EVALUATION OF ADOPTION PRACTICE

IN SCOTLAND

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by

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CONTENTS

VOL. II. Page

8. The selection of adoptive parents 400
9. The matching process 573
10. Post-placement supervision 605
11. The practice of the courts and the role of the curator ad litem 633
12. Summary, conclusions and recommendations 783

Bibliography 847

Appendices
A - Authorisation letter 1
B - Letter to courts, adoption agencies and local authorities ii
C - Rating form iv
D - Adoption questionnaire xxvii
E - The role of the curator ad litem xli
F - Medical certificate for adopters xlv
G - Three reports presented by three curators ad litem xlvi
Attributes agencies look for in adoptive applicants

Number of children and number of applicants available in 1960 and 1965

Number and outcome of applications

Number of applications, homes approved and placements made per 100 children available in 1960 and 1965.

Reasons for which applicants were rejected in 1965.

Known reasons for which applicants withdrew their applications.

Length of period between application and placement of child.

Agencies' upper age-limit.
46 Age of non-related adoptive parents at placement.
47 Age of mothers at first placement compared to rest of adoptive mothers.
48 Marital status requirements.
49 Adoptive mothers' age at marriage.
50 Age of adoptive mothers at marriage - by social class. (excludes those with own children).
51 Adoptive parents' length of marriage prior to placement of a child. (excludes couples with own children).
52 Number of years adoptive parents had been married by social class background.
53 Responsibility for childlessness.
54 Adopters' sex preference.
55 Adopters' sex preference for a first child.
56 The social class background of adopters.
57 Socio-economic classification of adopters.
58 Social class background of adopters by placement agency.
59 Comparison by area of adopter's socio-economic background.
60 The characteristics of couples adopting "hard-to-place" children.
61 Summary of agency eligibility criteria.
62 Number of selection interviews with each adoptive couple.
VIII.

63 Analysis of selection material.
64 Amount of material which formed the basis of selection.
65 Percentage coverage of each topic by agency.
66 Contribution of each factor to the decision making process.
67 Agency performance.

CHAPTER NINE

68 Basis for matching.
69 The religious preferences of biological parents.

CHAPTER TEN

70 Number of statutory visits paid by local authorities.
71 The courts' concept of the curator's role reflected in the appointments.
72 Curators' Reports: Topic No.1 - Amount of information on natural mothers.
73.i. Curators' Reports: Topic No.2, Information on the child's history and movements.
ii. Observations about the child's interaction with the adoptive family, including an assessment of his personality (where appropriate).
iii. Ascertaining the child's wishes.
74 i. Curators' Reports: Topic No.3: Observations on the adoptive father including an assessment of his personality.
ii. Observations on the adoptive mother including an assessment of her personality.
iii. Observations of the petitioners' other children and of the general interaction within the family.
75 Consultation with the supervising authority.
76 Final assessment and recommendation to the court.
77 Percentage summary content of curators' reports.
78 Classification of the curators' 180 reports.
79 Courts re-visited: Information supplied on the petitioners' personality.
80 Disposal of adoption petitions.
81 Length of time between the submission of the petition and the granting of the order.
82 Length of time between the appointment of the curator and the submission of the report.
83 The children's age at adoption.
CHAPTER 8.

THE SELECTION OF ADOPTIVE PARENTS

Methods of Selection

The aim of this chapter is to examine the factors that enter into the caseworkers' assessment of the adoptive home, the sort of information and criteria used in reaching decisions about the suitability of adoptive couples and how far these reflect the criteria outlined by social work literature. Adoption agencies, staffed with trained or untrained workers, have over the last twenty years increasingly assumed the responsibility of bringing about the adoptive parent-child relationship. In this respect they have been entrusted with a great amount of authority and responsibility. Their decisions are far reaching in both parent-selection and child placement. Though some might question the social workers' claim to handle the problem of adoptive-parent selection, the answer is that such licence has been given to them by the community who, rightly or wrongly, believes in their being competent to do it. This is reflected in various official reports and 1. indirectly suggested by Acts of Parliament.

The evaluation of a home is based on information that the caseworker collects and, more important still, on his perception of the applicants. The caseworker is constantly faced with the difficult task of selecting "good" families that will provide a certain standard of care for the children in his agency's care. The decision to be made will affect the child's future, the welfare of the adoptive couple and possibly that of the natural parent, as well as the standing of his agency in the community. Fanshel,\(^1\) highlighted the caseworker's dilemma when he pointed out that "the issue of what constitutes the ingredients of a good or bad parent, when relevant literature is examined, is still a relatively open one". When the adoptive role is added to this, the question becomes even more complicated. Studies by Brieland,\(^2\) Wolins\(^3\) and Fanshel\(^4\) suggest a certain lack of clarity among

caseworkers concerning the characteristics to be looked for in adoptive or foster-parent selection. Witmer et al. claim that, in their study of independent adoptions, there was little to indicate a direct connection between the caseworkers' general conception of home quality and the child's adjustment. The writers agree, however, that their adjustment measures tended to be heavily weighted with one kind of situation only, i.e. the school environment, while having little direct bearing on another, i.e. the home environment. Reid, commenting on the subject of selection wrote: "It appears to be felt in the community that there are certain essential criteria for parenthood and that adoptive parents should possess these qualities". Assumptions like this add to the popular support for the idea of detailed selection and investigation. Kirk, however, who favours an educative group approach, quotes the retort of an adoptive mother to her sister-in-law who had recently become a mother, which was "all you had to do was to go to bed; we had to prove to some pretty particular inspector our fitness for being parents." Characteristically, Reid goes

on to comment that the social workers, in contrast to adoptive-parents' assumptions, view their job as being "to help adoptive applicants determine whether adoption is the solution for the needs and desires that brought them to the agency and whether they are able to meet the needs of the kind of children for whom the agency needs homes, not whether they will be good parents". As agencies are rather cagey about making their evaluative criteria public, this kind of more semantic misunderstanding is inevitable. A greater misunderstanding can arise out of the assumption that a "problem-solving" process goes on between the applicant couple and the caseworker. Caseworkers appear themselves to be uncertain whether adoptive applicants should be seen as clients needing casework help around the adoption situation, or solely as applicants for a child. Whether it is an "investigating" or an "educative" method, both methods are based on the belief that applicants need some kind of help before they can be entrusted with a particular child. There is nothing contradictory in investigating applicants whilst supporting them at the same time in ways set out in social work literature. What is

1. H.D. Reid, "Principles, Values and Assumptions Underlying Adoption Practice".
perhaps at issue is that the objectives of such a process need to be well understood by the adoption caseworkers themselves and subsequently to be made explicit to the applicants too. In this way, a kind of contract is established between the agency and the applicants, with clarified objectives shared between the two.

The Hurst committee when discussing the problem of selection, stressed the need "to protect children from being adopted by people who are unsuited to the responsibility of bringing them up and from those who want a child for a wrong motive". The committee warned that no arrangement for adoption should be made without "a careful preliminary social survey of the adopters, including in particular "an assessment of their motives for wanting to adopt a child". The committee did not elaborate, however, on selection criteria or on what constitutes the ingredients of good parents. It did stress that the crucial stage in adoption practice is the stage of selection and placement. Bowlby made the point that knowledge and skill is required in estimating would-be adoptive parents and in helping those who are suitable to adjust happily to


2. Ibid.
to the intense emotional experience of adopting a baby. He stressed that "in this type of work there is no place for the amateur, whose only standards can be outward signs of respectability, or the worker trained only in physical hygiene with the standards of income, cleanliness and cubic feet of air space". According to Bowlby, the baby's mental health will eventually depend on the emotional relationship he will have the opportunity to develop with his future parents. He sees as necessary basic attributes to those engaged in the selection of adoptive parents, "a good knowledge of the psychology of personality and skill in interviewing". As only just over sixteen per cent of adoption caseworkers in Scotland were trained, it is difficult to see how these standards can be approximated.

The Adoption Act itself provides no guide about the selection procedures to be followed. The main legal requirement and safeguard is that no infant will be placed by a


2. Ibid. p. 124.
society, unless the society's case committee has first carried out certain investigations about the adopters. The society is also charged to employ persons who are "fit and proper"; but no guide-lines are offered either as to who is a "fit and proper" person or as to what the case-committee should look-out for, when considering would-be adopters. A legal safeguard is that, where it is an adoption society that is arranging the placement, it should, before placing the child, make enquiries of the local authority whether the authority have any reason to believe that it would be detrimental to the infant to be kept by that person in those premises. The local authority, however, is not bound to make enquiries, but it may indicate if the household is known to them, that they have reason to believe that the placement would be detrimental to the child. Whatever the reply may be, a local authority does not give approval to prospective adopters or to placements by adoption

1. The Adoption Agencies (Scotland) Regulations, 1959, No. 773.

2. Adoption Act 1958, Sect. 30 (4-b to c).

3. Ibid. Sec. 40.
societies. The decision to place a child must be made by the society on their own responsibility after making their own enquiries. How effective this procedure is, is demonstrated by the following two examples we came across. In the first case, a particular authority told one society that it had some reservations about a couple and would like some more time to make further investigations. Within a few days of this reply and before the local authority completed its enquiries, the applicants visited the society's office and left with a baby. In the second case, the child was placed on a temporary fostering basis and retrospective notification was given to the local authority. The local authority caseworker telephoned the society to say that "this was a very unwise placement because the adoptive parents had a child removed from them recently. The present placement should not have been rushed through". In both these cases the placements were allowed to continue and adoption orders were subsequently granted. No objection was raised at the court either by the curator-ad-litem or the supervising authorities.

From a study of the literature on the subject of adoptive-parent selection, there appear to be four main approaches to the problem of selection: (i) the non-method; (ii) the investigative approach; (iii) the educative group method; and (iv) the scientific method.
The Administrative Method or The Non-Method.

(i) This approach is simply based on the idea of arranging adoptions without any form of selection being followed. No investigations are carried out to ascertain the applicants' suitability to become adoptive parents. It is assumed that this method is used by third parties, but it is also conceded that it is sometimes used by the less reputable agencies. Critics of this method maintain that the procedure puts the interests of the adopters before those of the child, but accept that most of these adoptions work well, though some can be utter failures. Two interesting points arise in connection with the arguments for and against this method: First, that, as established by this study, the critics of this method grossly underestimate the extent of agency adoptions which follow a similar procedure to that of third parties. Second, it can be argued that many third parties, when arranging adoptions, do their own screening, which may on occasions be more effective than that of certain agencies. Though the Hurst committee argued that these people (third parties), "are very seldom qualified to make skilled enquiries which careful matching requires", it failed to recognise that the majority of adoption workers could only claim more experience, without any specialised knowledge for this kind of work. Most of the

few third party placings in the study were arranged by local people, some of whom were doctors, clergymen and solicitors; it could be claimed that, being local people, they had a better knowledge of the applicants than adoption workers based fifty or a hundred miles away. Only two, of the twelve third party placings, were arranged by distant and disinterested people.

