireland can work with. A common mis-perception exists that when a country contracts with the Hague Convention, they are compelled to deal with all other 75 countries that are contracted with the Hague Convention. This is not so, and countries that are party to the Hague can decide to focus their resources on developing robust relationships with a small number of sending or receiving countries (Duncan, 2008; Hcch 2008). The Irish Government may come under sustained pressure not to limit the number of countries, as limitation may mean that there are fewer children available for the number of adoptive families seeking to offer a home in this country.

As well as contracting with the Convention, Hague envisages bi-laterals between countries as a means of solidifying applications of its principles. Sections 71 & 72 of the Adoption Bill provide for this. Interestingly, Section 73 makes provision for bi-laterals with non-contracting states. The critical question here will be to what extent such agreements will comply with the provision of Section 73(1) in respect of "having regard to the principles of the Hague Convention". Certainly, an impression given with some of the publicity on the introduction of the Bill is that keeping the flow of children into the state is as important as having a well-regulated, Hague compliant system (Cullen 2009). It is imperative that safeguards are provided to ensure that two

incongruent streams of inter-country adoptions don't develop as a result of the legislation, which could create a whole new set of ethical dilemmas.

The Bill sets out a framework for the registration of mediation agencies and there is provision for regulations to be made. Two of the biggest challenges in the mediation process are firstly, the control of agents based in sending countries and, secondly unregulated fee structures which cloak and fuel illicit procurements and payments (Ethica, 2009). On the other hand, there is evidence that mediation agencies, acting in a professional manner on behalf of their clients, while still working in the interests of the child, and under the supervision of appropriate state authorities, can do much to make the journey through adoption a better one for all concerned (O'Brien 2004). The Bill takes us some way towards this, but there is need to ensure that the issues of fully transparent and itemized fee structure, and the liability for third parties involved in a sending country on behalf of the registered agency, is written into the primary legislation. This is essential if the risks of child-buying and other mal-practices, as indicated by recent inquiries, are to be avoided (US Department of State, 2008).

Perhaps, one of the greatest challenges is how to legislate to ensure that adoption processes in all countries that Ireland permits adoptions from are not only compliant with legislation, but ensure that international standards of good practice and procedural systems are fundamental to decision-making (Hcch 2008). This is critical in view of Article 93(4) contained in the Adoption Bill, which states that it will be presumed that an adoption made outside the State, was effected in accordance with the law of the state, unless the contrary is shown. Again, there is provision in the draft legislation here for the making of regulations. However, again experience tells us there is need for very careful consideration of the administrative and procedural systems required to ensure there are adequate checks and balances in the system. What proofs might be required as evidence to support the clause 'unless the contrary is shown'? The under-development of child welfare systems in

many sending countries remains a major impediment to the actualisation of these developments. The Hague Convention recognises this dilemma and various options have been put forward as to how best to strengthen systems in sending countries (Hcch 2008). Intrinsic to this issue is the need both for robust micro and macro review mechanisms that can capture practice trends and can act speedily if mal-practices are identified.

A final issue connected with many of the dilemmas identified by social workers is in relation to post-placement issues, where the paucity of current services was noted. Nothing in a preliminary reading of the Bill seems to provide for or enable either the HSE or any other body to provide post-placement services. The apparent omission of any provisions relating to the search and re-union aspect of adoption is also striking and disappointing, given the emergence of the importance of open adoption and tracing in international practice, and the Hague requirement for collection and retention of the child and its birth family information.

CONCLUSION

Significant issues exist which pose ethical dilemmas for social workers at various stages of the inter-country adoption process. The Adoption Bill, 2009 may well provide a mechanism to address some of these issues. However, this is a complex field, dealing with human relations in an international context. It is not simple to legislate for, but arrival at the first stage of Ireland's legislative process is to be welcomed. It is vital that the issues are explored, debated and resolved in so far as they can be at this stage. The children who should be at the centre of this process will not have a direct voice in these debates. It is our job to ensure that their interests are given both full consideration and legislative support now, as the opportunity to get it right may not come again for a long time.

ABOUT THE AUTHOR

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