



**Monthly Review N° 11-12/2010
November- December 2010**

***We wish you all a very joyful and peaceful holiday,
trusting that together in 2011 we will further contribute
to the promotion and protection of the rights of the child deprived of their family!***

EDITORIAL

Exploring adoption as a suitable option for children with disabilities

This new series aims to tackle the multifaceted issues that must be addressed when considering adoption as a permanent family option for children with disabilities in need of care.

Indisputably children with disabilities are confronted with extra barriers due to their impairments, but these are even more acute for those deprived of their families. Community options are often limited resulting in thousands being destined to institutions. Faced with this reality, what can be done?

For now, statistics show that children with disabilities represent only a minute proportion of all those adopted. This new series seeks to examine whether adoption as one of many solutions should be promoted and if so, under what circumstances. With this overall objective, this introductory editorial raises some questions as food for thought.

Identifying exactly who are children with disabilities

As a first step, professionals need to determine which children are covered by the term 'children with disabilities', which is often used interchangeably with expressions such as 'children with special needs', 'physically or mentally challenged' etc without necessarily having the same meaning.

Based on its missions, ISS/IRC has found that even if international law (see page 8) provides some guidance, its application in

practice is more equivocal. What impairments are to be covered? For example, which standard for developmental milestones should be used given different contexts (e.g.: measuring speech impediments) and are behavioural difficulties to be included (e.g.: attention deficit disorders). As an illustration, the ISS/IRC has observed that in one country children who wet their bed at the age of 4 are labelled disabled, without any option for reconsideration once the issue is resolved.

Further, at what point is an impairment "long term"? Access to medical care may be so limited in some countries that the child will inevitably have the impairment for all their lives, whereas the condition may be reversible (e.g.: hare lip) or operable (e.g.: dysfunctional heart) in another context.

Whatever definition is used, it is important that 'children with disabilities' are given equal opportunities and not discriminated against.

Contemplating whether adoption is suitable

Deciding on whether adoption is in the best interests of any child, let alone one with a disability is complex and requires a multi-disciplinary approach. It could be argued that adoption is a 'win win' situation if all children with disabilities deprived of their families

could be adopted and therefore have some permanency, given the long waiting lists of prospective adoptive parents (PAP). Yet is every child 'adoptable' after an evaluation of legal, psycho-social and medical aspects? For example, should a 12 year old with a disability, who has lived in an institution all his life automatically, be classified as adoptable?

Even if each child with a disability was adoptable, the question would then need to be asked about whether each PAP has the capacity for such a task. Would there need to be a specific matching process? What would the preparation of the child and the PAP cover? What about follow up support?

Such questions among many lead us to more fundamental reflections, such as where are the boundaries for promoting adoption as an ethical solution for children with disabilities? What safeguards should be in place to ensure a full protection of rights?

Other barriers to adoption

To add another layer of complexity once declared adoptable, barriers may exist to preclude adoption. The culture, traditions and

politics etc of a country may play an important role. In certain countries adoption is under the portfolio of one Ministry, such as the Family whereas another Ministry, such as Health is in charge of children with disabilities, resulting in adoption never being considered for this group. Whilst such a barrier may be easily overcome, others may require more effort. For example, in some contexts, it may be culturally shameful to even discuss adoption.

Call for input for upcoming series

Whilst this editorial has raised more questions than answers, it is hoped that the upcoming series will give some clearer directions. We look forward to working with you in the upcoming year to find better ways of protecting this special group. We invite professionals who have experience in the adoption of children with disabilities and are willing to provide input to contact us at irc-cir@iss-ssi.org.

ISS/IRC team