A parallel to the arrangement of third party adoptions is the practice of arranged marriages in a number of countries. Most of these marriages work well or as well as those in Western societies which are differently contracted. The explanation for this may lie in the fact that arranged marriages are entered upon after relatives of the bride and bridegroom confer with each other and discuss the merits or otherwise of the proposed match. Family councils are held on each side to discuss the matter. Though it is not claimed that a third party known to the adopters would have the interests of the child at heart, in the same way as the relations in a proposed marriage, yet some of the same factors may operate in these arrangements. When a doctor from Devon recently discussed, with a group of adoption caseworkers, her work as a professional third party, she outlined a process of "selection" that sounded considerably more elaborate than many this study came across. It can be a false assumption, therefore, to maintain

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1. Dr. M. Jackson was speaking at a Day Conference in London on 10.7.69 which was organised by the Standing Conference of Societies Registered for Adoption.
that most agency placements are selected ones, whilst third party ones are unselected. Comparative research that does not take the placing practice into account, may unintentionally give the impression of validating selected and unselected placings. It must be stressed again that we do not assume that all individuals acting as third parties are either always motivated by genuine feelings or have the interests of the child as paramount in their activities. It is realised that their feelings for the applicants may cloud their perceptions and the child may then become a helpless pawn in the arrangements.

(ii) The Investigative Method: This method implies a careful investigation of the applicants based on a series of interviews, preferably by trained social workers. This is the method outlined in social work literature and in the standards of the different professional bodies. The method has been considerably influenced by insights from psychoanalysis and dynamic psychology. Though it is suggested that the procedure must inspire 'warmth and confidence' in the applicants, there are indications that it often generates resentment because of the need to ask awkward questions. This has sometimes led to suggestions that adoption caseworkers are "playing God". The method creates considerable conflict in the caseworkers themselves in that it expects them to time inspire 'warmth and confidence' and at the same/assess. In
cases of rejection it can also leave the applicants perplexed as a result of the conflicting cues they received. In other forms of social work, caseworkers have found that authority and acceptance, or authority and permissiveness, are not mutually exclusive. However, the attempts to find new methods of adoption assessment seem to arise out of the discomfort from carrying authority. It could be argued that, if the caseworkers fail to accept the authority invested in them, then they are surrendering their responsibility to act in the best interests of the child. Though the adopters can decide whether they like a particular child or not, the child cannot do a parent-selection for itself.

The investigating method bases its study of the applicants on a number of evaluative criteria such as: knowledge and love of children, emotional maturity, motivation and so on.

(iii) The educative group approach: The advocates of this method suggest that, once preliminary eligibility criteria have been satisfied, there should be the workable alternative of accepting all applicants as potential adopters, subjecting them to an educational process in which they could learn enough

1. Professor Kirk developed this theme at the "Adoption Workshop" held at Exeter University in July, 1967.
about themselves, their motives and needs, to bring them to
the stage of deciding for themselves whether they should adopt
or not. If they opted out, they would still have been
enriched by the process of not feeling themselves rejected, and
if they decided to remain in the running they would be able to
adopt, subject to the agency's decision that they were ready
to do so. In spite of its claims, the method cannot do away
entirely with the problem of rejection of applicants, but what
appears to commend it is that it can be both a tool for
selection as well as a preparation for the adoptive role. In
other words, the agency emphasis should be on helping motivated
couples to become good parents. One area where this approach
could be of special value is around the problem of telling the
child about its adoption. McWhinnie, for instance, pointed
out, in a recent study of adoptive parents, that what they
seemed to find difficult was not whether to tell the child or
not but how to do it.

To the best of our knowledge, no British agency has as
yet tried to experiment with this method. The method has not
been validated and though it is put forward to counteract the
investigative approach which, it is claimed, creates resentment

1. A. McWhinnie "Group Counselling with Adoptive Families"
among the applicants, this procedure may equally come to be resented by suggesting that every prospective adopter needs to be educated. This is after all something that society does not expect from a would-be natural parent. Though research in the general effectiveness of groups is terribly lacking, experience has shown that they tend to become self-selective and by the end of the process those who are left are usually the ones who agree with a certain point of view or outlook. In other words, groups tend to promote sameness rather than to tolerate difference and if exclusively used in adoption selection, they might exclude some suitable would-be adopters who never-the-less do not like to join a group because they value their individuality. The claim also that unsuitable adopters will voluntarily withdraw is again not borne out by experience. Adoption caseworkers are familiar with compulsive couples, who, once they set their minds on adopting, no amount of education or explanation will deter from wanting to carry on.

(iv) The Scientific Method: As a method it has not been used yet. It is based on the idea of giving applicants an elaborate questionnaire and the answers being awarded and graded accordingly. There are questions about marriage, attitude to children, and so on. The method also suggests a battery of personality tests that can identify certain traits or characteristics. Such
experiments are in their infancy and agencies have as yet shown no trust in using them.

Research has little to offer about the merits or otherwise of the various methods. As stated earlier, no study in outcome has as yet been attempted by taking into account the varied selection and placing practices. Amatruda and Baldwin used two groups containing one hundred babies each, one having been placed into the adoptive home by an agency, and the other group having been placed independently. No details are given about the method followed, except that social workers "investigated" the homes and made "a clinical study of each child". The study found that social agencies arranged better adoptions than the laity. Somewhat different findings were recorded by Wittenborn in a study in Illinois. He found a difference between infants placed by agencies and infants placed independently, which favoured the latter. Independently placed children were slightly superior on some tests. Brenner,


in a follow up study of adoptive parents selected by a single agency in New York, graded almost nine out of every ten children as "successful" to "fairly successful". Goldman, in a small study in the Midlands, found no evidence to support the view that private or third party adoptions lead to poor matching or to disturbed children. Witmer et al., in a follow-up study of independent adoptions in Florida, rated almost two-thirds as reasonably satisfactory and an additional ten per cent "could not be classified as definitely unsatisfactory". A drawback, not unusual with research of this kind, was that, of the original 665 children for whom contacts were attempted, ten per cent of adoptive parents refused to be interviewed and almost 17 per cent had moved away from Florida. Another special feature of Witmer's study was that, in Florida where it took place, there were few adoption agencies and most placements were private ones. Forty per cent of those who arranged the placings were physicians, nurses or other hospital personnel. The study does not elaborate on the criteria used


2. H.L.Witmer, E.Herzog, E.A.Weinstein and M.E.Sullivan "Independent Adoptions - A Follow-up Study".
by these agents in selecting adopters, except that college girls left arrangements to their physicians whilst mothers of lower social class made direct placements. In an English study, Addis et al. selected for study 163 children from the records of adoption societies in and around London and based their analysis of outcome on answers to a questionnaire. They rated 87 per cent of these adoptions as successful. The sample and method used have, however, been seriously questioned by several writers. Kornitzer, in a survey of 500 adopted people aged five years to 35 and over, found a high percentage of "successful" adoptions. The success ratings of the adoption agency placings were only slightly higher than those of the third parties. Kornitzer added that her findings do not justify the view expressed by some people that only recognised agencies should do adoption placings.

Goodacre tried to find out, from the adoptive couples

3. Ibid. p.160.
themselves, what they felt about the selection procedures they went through. In their replies, most of them indicated that they had been prepared to undergo thorough investigation. If this had not taken place they felt rather surprised and cheated. When applicants knew that only one interview was being offered, they felt particularly nervous. When they knew that a series of interviews were planned, their anxiety was somewhat less.

One woman, in criticising quick assessments, is quoted as saying that, had it been her child that was being placed, she would have made a thousand times more sure about the home it went to. Another couple, who successfully adopted recently, found that they felt little respect for the unqualified worker who accepted them after brief interviews. A number of Goodacre's interviewees, however, reacted to the selection interviews in a rather defensive way.

Though the overall evidence from studies in outcome is that there is little difference between agency and independent placements, the findings do not invalidate the need for some sort of selection. The closeness in outcome of agency and non-agency placements may reflect the lack of adequate knowledge in this area including the lack of accurate selection procedures. It is an argument for systematic selection, followed by evaluation to establish which factors and which methods contribute to better placings, rather than an argument for no selection at all.
ADOPTIVE APPLICANTS

(i) What Agencies Look for in Applicants.

Whatever the arguments for and against certain methods of selection, all the agencies, answering our postal questionnaire, expressed no doubt about the need for selection, though not all of them attached the same importance to the same things. When agencies were asked to say what they look for when selecting adoptive parents, thirty-seven, of the forty-two answering the questionnaire, gave one or more characteristics or attributes that they expected applicants to have. Five agencies declined to comment or commit themselves.

Table 38. Attributes agencies look for in adoptive parents.

(37 agencies).

<table>
<thead>
<tr>
<th>Attribute</th>
<th>No. of times mentioned</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stability, maturity and good character</td>
<td>21</td>
</tr>
<tr>
<td>General love for children and capacity</td>
<td>18</td>
</tr>
<tr>
<td>to respond to the needs of an adopted child</td>
<td></td>
</tr>
<tr>
<td>Satisfactory material conditions</td>
<td>15</td>
</tr>
<tr>
<td>Secure marital relationship</td>
<td>12</td>
</tr>
<tr>
<td>Acceptance of own childlessness (where applicable)</td>
<td>8</td>
</tr>
<tr>
<td>Tolerance of illegitimacy and positive attitudes</td>
<td>7</td>
</tr>
<tr>
<td>towards the biological parents</td>
<td></td>
</tr>
<tr>
<td>Good health</td>
<td>4</td>
</tr>
<tr>
<td>Common sense</td>
<td>2</td>
</tr>
<tr>
<td>Total</td>
<td>87</td>
</tr>
</tbody>
</table>

Total 87
The attribute most frequently quoted (table 38) as desirable was "stability, maturity and good character" and one of the least quoted was "good health". Equally, the need for a "secure marital relationship" came fourth in frequency though it is one of the most frequently quoted, in social work literature and in research findings, as conducive to good adjustment. Some agencies mentioned only one attribute to the exclusion of everything else. Single attributes such as "satisfactory material conditions" or "general love for children" or "maturity and stability" were quoted in isolation. This accounts for the fact that the 37 agencies between them gave only 87 characteristics - an average of 2.3 for each agency. In contrast, social work literature suggests ten main attributes (including health) that should be evaluated. (See Part III of this chapter).

(ii) The Number of Adoptive Applicants

No absolutely reliable figures can be produced to show the number of applicants wishing to adopt each year and it is even more difficult to show the relationship between the number of applicants and the number of children available. Unfortunately not all local authorities kept complete records showing the number of applications they received and their outcome. Of the 42 agencies that replied to the questionnaire, only 34
could supply accurate figures for 1965 and only 32 agencies could supply figures for both 1960 and 1965. (In calculating the number of applications, every effort was made to include only those that materialised into a formal application and exclude enquiries). The lack of vital statistics, so soon after the completion of the year under study, meant that the agencies could not plan for the future, or look into their practices; furthermore they could not give an accurate account of their practices to the community.

In 1965, the 32 agencies replying to the questionnaire had received between them, 1410 applications compared to 1121 in 1960. In 1960, however, there were 140 applicants for every one hundred children available, but by 1965 the number dropped to 130 applicants for every one hundred children. In 1925 the Tomlin committee expressed the view that the number of people wishing "to get rid of children by way of adoption was greater than the number of people wishing to adopt." 1.

Twenty-five years later the children's officer of an English Borough wrote in his annual report that "the central paradox of work for deprived children is that there are thousands of childless homes crying out for children and hundreds of Homes

filled with children in need of family life". 1. Similarly, the Hurst committee in 1954 claimed that the number of couples who desire to adopt children is far greater than the number of children available at any one time. 2. Goodacre also claimed that adoption societies and local authorities receive more applications from prospective adopters than they have children to place. The Secretary of one society told her that they would take only one out of every four applicants and two others estimated ratios of 1:12 and 1:20. 3. Some of these figures could easily refer to enquiries only, and many applicants, as found from this study, can appear on the books of several agencies.

Fears about the possibility of infants outstripping the number of applicants available began to be expressed in Scotland after 1960, when the rate of illegitimate births rose


consistently. Two thirds, however, of the 42 agencies replying to our questionnaire, said that they were having no difficulties in recruiting suitable applicants. The remaining 14 agencies gave the following reasons for the shortage of adoptive applicants:

1) an increase in the number of surrendered babies not followed by a corresponding increase in the number of applicants;

2) some difficulty in placing Roman Catholic children; and

3) some difficulty in recruiting working-class families for boys of a similar background. (This difficulty appears to reflect more the agency practice about "matching" rather than a real absence of adoptive applicants).

The overall picture gained from the answers to the questionnaire was that no real difficulties were being experienced in 1965 though there was some evidence indicating that the ratio of applicants to children was narrowing.

Though adoption societies had, in 1965, an average number of 1\(\frac{1}{4}\) applicants for every 100 children available, the situation looked at from the standpoint of individual agencies was very different. For instance, one society had four times as many applicants as children available, whilst the two Catholic
societies and another denominational society had only a very small excess of applicants over children. Local authority agencies on the other hand had only 118 applicants for every hundred children available. In areas where there was a clear choice between local authority agencies and adoption societies, more applicants preferred the latter. Both types of agencies show, however, a drop in the number of applicants per child within the five year period of 1960 to 1965. A closer examination of the figures shows that the narrowing of the gap was due more to an increase in the number of children surrendered than to a decrease in the number of adoptive applicants coming forward. Thus, though the number of available children in 1965 increased by just over a third compared to 1960, the number of applicants increased by only a quarter. However, as there was always an excess of applicants over children, this decrease in the number of applicants did not affect the eventual number of placings. (As pointed out in Chapter three, (Fig.1), the rate of adoptions each year has been following closely the fluctuations of the rate of illegitimate births). Table 39 shows that the pool of available applicants is narrowing and it is difficult to predict future developments if the present increase in illegitimate births continues. The increase in the number of illegitimate children born and surrendered has coincided with a period when more childless couples are being
Table 39. Number of children and number of applicants available, in 1960 and 1965 (32 agencies).

<table>
<thead>
<tr>
<th></th>
<th>1960</th>
<th>1965</th>
<th>% increase</th>
</tr>
</thead>
<tbody>
<tr>
<td>Children</td>
<td>800</td>
<td>1078</td>
<td>34.5</td>
</tr>
<tr>
<td>Applicants</td>
<td>1121</td>
<td>1410</td>
<td>25.8</td>
</tr>
</tbody>
</table>

helped through fertility clinics to have their own children. Humphrey claims that, of 216 women who attended a fertility clinic between 1955 to 1964, 90 (or 41.6%) became fertile. On the other hand, would-be adopters may find it far more difficult to obtain a baby in future, if effective methods of contraception become widespread.

What has been said above does not suggest that all the available childless couples have been adequately tapped. Campbell, in 1958, calculated on the basis of the 1951 census record of marriages of at least fifteen years duration that 12 per cent of the total marriages contracted in England and Wales will be permanently childless ones. The Registrar General for Scotland reported in his annual reports between 1950

and 1960 an average 15% percent of women who had been married and who at death were stated to have had no children. (These statistics were discontinued in 1961 as a result of the Population (Statistics) Act of 1960). However as the Registrar-General's percentage included approximately 3.5% of women who married when beyond the possible reproductive age of 44, Campbell's calculations for England and Wales can be accepted as true for Scotland. On this basis it would appear that only approximately 29 per cent of childless couples adopt as each year; moreover, at least 30 per cent of adoptive couples adopt more than one child, the proportion of childless couples who adopt must be even smaller, at approximately 20 per cent. Humphrey writing in New Society claimed that only one in every four childless couples gets to the point of adopting. On the basis of these figures it would appear that adoption for the childless couple is an unusual response. Humphrey's findings from his recent study suggest that it is the less mature wives who do not proceed to adopt. However, some of the practical difficulties we identified are worth

considering, especially in the light of what has been said earlier about the narrowing of the gap between the number of surrendered children and the number of applicants coming forward. There are indications that childless couples wishing to adopt may avoid applying for a number of reasons: such as: (a) fear that they do not stand much chance in the long queues that have become common folk-lore over the last twenty years, even if they are not true for this period; (b) doubts about meeting the agency's basic requirements, such as housing and finance; (c) certain fears about heredity and illegitimacy in particular; and (d) the paradox that, whilst in some parts of Scotland adoption is still mainly confined to the working classes (i.e. the Glasgow conurbation), in other areas (i.e. Eastern Scotland) it is mostly confined to the middle-classes.

(iii) The Outcome of Applications

In 1965, adoption agencies selected three out of every four applicants compared to four out of every five in 1960. This was in spite of the slight fall in the ratio of available children to applicants. The difference is too small, however, to attribute it to improved selection procedures between 1960 and 1965. The number of rejected applicants (table 40) was considerably smaller than the number of applicants who withdrew voluntarily. Thirteen agencies that had between three and
sixteen applicants did not reject anyone, whilst one voluntary society rejected a fifth of all its applicants. Though the average rate of rejection was under 13 per cent (excluding withdrawals), this differed from nought to 20 per cent between the various agencies.

Table 40. Number and outcome of applications (32 agencies).

<table>
<thead>
<tr>
<th>Outcome</th>
<th>1960</th>
<th>%</th>
<th>1965</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accepted</td>
<td>886</td>
<td>(79.0)</td>
<td>1048</td>
<td>(74.3)</td>
</tr>
<tr>
<td>Rejected</td>
<td>91</td>
<td>(8.1 )</td>
<td>151</td>
<td>(10.7)</td>
</tr>
<tr>
<td>Withdrew</td>
<td>144</td>
<td>(12.9)</td>
<td>211</td>
<td>(15.0)</td>
</tr>
<tr>
<td>Total</td>
<td>1121</td>
<td>(100)</td>
<td>1410</td>
<td>(100)</td>
</tr>
</tbody>
</table>

The relationship between the available number of children, the number of applicants, the number of homes approved and the actual number of children placed is seen in table 41. This shows that, though the number of applicants to children in 1965 was just over 130 applicants to every 100 children, the homes approved after allowing for withdrawals and rejections were only 97.2 for every 100 children. In the same year the number of children actually placed was only 93.2 for every hundred available. These figures compare less favourably with the situation in 1960. The fact that only 93.2 children were
Table 41: Number of applications, homes approved and placements made per 100 children available in 1960 and 1965.

<table>
<thead>
<tr>
<th></th>
<th>1960</th>
<th>1965</th>
</tr>
</thead>
<tbody>
<tr>
<td>Applications</td>
<td>140</td>
<td>130.8</td>
</tr>
<tr>
<td>Applicants Approved</td>
<td>110.8</td>
<td>97.2</td>
</tr>
<tr>
<td>Children Placed</td>
<td>99.5</td>
<td>93.2</td>
</tr>
</tbody>
</table>
placed for every hundred available, meant that not all children free for adoption in 1965 were placed in that year, neither would there be enough homes for all to be placed as the actual number of homes approved was only just over 97 for every hundred children available.

In summary, the figures indicate that in 1965 there was a slight downward trend in the number of approved homes compared to the number of available children. In the same year there were slightly fewer suitable adoptive homes compared to available children. The practical implication of this was that some children spent a longer period in a pre-adoption placement or with their mothers, depending on agency policy. Though the majority of agencies replying to our questionnaire said they were experiencing no difficulties in recruiting adoptive applicants, it is doubtful whether they were aware of the downward trend and the longer period they were keeping children in foster-care. It is true that this situation affected some agencies more than others, but if the present trend of illegitimate births continues, other agencies may experience similar difficulties. There is a strong case for an educational campaign to inform the public that, despite previous experiences, a childless or other couple stands a better chance of adopting a child now than before.

If the present trend continues, a very crucial aspect
will be the need to re-examine the public image of agencies and the effect this has on discouraging some people from applying. There appear to be couples who, because of stories about red tape, long waiting lists, rejection of a high percentage of applicants and high material standards, are reluctant to risk applying. It needs to be conveyed to the public that there is a change of ratio between families and children and that this means it is now possible to change some of the eligibility requirements. Agencies will need to share honestly with the public why they had certain requirements before and that now certain changes can be made. Such an approach can help to gain respect and trust for the agencies. To improve their image and their service both to applicants and to children, agencies need (a) to formulate clear criteria, on the basis of present knowledge, that seem reliably predictive of successful placements. These must be made known to the public and should be subject to revision when new information and further experience suggests it; and (b) develop administrative methods that enable them to evaluate applications promptly and reliably and to share the decision with the applicant in an explicit way.

(a) The Rejected Applicants

Thirteen, of the 34 agencies that supplied figures for
1965, did not reject any of their 117 applicants, whilst the remaining 21 agencies rejected 151 of those interviewed. (A rejection rate of almost 14 per cent). Two out of three of the rejected applicants (table 42) were turned down for not meeting eligibility criteria such as age, accommodation and finance, health and religious requirements. Only six per cent of the rejected applicants were turned down on personality grounds and another fifth because of marital difficulties. Of those rejected on account of their marital difficulties, over two fifths were turned down by a single agency (Independent society). What was also surprising was that the number rejected on account of health problems was confined to certain agencies only. For instance, though one agency with 90 applicants rejected five on health grounds, another agency did not reject any of its 13¼ applicants.

Apparently not all rejected applicants were considered as unsuitable. This seemed largely to depend on a particular agency's ratio of children to applicants. Thus one agency - Independent society - which alone rejected a quarter of all rejected applicants, was also the agency that had the largest number of applicants for every hundred children (three applicants to every one child) and had at one stage closed its list for new applicants. Considering also the number of agencies that did not reject any of their applicants, it appears that
the decision to accept or reject largely depends on the margins of ones numbers and perhaps less on other, tangible and intangible, factors. Applicants who were rejected, however, by one agency could always apply to another and in view of the wide variations of selection procedures used by agencies, the opportunity of choice appeared to be a safeguard for the citizen. In the course of studying the practices of the twelve agencies (Agency Sample), we came across nine applicants who had been rejected by one agency and subsequently approved by another. In two of the nine cases, the former agency had rejected the applicants on account of their psychiatric history, in two others for not meeting agency age requirements, in the fifth the couple's specifications for a child were thought to be unreasonable and in the remaining three cases, the applicants maintained that they were not told the reasons. In all nine cases the applicants had applied, after their first rejection, to an agency with a less rigorous method of selection.

1. Brieland who compared the social reports and the workers' judgements of prospective adopters found a 74% per cent level of agreement, but demonstrated the uneven reliability among couples being considered by agencies. He pointed out that, because

1. D. Brieland "An Experimental Study of the Selection of Adoptive Parents at Intake".
many couples would be rejected by one agency and accepted by another, rejected applicants should be encouraged to apply to other agencies. We formed the view that a really determined couple should have no difficulty in obtaining a child from some approved agency unless they are obviously unsuitable. They may have, however, to conform to certain agency requirements such as accepting an 'unusual child' or agreeing to foster on a long-term basis with the possibility of adoption in the end.

Table 42. Reasons for which applicants were rejected in 1965.

(32 agencies).

<table>
<thead>
<tr>
<th>Reason</th>
<th>No.</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Medical</td>
<td>44</td>
<td>(29.1)</td>
</tr>
<tr>
<td>Age</td>
<td>35</td>
<td>(23.2)</td>
</tr>
<tr>
<td>Marital situation</td>
<td>30</td>
<td>(19.9)</td>
</tr>
<tr>
<td>Religion</td>
<td>13</td>
<td>(8.6 )</td>
</tr>
<tr>
<td>Unsatisfactory references</td>
<td>10</td>
<td>(6.6 )</td>
</tr>
<tr>
<td>Character and personality</td>
<td>9</td>
<td>(6.0 )</td>
</tr>
<tr>
<td>Accommodation and finance</td>
<td>8</td>
<td>(5.3 )</td>
</tr>
<tr>
<td>Too soon after losing own child</td>
<td>2</td>
<td>(1.3 )</td>
</tr>
</tbody>
</table>

Total                                      151 (100)
(b) Applicants who withdrew

Half of those who withdrew (table 43) did so because they had already got a child from another agency. This shows how misleading it can be to plan according to the number of available applicants. Double and sometimes treble applications may give a false impression about actual numbers.

The proportion of 16.2 per cent, who withdrew because they found themselves expecting, appeared surprising, though not unusual. It is a matter of speculation, however, whether the decision to apply in the first instance, represented the resolution of certain psychological difficulties that previously were preventing conception, or whether the decision itself brought about such resolutions. As the agencies had no detailed information of how long after marriage these applicants had applied, it could be argued that among the general population there are as many couples who will conceive a considerable time after marriage.

Agencies suggested that most of the 13.0 per cent of applicants, who "changed their minds" and withdrew, would have been rejected as unsuitable. By withdrawing, it was maintained, they made it less embarrassing for themselves. The fact, however, that 4.6 per cent of applicants withdrew because there was no child available to suit their individual needs, such as an older child or a coloured child, or handicapped highlights
the need for a pooling system for both "unusual" children and unusual applicants, who, though suitable in all other respects, have "unusual" preferences. Unusual preferences, however, seemed occasionally to create suspicion among a minority of caseworkers. A request by a middle-aged couple to adopt an older child, possibly with a minor physical handicap, was seen by one agency worker as being "pathological", but not by the second agency which proceeded to place a child with them. Though we came across only a very few requests of this type, it appeared in some few instances, to be less complicated to obtain a "normal" child than to make a request for an "unusual" one.

Table 43. Known reasons for which applicants withdrew their applications. (32 agencies).

<table>
<thead>
<tr>
<th>Reasons</th>
<th>No.</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Got child from another agency ..........</td>
<td>100</td>
<td>(50.5)</td>
</tr>
<tr>
<td>Expecting own child ....................</td>
<td>32</td>
<td>(16.2)</td>
</tr>
<tr>
<td>Changed their minds ....................</td>
<td>26</td>
<td>(13.1)</td>
</tr>
<tr>
<td>Left the district .....................</td>
<td>22</td>
<td>(11.1)</td>
</tr>
<tr>
<td>No suitable child available ...........</td>
<td>9</td>
<td>(4.6)</td>
</tr>
<tr>
<td>On account of their health ............</td>
<td>7</td>
<td>(3.5)</td>
</tr>
<tr>
<td>Changed circumstances (death of spouse)</td>
<td>2</td>
<td>(1.0)</td>
</tr>
<tr>
<td>Reason not revealed ...................</td>
<td>13</td>
<td>(100)</td>
</tr>
<tr>
<td>Total ..................................</td>
<td>211</td>
<td></td>
</tr>
</tbody>
</table>
(iv) Period Between Application and Placement

Some adoptive parents in talking to Goodacre complained that after applying to an agency they found it difficult to get started or obtain an interview. They found the waiting period to be interviewed or be told about the outcome as the most trying. Grave fears had already been expressed in the United States that, because of long waiting periods, many potential applicants were discouraged from applying. According to Schapiro, the waiting period in the United States in 1956 ranged from less than six months to longer than four years. As a result of repeated warnings on the matter, many agencies in the States speeded up their procedures considerably.

Bradley found that in 1964 the median length of time of the eight agencies he studied was only 7.9 months, though there was considerable variation among the individual agencies.

The time factor between application and placement was found, from our study, to be influenced by the following factors:

1. I. Goodacre. "Adoption Policy and Practice".


(a) The agency's method of study of prospective adopters;
(b) The number of applicants;
(c) The agency's resources in staff;
(d) The availability of children; and
(e) The agency's policy regarding direct or indirect placements.

Agencies with a less favourable complement of staff to cases and which made little or no use of residential or foster-care facilities tended to have a shorter completion period. Sometimes this period was only a few days. This was because applicants were generally accepted with less scrutiny and the children were placed directly without a pre-adoption placement. Agencies that had fewer applicants, compared to the number of children available, also tended to complete their studies and placements within a shorter period.

The average waiting period of the 12 agencies in our sample was seven months (table 4A). Eight out of every hundred applicants had a child placed with them within a month following the submission of their application and forty out of every hundred had a child in less than three months after they applied. Only 20 applications were delayed for more than 18 months and in all these cases there were special reasons such as awaiting further medical examinations or postponement of application because of illness in the family. In general,
there was no appreciable difference in the time taken by local authority agencies and adoption societies.

No clear pattern of practice emerged from any of the 12 agencies, but one agency - Independent society - that followed certain study procedures, never placed a child in under six months. For the remaining agencies, the timing of completion was mostly determined by pragmatic factors. This appeared on the surface as flexible practice, but in fact it led to some very quick and hasty placements without adequate selection or preparation. In one particular case the adopters were themselves surprised when, within two days after they had met the adoption worker, they received a telephone call to collect a particular baby from a hospital "if they liked it".

Table 44. Length of period between application and placement of child. (Agency Sample: 12 agencies).

<table>
<thead>
<tr>
<th>Period</th>
<th>No. of cases</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than one month</td>
<td>30</td>
<td>(8.0)</td>
</tr>
<tr>
<td>One but less than three months</td>
<td>120</td>
<td>(31.9)</td>
</tr>
<tr>
<td>Three but less than six</td>
<td>80</td>
<td>(21.3)</td>
</tr>
<tr>
<td>Six but less than nine</td>
<td>50</td>
<td>(13.3)</td>
</tr>
<tr>
<td>Nine but less than twelve</td>
<td>66</td>
<td>(17.5)</td>
</tr>
<tr>
<td>Twelve months and over</td>
<td>30</td>
<td>(8.0)</td>
</tr>
<tr>
<td>Total</td>
<td>376</td>
<td>(100)</td>
</tr>
</tbody>
</table>
The agency, that on the average placed children within six to seven months following an application, engaged itself in the following activities which could be described as "good practice" by social work literature. Review of the application and decision whether it satisfied the agency's eligibility requirements; if yes, arrangements and appointments to have the first and subsequent meetings depending both on the caseworker's and the applicants' other commitments; taking up references and obtaining medical certificates; preparing a final report for the case committee; if approved, liaising with another worker to find a "suitable" baby for the applicants; arranging for the applicants to see the baby; allowing applicants some time to make up their minds before final placement. It was not surprising to find that all these activities took between six to seven months. Certainly it is not longer than the gestation period of a pregnancy. The group educative approach with the ten to 12 suggested meetings might take a similar time. The applicants' frequent demand to have their application quickly investigated clashes with the obvious need to make thorough and scrutinious enquiries to safeguard the interests of the children concerned. The agency in this respect represents both the biological parents and the child.

The delays for the 96 applicants who had a child placed
with them nine months or more after they applied to the agency, were due to the following reasons:

i) Lack of agency time 41 (42.7%)

ii) Waiting medical reports 18 (18.8)

iii) No suitable child available 18 (18.8)

iv) Waiting for references 11 (11.4)

v) Temporary change in applicants' circumstances 8 (8.3)

Total 96 (100)

Four of these factors were mostly outside the agency's control, though lack of agency time accounted for two fifths of the delays. Some of the medical delays were usually due to a late mention of some condition which appeared to necessitate further reports from specialists. Similarly, some fertility tests took a considerable time because hospital appointments were not easy to arrange.

The overall findings suggest that some agencies can quicken their studies whilst some others can spend more time on them. It is recognised, however, that the need to speed up enquiries, to avoid keeping applicants in anxious suspense, conflicts with the need to establish their suitability.
II.

THE INITIAL PROCESS - ESTABLISHING ELIGIBILITY

All the agencies we contacted believed that they had the responsibility, on behalf of the child who was not able to judge for himself, of selecting from among the applicants on their waiting list the right adoptive home for him. The agencies required as a first step of all adopters to fill in a form to establish themselves as applicants. The form asked for certain factual information such as names, address, dates of birth, religion, occupation, nationality, date of marriage, names and ages of other children living at home, sex and age preference and the names of two or more referees. Agencies used this information for a preliminary sorting of applications and for the rejection of those who did not meet basic requirements. The process saved agency time and also avoided raising unnecessary hopes in the applicants.

Each agency had its own eligibility criteria which appeared to determine, at application stage, whether the next step should be further study of the applicants or rejection. Many of these criteria had been arrived at by the individual agencies with no regard to requirements by other adoption agencies. They often reflected current or past thinking about adoption practice
and child development, or the attitudes of the organization, e.g. church, under whose auspices the agency was functioning, or in some cases they simply reflected the individual caseworker's understanding, hunches, or prejudices of what qualities and what requirements adoptive parents should have. Some of the requirements acted as a kind of ration system and were often changed in the light of fresh developments or such practical considerations as the supply of and demand for babies. This was partly confirmed from the differences found between what agencies "profess" and what they actually do. This lack of uniformity in requirements appears to offer the would-be applicant a real choice and an opportunity to shop around the various agencies, but it has also its dangers in that no consistency can be maintained. A flexible approach at a time when little is known about the relative merits or otherwise of particular requirements is certainly desirable, but this must reflect available knowledge on the subject, as it then has an in-built possibility of changing and developing with the increase of knowledge. At the moment, agencies that are rejecting applicants, mostly at enquiry stage, or such factual aspects, as age, years after marriage, religious beliefs, and so on are again negating fundamental social work beliefs about the individuality to each human being. Such individuality cannot be judged on single attributes whose
reliability is not established.

(i) Consideration of Legal Requirements.

The selection process begins by eliminating those not meeting the legal requirements. Applicants must be domiciled in England or Scotland and generally reside here if the order is to be made here. If applicants are not ordinarily resident in Britain, an order can be applied for if either one or both fulfil the three months probationary period here, and, if only one can stay for three months, the other must be present for at least one month at that time. The Act also provides for a minimum age limit for adoptive parents, but it makes no reference to an upper age limit. Also, if husband and wife do not adopt jointly, they cannot adopt separately without the other's consent.

Adoption agencies are also expected to eliminate at selection stage the type of applicant from whom a child might have to be removed under a "place of safety" order. (Adoption Act, 1958). Criminals and drunkards would obviously come in this category.

(ii) Application of Eligibility Criteria.

As stated earlier on, adoption agencies have a latitude of operation and, apart from the few legal requirements to which they have to conform, there are no other restrictions in
operating their own eligibility requirements. Agencies themselves explained their varying requirements as necessary, first to safeguard the interests of the child as the agency thinks it appropriate, and second, for the administrative convenience of the agency which can then very early eliminate the apparently "unsuitable" applicants.

(a) Age of Applicants

In non-related adoptions the Act provides that at least one of the two spouses must not be under 25 years old. Adoption agencies in general seek couples who are not too young, able to realise the implications involved in adoptive parenthood, and not too old, running the risk of death or incapacity before the child is sufficiently independent. Agencies make allowance for the fact that adoptive fathers are likely to be a few years older than adoptive mothers. The Hurst committee did not favour the idea of an upper age limit though it recognised that there are serious disadvantages in the adoption of a young child by a person who would be too old or almost too old to be the child's natural parents. Subsequently the 1958 Act repealed the requirements of the 1930 Adoption Act that prohibited, with some exceptions, the making of an order if the applicant was less than 21 years older than the child. However, the uncertainty on this matter is further reflected in the

revised Scottish Adoption Rules (1967) which require the curator-ad-litem to consider, when reporting to the court, the difference in age between the petitioner and the infant "if such difference is less than the normal difference in age between parents and their children". The rules do not say what should happen in such an eventuality and apparently the decision is left to the discretion of the court. It could be argued though that, if a differential age is required, this is the wrong stage in the procedure to specify it. This uncertainty of the law is very much reflected in the varying upper-age requirements of the different agencies.

Adoption agencies had a variety of upper age-limits (table 45). From their actual practice, however, it emerged that all the agencies made occasional compromises with regard to upper-age requirements. A greater flexibility was especially shown in cases where the children to be placed were considered as "hard-to-place". Of the forty-two replies to our postal questionnaire, more than a third of the agencies said that they had no upper age-limit. These were all local authority agencies. Authorities qualified their "no limit" reply, however, by adding that they required the wife to be 1. within the normal child-bearing span. Goodacre found that

17 per cent of the English societies in her sample had no fixed upper age-limit and McKinley found from her circulated questionnaire to local authorities in England that 72 per cent had no such limits. Irrespective of what agencies say, only six cases out of 783 non-related adoptions in our "court sample", were found where the adopting mother was over 50 years old and 12 cases where the adoptive father was over the same age.

The few agencies, which said that they consider each case on its merits, could argue that age by itself is an arbitrary division as a criterion for selection, as people do not mature at the same rate either physically or emotionally.

Table 45. Agencies' upper age-limit (42 agencies).

| Age limit | Male | | Female | |
|-----------|------|----------|---------|
|           | N.   | %        | N.      | %        |
| - 40      | 1    | (2.4)    | 8       | (19.1)   |
| 41 - 45   | 14   | (33.3)   | 14      | (33.3)   |
| 46 - 50   | 7    | (16.7)   | 2       | (4.7)    |
| 51 - 55   | 1    | (2.4)    | 1       | (2.4)    |
| No limit  | 17   | (40.5)   | 15      | (35.7)   |
| Each case on merit | 2 | (4.7) | 2 | (4.8) |

Total 42 (100) 42 (100)

Adoptive parents' age at placement: The age of non-related

1. E. McKinley "The Selection of Adoptive Parents" (Degree dissertation to Nottingham University, 1967).
adopters ranged at placement between 23 and 57 years. Almost seven per cent of mothers (table 46) were under 25 at placement, whilst one in every eleven were forty or over. Caseworkers would consider some of these mothers as being too young and some as being too old for the adoptive role. The mean age of adopting mothers at placement was 32.1 and of fathers 34.5. Witmer et al. calculated that the average age at placement of Independent adoptions in Florida was 34.3 for mothers and 38.3 for fathers. Goodacre's group of mothers over forty in non-related adoptions was almost double compared to our group, which suggests an even greater flexibility in age requirements by some of the English agencies where the study took place. Though eighty per cent of the agencies replying to our questionnaire said that they either had no upper age-limit or a limit above forty, yet they placed only 8.5% of their children with mothers aged forty and over; on the other hand, though only 47 per cent of adoption agencies in England had either no age-limit or limits above forty, they placed 15% of their children with mothers aged forty or over.

2. I. Goodacre "Adoption Policy and Practice".
This difference may reflect either greater flexibility in actual practice by English agencies, or it may reflect the regional nature of Goodacre's sample, or be due to the different numbers placed by each agency.

A comparison between the ages of adoptive fathers and those of adoptive mothers shows, not surprisingly, a greater number of mothers under thirty and a correspondingly higher number of fathers over forty. Just under a quarter of fathers were forty or over at the time of placement. Some would again question the capacity for flexibility of these fathers in adapting to a parental role and to the needs of a growing baby.

(As only five per cent of children were placed when over twelve months old, it would have been meaningless to relate the age of the child to that of the adopting couple).

Table 46. Age of non-related adoptive parents at placement. (Court sample.) Mothers N. 783, Fathers N. 779.

<table>
<thead>
<tr>
<th>Age Group</th>
<th>Ad. Mothers N.</th>
<th>%</th>
<th>Ad. Fathers N.</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Under 25</td>
<td>54</td>
<td>6.9</td>
<td>10</td>
<td>1.3</td>
</tr>
<tr>
<td>25 - 29</td>
<td>192</td>
<td>24.5</td>
<td>113</td>
<td>14.5</td>
</tr>
<tr>
<td>30 - 34</td>
<td>291</td>
<td>37.2</td>
<td>226</td>
<td>29.0</td>
</tr>
<tr>
<td>35 - 39</td>
<td>174</td>
<td>22.2</td>
<td>238</td>
<td>30.5</td>
</tr>
<tr>
<td>40 - 44</td>
<td>51</td>
<td>6.5</td>
<td>144</td>
<td>18.5</td>
</tr>
<tr>
<td>45 and over</td>
<td>21</td>
<td>2.7</td>
<td>43</td>
<td>5.6</td>
</tr>
<tr>
<td>Total</td>
<td>783</td>
<td>100</td>
<td>779</td>
<td>100</td>
</tr>
</tbody>
</table>
Adoptive mothers' age at first placement: When the age of mothers adopting for the first time was compared to that of the remaining ones, a somewhat different picture emerged. A higher rate of mothers under 25 were having a further child, whilst a higher percentage of mothers aged forty and over were adopting their first child. Thus of 57 adoptions by mothers under twenty-five years old, only 21 (or 38.9%) were first adoptions, whilst at the other end, of 72 adoptions by mothers aged forty and over, 47 (or 65.3%) were first adoptions. (Of the latter, almost three-quarters married when thirty or over. In their case it looked as if the prospects of an own child were poor at marriage. Fertility in women according to various experts, begins to diminish after the age of thirty and declines more sharply after thirty-five. These couples were amongst those who mainly applied to adopt within the first three to five years after marriage, a period below the average length of time between marriage and application to adopt). The implications of this are that if the first child is at forty or over, the opportunity for a second one must be very small. This in fact was demonstrated from table 47. Though the average age of mothers adopting a further child was 31.9, at the time of the second or third placing, that of mothers adopting for the first time was higher at 32.5. This meant that a greater percentage of mothers who adopt at forty or over do not adopt a further child and so the average in age appears
higher for first adopters compared to the rest.

One in every seven adopting mothers (112) was older than her husband, 32 of these being older by four years or more. In forty other cases, there was more than ten years difference in age between the husband and his younger wife. 1. Witmer et al. claim that adoption is adversely affected in cases where the wife is four years or more older than her husband and where there is more than twelve years difference in age between a husband and his younger wife. One characteristic of the 112 mothers who were older than their husbands, was that their average age at marriage was 28.5 compared to 25.2 for the whole group of adoptive mothers. This suggests that these women found themselves in a contracting marriage market.

---

1. H.L. Witmer, E. Herzog, E.A. Weinstein, M.E. Sullivan, "Independent Adoptions - A Follow-Up Study"
Table 47. Age of mothers at first placement compared to the rest of adopting mothers. (Court sample, N 783).

<table>
<thead>
<tr>
<th>Age group</th>
<th>First Placement</th>
<th>Rem. Mothers</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>N.</td>
<td>%</td>
<td>N.</td>
</tr>
<tr>
<td>Under 25</td>
<td>21</td>
<td>(5.0)</td>
<td>33</td>
</tr>
<tr>
<td>25 - 29</td>
<td>103</td>
<td>(24.4)</td>
<td>89</td>
</tr>
<tr>
<td>30 - 34</td>
<td>152</td>
<td>(35.9)</td>
<td>139</td>
</tr>
<tr>
<td>35 - 39</td>
<td>100</td>
<td>(23.6)</td>
<td>74</td>
</tr>
<tr>
<td>40 and over</td>
<td>47</td>
<td>(11.1)</td>
<td>25</td>
</tr>
<tr>
<td>Total</td>
<td>423</td>
<td>(100)</td>
<td>360</td>
</tr>
</tbody>
</table>

Local authority, adoption society and independent placements:

In spite of the very different age criteria professed by local authorities and by adoption societies, in actual practice there was little statistical difference in the age-range of homes selected by local authorities and the ones selected by adoption societies. Local authorities, however, placed a slightly higher number of children with mothers over forty and under twenty-five which reflected the adoption of children "in care". Equally, the pattern with third-party and direct placements was to place children with very young (under 25) and with
middle-aged mothers (over forty).

The age of adopting parents and its relevance to outcome. How far the age of the adoptive parents at the time of placement, as a factor, affects the adoption situation is still a matter of speculation. Brenner and Ketchum found that the age of parents at adoption did not affect the outcome. Similarly, Witmer et al., from their study in Florida, found only a slight negative correlation between the adoptive parent age and the ratings of the homes in the study, the older parents tending to have somewhat lower home ratings. They concluded, however, that "the data gave no evidence that the age of the adoptive parents was a factor of practical significance in determining the outcome of the adoption". Goldman found, from her


Midland study, that the younger the adoptive mother the greater appeared to be the chances of a successful adoption and, conversely, the older the adoptive mother the less appeared be to the chances of a successful adoption. McWhinnie too found better adjustment in children to be associated with younger mothers. Similarly Humphrey and Ounsted claim that among seventy adoptive families requiring psychiatric help, maternal age was the most common factor for failure, more than half the mothers having adopted their first child after the age of 30. In contrast, Kornitzer's study showed that adoption by women under 30 had a low rate of success and a rather high one for "bad" adoptions. The thirty to thirty-nines


were rather better in their ratings than the average and the forty to forty-nines much better. She warns that adoptions by women over fifty are not a good risk. Kornitzer's findings partly agree with those of Trasler and Parker from their studies in foster-care. One of the factors that Trasler found significant was that younger foster-mothers were less successful than older ones. Parker also found that the under forty seemed less successful as a group than the over forties, while the under thirties stood out as the least successful.

Parker, however, warns that there was a highly significant relationship between the foster-mother being over forty and there being no own children under five years older or younger than the placed child. It may be argued, of course, that the motives operating in fostering situations are not exactly similar to those operating in adoption and that there are considerable differences between those families that offer themselves as foster-parents and those who become adoptive


parents. The two situations may give rise to different feelings that can affect the outcome differently.

Summary:

Adoption agencies have a variety of upper age limits for applicants. The chances of a couple over forty being accepted depends on which agency they apply to, and this in turn may be determined by the area where they happen to live. Local authority agencies appeared to be more flexible, compared to adoption societies in their professed age limits, but in practice there was little statistical difference between the two types of placements. None of the agencies kept to their professed age-limits and this was especially so when selecting homes for "hard-to-place" children. A higher percentage of children "in care" were adopted by very young and older couples compared to children not in care.

Adoptive couples had their first child at a much older age compared to biological parents. One in every seven of adoptive mothers was over 40 at the placement of a first child and three quarters of these were married when thirty years and over.

Available studies on the effect of the adopters' age on adoption outcome are inconclusive. The majority view appears to be that age by itself is not a significant factor, though the placing of children with very young and with very old
couples involves greater risks.

(b) Marriage and Family Structure

1) Marital status: This is another clear eligibility requirement that most adoption agencies apply at intake stage. Agency policy on this matter illustrates again the diverse expectations. Over one third of the agencies, replying to our postal questionnaire (table 48), said that they would consider a remarried couple, one or both of whom had previously divorced, but over forty per cent indicated that they would not. In actual practice there were only five (or 0.6%) adoptions by couples falling into this category. In one of the five cases the adoptive mother had divorced twice. All five placements were arranged by local authority agencies and three of the children were in the authorities' care.

Four out of every five agencies will not consider widows or spinsters. This attitude seems to reflect the belief that every child should have the benefit of a family with both parents. The courts in our sample granted twelve orders (or 1.4%) in favour of single women, all but four being related to the child. One of the four non-related adopters was a widow, the second a spinster who adopted the child in her care and the remaining two were very old direct placements by the child's
own mother. All the eight children that were adopted by spinster aunts had previously been placed with them on a fostering basis. All these were adoptions by incomplete families. In three of these eight adoptions, the adoptive mothers applied for supplementary benefits following notification to adopt, because of the withdrawal of the fostering allowance. The motive of the local authorities in pursuing adoption orders in such cases was far from clear. Apart from the financial and other material difficulties to which they were knowingly exposing the children, there was the further loss of the withdrawal of the authorities' support through the children's department. Whilst the children were in care they were the responsibility of the local authority and the child care officer had to visit regularly to advise, assist and support. If such visits are often essential when children are living with intact families, it would have been thought that it was more so when the family set-up was an incomplete one. In fact, under ordinary circumstances, these children could have easily become "protected children" with the responsibility for their welfare being placed on the local authority, instead of the authority relinquishing such care. In one of the related adoptions, three young children whose mother was thought to be of low mentality and unable to look after them properly were fostered with a spinster aunt living
by herself. Subsequently she was allowed and encouraged by the local authority to adopt the three children. No doubts were raised either by the curator-ad-litem or the court about the advisability of such a step. This was one of the cases where the adoptive mother had to go on supplementary benefits. She was nearing fifty years old, frail and in poor health with no other family support. The local authority could claim that the three children formerly in its care were satisfactorily rehabilitated.

The above comment is not an argument against single-parent adoptions as such, but rather a suggestion that, where necessary, at least single parents with the relative emotional and material propensities should be selected, and even subsidised in special circumstances. It is recognised that though agencies like to select, whenever possible, families in which there are both a mother and a father, the time may come when, in the face of a large number of children for whom no two-parent families can be found, they might do better by having a single-parent family rather than no family at all. Such placements will make an even greater demand on the skills and knowledge of social workers, especially as very little is yet known about the possibilities of such adoptions. McWhinnie's sample contained three one-parent adoptions and of this small

1. A. McWhinnie "A Study of Adoption -The Social Circumstances and Adjustment in Adult Life of 53 Adopted Children".
number, none was seen as having made a satisfactory adjustment. In February, 1967 the Daily Express quoted two examples of children brought up by single women: one, a school-teacher of 35 who adopted a two year old boy who was later placed on probation for stealing, and the other a Health Visitor of 33 who adopted a girl. The latter felt happy in her subsequent married life. The first mother felt that the boy needed a father-figure and she should not have adopted. The need for a father-figure is one of the usual explanations natural mothers give to curators-ad-litem when asked why they decided to surrender their child. The whole issue about single-family adoptions may again be drastically changed in the next twenty or so years depending on the fluctuations in the number of illegitimate children and the number of adopters available, as well as on our attitude towards the handicapped, coloured and older children.

Table 48. Marital status requirements (42 agencies)

<table>
<thead>
<tr>
<th>Marital status</th>
<th>Will consider</th>
<th>Will not consider</th>
<th>No clear policy</th>
</tr>
</thead>
<tbody>
<tr>
<td>Remarried</td>
<td>15 (35.7)</td>
<td>17 (40.5)</td>
<td>10 (23.8)</td>
</tr>
<tr>
<td>Widowed</td>
<td>2 (4.8)</td>
<td>30 (71.4)</td>
<td>10 (23.8)</td>
</tr>
<tr>
<td>Spinster</td>
<td>1 (2.4)</td>
<td>33 (78.6)</td>
<td>8 (19.0)</td>
</tr>
</tbody>
</table>

(11) Adoptive parents' age at marriage: Age at marriage is one
of the most important determinants of family size. A late marriage, for instance, can act as a barrier to reproduction and adoption may be one of the solutions for the couple who are motivated to rear a child. Later marriage itself may sometimes be the result of earlier fears about assuming greater responsibilities in life, including the rearing of children. A marriage contracted at a waning reproductive stage and ending in childlessness may in fact be what one or both partners have been looking for.

Childless adoptive mothers in our sample generally married at an older age compared to fertile mothers in the general population (table 49). Adoptive mothers were generally under-represented in the lower age groups but over-represented in the upper age groups. Though at this period three out of every four spinster women were marrying when under twenty-five, only half the adoptive mothers did so. At the other end, whilst only one in every ten women in the areas covered by the study were marrying when thirty and over, among the adoptive mothers the rate was one every five.

The average age at marriage of spinster women in the area covered by this study was 23.4 but that of adoptive mothers was 25.2. Humphrey in his recent study of childless marriages found that the average age at marriage of adoptive mothers in
Table 49. Adoptive mothers' age at marriage (excluding those with own children). (Court sample, N. 655)

<table>
<thead>
<tr>
<th>Age group</th>
<th>Adoptive mothers</th>
<th>Gen. population</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>N.</td>
<td>%</td>
</tr>
<tr>
<td>Under 20</td>
<td>59</td>
<td>(9.0)</td>
</tr>
<tr>
<td>20 - 24</td>
<td>282</td>
<td>(43.0)</td>
</tr>
<tr>
<td>25 - 29</td>
<td>191</td>
<td>(29.2)</td>
</tr>
<tr>
<td>30 - 34</td>
<td>59</td>
<td>(9.0)</td>
</tr>
<tr>
<td>35 and over</td>
<td>64</td>
<td>(9.8)</td>
</tr>
<tr>
<td>Total</td>
<td>655</td>
<td>(100)</td>
</tr>
</tbody>
</table>

The average age at marriage of all mothers in these areas was compiled by taking the average age over a period of 15 years i.e. from 1950 to 1964. Within these years, 98% of the adopting mothers in the sample got married. From the number of 783 non-related adoptions, we excluded mothers with own children and four mothers who never married. The final number was N. 655.
his sample was only 22.6 compared with a national average of 23.0. He also found that adopting mothers were under-represented in both early and later marriages - 90% marrying in their twenties. The difference between our findings and those of Humphrey appears to be due to several reasons. Humphrey's sample was very regional and drawn only from couples who attended one fertility clinic over a period of nine years. Our sample covered mothers adopting in a single year over the whole of Scotland. The fact that no mother over 34 at marriage featured in Humphrey's sample, whilst 9.8% did so in our sample, suggests that many mothers who marry late do not even take the trouble to attend a fertility clinic.

Further differences in age appeared when the age-group of adoptive mothers was analysed by social class. The findings (table 57), show that the lower the social class background of the mothers the younger they married, in contrast to those of higher social class background who married at an older age. The over-representation of social class I and II further explains why the average age at marriage of adoptive

mothers was higher than that of the general population.

Table D. Age of adoptive mothers at marriage by social class (excludes those with own children).

Court Sample, N. 655.

<table>
<thead>
<tr>
<th>Social Class</th>
<th>Age group</th>
<th>I &amp; II</th>
<th>III</th>
<th>IV &amp; V</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>N.</td>
<td>%</td>
<td>N.</td>
<td>%</td>
</tr>
<tr>
<td>Under 25</td>
<td>114</td>
<td>(43.0)</td>
<td>164</td>
<td>(54.3)</td>
</tr>
<tr>
<td>25-29</td>
<td>81</td>
<td>(30.6)</td>
<td>94</td>
<td>(31.1)</td>
</tr>
<tr>
<td>30 and over</td>
<td>70</td>
<td>(26.4)</td>
<td>44</td>
<td>(14.6)</td>
</tr>
<tr>
<td>Total</td>
<td>265</td>
<td>(100 )</td>
<td>302</td>
<td>(100 )</td>
</tr>
</tbody>
</table>

(III) Length of marriage. The great majority of children (64.1 per cent) had adoptive parents who had been married from five to nine years when placement occurred, and a quarter had been married ten or more years. Only 34 children were placed with couples who had been married less than four years.
Table 51. Adoptive parents' length of marriage prior to placement of child. (Agency Sample 316 - excludes couples with own children).

<table>
<thead>
<tr>
<th>Length of Marriage</th>
<th>Number</th>
<th>Per Cent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 3 years</td>
<td>11</td>
<td>3.5</td>
</tr>
<tr>
<td>3 years</td>
<td>23</td>
<td>7.4</td>
</tr>
<tr>
<td>4 to 5 years</td>
<td>80</td>
<td>25.6</td>
</tr>
<tr>
<td>6 to 9 years</td>
<td>120</td>
<td>38.5</td>
</tr>
<tr>
<td>10 or more years</td>
<td>73</td>
<td>25.0</td>
</tr>
<tr>
<td>Total</td>
<td>312</td>
<td>(100)</td>
</tr>
</tbody>
</table>

Adoptive parent unmarried 4 -

The mean number of years between marriage and the placement of a first child was 7.1 years. This period is considerably longer than the average period taken by a family among the general population before they have their first biological child. For example, of women giving birth to a child in 1959 (one year

after the average number of women in our sample got married.

two out of every three had been married for a year or less and
almost nine out of ten were married for three years or less.

In contrast, only one in every ten adoptions was by couples
who had been married for less than three years. Putting it
in another way, though the average age of mothers adopting
their first baby in 1965 was 32.5, that same year only 3.7
per cent of biological mothers in this age group gave birth to
a first child.

The delay of adoptive parents before they have their first
child appears to be less due to agency requirements and more
to the long period that couples take before they reach their
decision. Humphrey found that the 80 childless couples in
his sample took an average of eleven years before they
consulted a fertility clinic. (It should be remembered that
Humphrey's sample is skewed towards couples marrying early).

Some couples do not appear to try for a baby soon after
marriage and by the time they discover their handicap consid-
erable time has elapsed. In spite of Humphrey's evidence, in
the case of certain groups of adopters i.e. those marrying
when over 30 and those of a lower socio-economic background,

the delays may reflect agency requirements and the applicants' estimate of themselves regarding satisfactory material standards. In general, adoptive parents not only marry at a later age, but also with them, compared to biological parents, much longer time-span elapses before they have their first child. One redeeming feature of this is the greater stability of marriage contracted by older women.

Of the 42 agencies replying to our questionnaire, over one third said that they have no minimum years' requirement between marriage and adoption. One in every four agencies, however, stipulated five years and one agency in every three required a minimum of three years. Two agencies quoted periods of between eight and ten years. In actual practice all agencies occasionally placed children with couples outside their professed minimum period. The Scottish Children's Officers Association and the Association of Child Care Officers in their 'standards manual' circulated to members, say that it is unwise to consider applicants who have been married for less than three years".  

2. The Scottish Association of Child Care Officers and The Scottish Children's Officers Association 'Memorandum on Adoption in Scotland' 1965.
three year placements were made by members of these two Associations. It is again a negation of social work principles that the committees of two major professional bodies should make such a blanket recommendation without regard to the individuality of each situation. The insistence on a three year period appears to be connected with the belief that this is a testing stage for the stability of the marriage. Yet the Registrar-General's figures for 1965 show that divorce is most common in the sixth and seventh years of marriage. (It is true that no information is given about the exact stage that the marriage irretrievably broke down).

From the table that follows there are indications that childless couples from a lower social class background tend to wait longer after their marriage before they adopt their first child. In contrast, childless couples with a social class I and II background, though they tend to marry later in life, adopt within a shorter period following their marriage. In the case of the latter group, apart from their being more comfortable materially, it is probable that they set in motion fertility investigations earlier than the first group. Though couples from a lower social class background may take longer before they consult a fertility clinic, it is also true that agencies do expect applicants to have achieved some financial security and satisfactory housing conditions, before they can
to the general population and has her first child at a much later time compared to biological mothers. The lower their socio-economic group the younger they married, but it took them more years after marriage before they adopted. The converse was true of couples of a higher socio-economic background. They married older but adopted within a shorter period following marriage.

c) Religion

Religious requirements by adoption societies have occasionally provoked strong reactions from would-be adopters. As a considerable number of societies are denominational, they have a vested interest in promoting adoptions only with couples of a similar religious affiliation. All four sectarian agencies in Scotland require formal church affiliation and evidence of regular church-attendance. Non-denominational societies too appeared to be equally influenced by religious considerations and this attitude was responsible for barring a number of couples from adopting. It was expected that the setting up of local authority agencies in 1958 would make it easier for couples professing no religious affiliation to adopt. By the mid-sixties, however, a number of individuals in England felt it necessary to set up The Agnostic Adoption Society to enable people with no religious affiliations to adopt.
Six of the eight voluntary societies will not accept applicants who do not have some religion and who are not regular church goers. A similar number will only consider Christians and one society, which is prepared to consider applicants professing "no religion" is only exceptionally prepared to accept an applicant professing a "non-Christian" religion (!). The other society that is prepared to consider applicants professing no religion, is not prepared to consider couples differing in their religious views. Similarly three societies which are only prepared to consider Christians and regular church-goers, are prepared also to examine applications from couples differing in their religious views. It is no wonder that the ordinary person is often bewildered by these varying and contradictory requirements which defy rational analysis.

Local authorities, being public agencies, would be expected to have no religious barriers and no bias, as long as applicants met other necessary requirements. Most local authority agencies stipulated that they are prepared to consider applicants professing no religion, but three agencies will not

consider them. In the case of the latter agencies, the requirement was not decided upon by the respective local authority committees but represented the views and requirements of the individual children's officer. One children's officer of a large department, directed his adoption worker not to consider applicants "professing no religion", especially as they had plenty of otherwise suitable applicants to choose from. He said that, though his committee did not know of this rule, it would back him up if any questions were raised.

On paper at least, local authority agencies do not appear to have rejected any applicants for not meeting religious requirements. It is of course possible that any such applicants were weeded out at the enquiry stage. Adoption societies rejected 8.6 per cent of their applicants for this reason. What was interesting about this was that the majority of applicants rejected for religious reasons, were turned down by the society that is prepared to consider applicants professing "no religion" but only "exceptionally prepared to accept applicants professing a non-Christian religion". As ten per cent of the mothers who surrendered children through this society did not stipulate any religion in which they would like the child to be brought up, the argument cannot be advanced that children "free of a religious requirement" were not available.
The original application forms which applicants are required to complete ask for their religious denomination. This is necessary to help match the wishes of the parents with those of the adopters. All the adopters who got a child through the twelve agencies studied in depth declared a Christian religious faith.

Two denominational societies of the Roman Catholic faith had a policy of writing to the priest, in whose parish the couple lived, to ask for his views about the applicants' suitability and especially about their religious habits. The priest's replies appeared to influence the outcome considerably. Most of their comments were connected with the religious habits of the applicants and how often they attended church. They included such comments as "they are regular churchgoers..." or "they are good Catholics". In one case the parish priest wrote to say that he had drawn one couple's attention to the fact that they had not been to church recently, but that they promised him to do so in future. In another case the decision on a couple's application was postponed at the priest's suggestion to give him time "to observe their religious habits". In a later letter he wrote "the M's have shown some improvement but not so much as one would like... they have given me a solemn promise to attend mass in future". We were able to find out only about the couples who eventually adopted but not
about those who were turned down on the basis of references from their parish priests.

On the whole, local authority agencies were found to have less religious bias compared to adoption societies, but individual workers occasionally set up their own criteria. In the whole sample we did not come across a single adopter who had not declared a religious affiliation. Sectarian groups appear to exercise considerable control over the adoption market by the sheer fact that they exist and offer a kind of service. McWhinnie found no evidence of a positive correlation between strong religious affiliations in adoptive parents and good adjustment. Religious influence in the home was as likely to be associated with good adjustment as with bad. On the other hand, Goldman's findings suggest that some active church connection and religious commitment are more likely to lead to successful outcome. The discrepancies between the two studies may reflect real religious differences and attitudes in the respective populations where the studies took place.

1. A. McWhinnie "A Study of Adoption - The Social Circumstances and Adjustment in Adult Life of 58 Adopted Children".
(d) Aspects of Fertility and Childlessness

Gough writing in the Almoner in 1959 remarked how it used to be thought that adoption casework was the one field in which the client did not come to the worker with a problem. "It is now seen", he added "that they now come with a very real problem that of childlessness, absolute or relative". The view has also been expressed by child care workers that childless couples who apply to adopt or foster children are at the same time seeking some form of help for their childlessness and especially for the feelings which this has given rise to. The writer's personal experience, from assessing adoptive couples, confirmed some of these views. It was observed at selection stage how for most of these couples the psychological discovery of inability to have a child was just as important as the actual facts discovered. The discovery was of deep significance to them and often led to a real crisis in their lives, though reactions varied. After such a discovery most couples would rally towards each other, and try to face up to the situation without undue distress, but this was often followed by a reflective period which in some cases threatened the stability of the marriage itself. The distress, disappointment and unhappiness experienced did not appear to be

inappropriate to the occasion. Couples that went through this stage, without eventually breaking up, emerged readier to adopt compared to couples who went on denying any disappointment and who were emphasizing that the discovery of childlessness had made no difference to them. Denial of what in reality was a very painful discovery often suggested marital insecurity that prevented the couple from examining their reactions and feelings. Both types of applicants would come to the agency to ask for a child to adopt or sometimes to foster. Some had already dealt with their feelings over their childlessness and were ready to move on to the next stage, whilst others were hoping that, at the same time that they appeared as applicants for a child, they might have the opportunity to reflect again on their feelings about the subject.

Responsibility for childlessness seems to give rise to different feelings in each of the marital partners and the selection interview may often be used to voice them in a more or less obvious way. The party that is deemed "responsible" for the handicap often expresses feelings of uselessness and inadequacy, whilst the other spouse, though mostly supportive and understanding may also express disappointment and resentment at being deprived of the opportunity to have a biological child. Childlessness is a handicap and, as other handicaps
such as loss of limb, sight etc., the individual may either come to terms with it or regress in his adaptive patterns. No handicapped person can be expected to accept wholly his situation and likewise no childless couple can possibly come fully to terms with their handicap. However, from the writer's personal observations again, the childless couple who over-idealises biological parenthood will find it difficult to adapt to an adoptive parent role. The over-idealisation of biological parenthood bears many similarities to the adopted child's over-idealisation of his natural parents, which may be accompanied by intolerance and resentment towards his adoptive family. These, however, are extreme reactions, occurring only in a minority of adoptive parents and adopted children. Humphrey and Ounsted found that one fifth of the couples whose adopted children were referred for psychiatric treatment had lasting preoccupations with their failure to have children. A mother, speaking to the writer during a selection interview, remarked how after three years of longing, many hospital tests and treatment, raised hopes and bitter disappointment, she was told that it was unlikely she would ever have a child. "No

suffering", she added "in my life has equalled the moment when I faced the truth". Hutchinson, writing on the methods of selecting foster and adoptive parents, says "not to be able to have a baby hits at a woman's most basic pride and a man's cherished self-esteem". Kirk looks at the problem of childlessness as one of role handicap. He sees the wife as being the more deprived because her roles as a child-bearer and child-rearer have been "mutilated" in childlessness and that these can only be partially restored in adoption. The husband's handicap is his being deprived mainly of the opportunity "to provide consanguine members of the kin group".

Humphrey and Ounsted's findings as well as Cough's and Kirk's writings suggest that certain childless couples need an opportunity to work through their experience of childlessness before they adopt. This opportunity, it is suggested, will not only contribute to the couple's mental health but also minimise any adverse effects on the adopted child's mental health. Though such opportunities may be desirable, there is no social agency in Britain - besides an adult psychiatric department -

that could offer this help. Many couples, however, who may feel the need to discuss their experiences and reactions with an understanding person, do not see themselves as psychiatrically disturbed. Adoption agencies themselves have never spelled out what they see their function to be in relation to this problem. The Child Welfare League, whilst supporting that in the selection process the agency has a responsibility to assess the applicant's feelings about their childlessness, recommends that, where the couples have problems associated with childlessness, they should be referred to other community services. However, the League distinguishes clearly in its recommendations between the responsibility of the adoption agency "to understand how applicants feel about their childlessness and the bearing this may have on their capacity for parenthood" and referral to another agency when the couple have real problems over this matter. 1 Rowe, whilst not suggesting that adoption workers should provide casework help to childless couples as such, sees the agency worker as responsible for helping the applicants to increase their understanding of their own feelings. She sees this happening during the selection process when the caseworker's job is "to help the applicants

come to a decision". What the League recommends and Rowe sees as desirable, if practised, would of necessity involve the applicants in some examination of their feelings regarding their situation of childlessness. The boundary line at which an applicant stops being an applicant for a child and becomes a client in need of a service, though not necessarily mutually exclusive, again seems uncertain and difficult to define.

(i) Investigation of childlessness: Childlessness, as medical practitioners keep reminding us, is a symptom of various conditions and not a diagnosis. The reasons for which couples may be childless vary. Some may even choose to have no children whilst some others may have had several unsuccessful pregnancies. As there is a feeling that it is not "fair" for an adopted child to go to a family where there is a possibility of further children, we asked agencies to say whether they ask applicants to present evidence of sterility and/or infertility tests. Only two societies say they require evidence of medical investigations. The two societies, that require such evidence, in actual practice placed children with families that subsequently gave birth to an own child. This

possibly points to the fact that medical investigations of this type are not necessarily infallible.

Of local authority agencies, one fifth require evidence of sterility and/or infertility. McKinley reports that in England half of the local authorities and two fifths of the societies require similar evidence. Though most agencies in Scotland do not require such evidence, caseworkers usually ask applicants the reason for their childlessness. Goodacre, who asked couples about these tests and their reactions to them, was told that these were "distressing and aggravated by lack of encouragement, explanation and continuity."

Only three of the twelve agencies (agency sample) contained in their records identifiable information on the circumstances of each couple's childlessness. Table 53 was constructed on the basis of these agencies' records only. It shows that the number of women diagnosed as infertile was slightly higher than the number of men similarly diagnosed. In a further one quarter of the cases, the reason for the resulting childlessness was due to some complication which resulted in miscarriages or still-births. The doctors had

1. E. McKinley "The Selection of Adoptive Parents".

advised against further pregnancies. In another fifth of the cases the doctors could find no physical cause either in the husband or in the wife to account for the failure to conceive. In the remaining 9 cases (or 9.8 per cent.) the couples made no attempt to establish the reasons for their childlessness. Six of the nine couples were married when the wife was older than 38 and apparently had no hope that medical investigations could aid them. Rowe, commenting on couples who do not try to establish the cause of their childlessness, remarked that though at first it sounds reasonable that some couples prefer not to know who is "to blame", one must question why they do not wish to find out if the condition can be remedied or why they should consider that knowledge of one's partner's infertility might prejudice their relationship. Two of the three agencies that handled the cases of couples who made no effort to find out did not pursue the matter with them.

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Table 53. Responsibility for childlessness (Based on the records of three of the 12 agencies. N. 92).

<table>
<thead>
<tr>
<th></th>
<th>N.</th>
<th>Per cent.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wife's infertility or sub-fertility</td>
<td>20</td>
<td>(21.7)</td>
</tr>
<tr>
<td>Husband's infertility or sub-fertility</td>
<td>16</td>
<td>(17.4)</td>
</tr>
<tr>
<td>Miscarriages, still births or other similar conditions</td>
<td>26</td>
<td>(28.3)</td>
</tr>
<tr>
<td>Both parents normal</td>
<td>21</td>
<td>(22.8)</td>
</tr>
<tr>
<td>No attempt to establish cause of childlessness</td>
<td>9</td>
<td>(9.8)</td>
</tr>
<tr>
<td></td>
<td>92</td>
<td>(100)</td>
</tr>
</tbody>
</table>

The slight excess of women over men, who were diagnosed as infertile or sub-fertile, may partly reflect the accuracy of the records, which were mostly based on the verbal explanations of the applicants, and may partly reflect the doctors' attitude towards revealing the exact situation to the couple. A colleague doing research in childless marriages in Scotland was told by a medical practitioner that many doctors do not like telling the man that he is to blame, as such a
discovery can shake his feelings of masculinity. If this practice is widespread, the number of men thought to be infertile or sub-fertile may be an under-estimate. Such an attitude on behalf of doctors obviously underestimates the fact that the discovery of childlessness can have an equally severe effect on a woman's feelings of femininity as on a man's feelings of masculinity. As most medical practitioners are men, their reluctance to reveal the truth to other men may stem as much from their own subjective feelings as it reflects their attitudes about the respective status and role of women in society. (The writer found that in the context of the Greek culture, where the authority of the husband over the wife is almost unquestionable, it was not unusual for wives, when coming to the agency, to assume personal responsibility for their husbands' infertility). The personal attitudes and prejudices of doctors are of vital importance in what they eventually decide to reveal to their patients. Russell, in a personal communication to Humphrey, said that he warns his couples that, unless there is a condition requiring treatment, they will not be told where the defect lies. Humphrey comments that for the couple not to know where they stand must make it

1. Mrs. N. Campbell is currently doing research on "Voluntary Childlessness" (Registered as a student at Edinburgh University).
very difficult for them to plan. Such an attitude on the part of the doctor assumes a prior incapacity in people to cope with distressing situations, though the alternative is for nagging worrying feelings to persist for a life-time.

Earlier on in this chapter it was pointed out that one in every six applicants who withdrew their applications before completion, did so because they found themselves expecting their own child. The number of couples with functional conditions who adopt is considerable, but there are conflicting figures of how many of these have their own children after they adopt. As this study was initiated within a very short period after the completion of the adoption order, it was not possible to obtain a reliable picture on the matter. Wittenborn found a frequency of one in seven of the adopters having had a child of their own within a period of six years following adoption. Weinstein claimed a similar frequency after studying families in Florida who had adopted in the past nine to twelve years. More conclusive evidence was furnished by Weir and Weir from a


study of 438 couples who had been referred to the same centre for investigation of primary fertility and followed up for at least five years. The proportion who had become fertile was 16% of the 197 couples who had adopted, and 18% of the remaining 241 couples. These results hardly support the view that adoption can be a cure for functional sterility.

Among the general population, however, there is a very widespread feeling that adoption can aid childlessness and it appears that many childless couples apply to adopt, before they find out the exact nature of their predicament. Bernard writing on the subject, however, supported the view that the relationship, between a functional condition leading to childlessness and conception after placement of a child, was no longer considered mere coincidence. He produced some evidence to suggest that emotional problems may be among the many intricate factors that influence fertility, and that the


experience of adoption may entail some reorganisation of the psychic life that in turn may facilitate conception. Bernard offered no concrete evidence for her statement. Kamman, writing in the Journal of the American Medical Association reviewed the psycho-analytic explanation of pregnancy following adoption and explained it as being partly due to the increased feminine role of the woman which is enforced on her through caring for a baby, and partly to the possibility that some immaturity in the ova is corrected or that pathological stimulants on the ovary are reduced when the childless couple become adoptive parents. Hanson and Rock offered a more objective view as a result of their study of a sample of 202 adoptive mothers. Of these, 15 (or 7.4%) became pregnant after adoption, 19 reported loss of menstrual discomfort, 22 had sexuality changes feeling less tension and five more reported positive relaxation. The authors go on to stress


that, in spite of this, there were only four of the 15 pregnancies which had no other explanation for the "cure" of infertility apart from the improvement in emotional tone. In the others, there had been contributory factors, such as previous incomplete pregnancies. Humphrey confirms this view from his Oxford study in which he found that one in seven of the adopters subsequently had children but he goes on to say "these too were young, otherwise healthy and had shown evidence of previous fertility". Humphrey concludes by saying that "adoption is a possible cure for functional sterility but not apparently a likely one".

Irrespective of the available evidence, many couples, who apply to adopt, do so in the hope that they will eventually conceive. This in itself demonstrates the difficulty many couples have over accepting their situation without any lingering hopes. Such hopes should not be a bar to adoption unless the pre-occupation lingers-on undiminished. In such a case, Humphrey's and Ounsted's findings about the effects of such pre-occupation on the child cannot be ignored. As nine of the twelve agencies in the "Agency Sample" had failed to discuss the circumstances of the applicants' childlessness and


2. Ibid.
their reaction to it, they could not reach an informed decision on which couples had accepted their situation and which were still pre-occupied in a way that was absorbing most of their interest and emotions.

(ii) How big a family: The common view that adoption is for childless couples is not borne out by facts. Though agencies generally seem to prefer childless couples or couples who had previously adopted, 125 (or 16 per cent) of non-related adoptions in 1965 were by couples who had one or more of their own children, 30% had previously adopted one or more children and the remaining 54.0% were first adopters. A higher percentage of couples with own children adopted children who were in the care of the local authority, compared to childless couples.

It is difficult to judge whether the number of couples who adopt a second or third child (30.0%) is a big enough rate to justify the comment that adoption tends to become more popular with people who have actually experienced parenthood, or to wonder why more couples do not proceed to adopt more than one child. The latter, however, is a more complicated issue because of the hitherto limited number of babies available. There have been some suggestions that child rearing appears to act as an enrichment of people's lives, opening new interests and new dimensions to them, and one would therefore expect a
considerable number of couples to proceed to adopt more than one child. When Witmer and her associates asked 401 adoptive parents what advice they would give to people who were thinking about adopting a child, the biggest group (30.0%) advised, "just go ahead, its wonderful, you will be glad". The same writers have found, however, that the presence of children before adoption was a somewhat unfavourable sign for outcome. Goldman too, maintained that successful adoptions were associated with no other placings before adoptive placement. Both these findings raise some questions as to whether second or subsequent adoptions prove more stressful and have a lower chance of success.

With the exception of two of the agencies answering our postal questionnaire, all the others said that they accept


2. Ibid.

families with "own" children as adopters. Occasional reluctance to place children with such couples seems to be associated with the idea that it is not in the best interests of the adopted child to go into a family where there are already "own" children, but there has also been the feeling, among a number of agencies, that with the limited number of children available, families who do not have children should be given some priority over those who already have children of their own. Because of this attitude, it is again difficult to estimate how many applicants with own or a first adopted child had been deprived of the opportunity for a second baby. We are led to conclude, however, that, as the number of adoptive applicants in Scotland has never reached the proportion claimed to have been reached in England and the United States, probably there have been very few occasions when Scottish agencies exercised any kind of rationing of babies. At least one agency - Independent society - actively encourages couples to adopt more than one child because it believes that it is conducive to good adjustment. Similarly, the two Catholic societies, which were having some difficulty in recruiting Catholic adoptive parents, started approaching couples, who had already adopted through them, encouraging them to adopt a second or a third child.

It has been assumed that agencies placing children with couples having "own" children would somehow ensure that there
was no possibility of further pregnancies. The picture that emerged, from a study of sixty such placements made by the twelve agencies (agency sample), was a varied one. Six of these placements were made with the agency's awareness that a further conception was likely. In another 2½ cases, the adopting couple were well within child bearing age and there was no physical reason to exclude the possibility of further children. The agencies placing these children did not go into the matter at all. Interestingly, 15 of the 2½ children placed with these couples had been in care - three of them being of 'mixed' blood. Humphrey claims that the fertile adoptive mother is more ready to dismiss the natural mother whose child she has taken over and that this may lead to complications. In this case, it seemed again that the difficulty of finding adopters for children in care, or with a colour problem, led to less scrutinization and a greater compromise. This was further confirmed through the fact that the agencies which made these placements did not arrange similar placements for children not in care. Though our general findings suggest that agencies value the extension of families through adoption, the practice is to place more "hard-to-place"

1. Humphrey, M. "The Hostage Seekers".
children with this type of family. This, however, may not be an altogether unreasonable way to provide homes for such children.

Witmer et al., writing on the outcome of adoptions in families with own children, claim that the lower average ratings, where there were own children before adoption, were not the direct result of mixing own and adopted but that one factor involved was that such parents were likely to be older at the time of placement of the adopted child. This would suggest that some of the more needy children in our sample, were placed with families with a low success rating. Another factor found by Witmer to be associated with poor rating was where the couple's own children were adults. These adoptions, according to her reflected a wish on the mother's part for companionship and gratification in caring for a baby. One in every ten of the couples in our sample would fall into this category. Trasler also warns, from his studies in foster-care, against couples who are looking for a companion for their own child, or the need of some mothers to look after very young babies. In general, however, the various writings suggest

2. G.Trasler "In Place of Parents".
that what should be evaluated at selection stage is the emotional attitudes prevailing in the home, and not the presence or not of other children. Price writes that social workers should ask the way the applicants' own children have been brought up. If the relationship has been normally and naturally satisfying, then the adopters might need to demand less immediate response from the adopted child. Of the 60 couples with own children, only in 11 cases (or 18%) was any reference made in the selection reports to the relationship between the applicants and their own child(ren).

(iii) Choice of Sex: The argument about whether adopters prefer girls to boys is a long standing one. Gordon, Leahy and Golby, writing in the thirties and early forties, inferred

from their studies of adoption petitions and final adoption orders that among adopters there was a female sex preference. Brenner who studied fifty families who adopted between 1941 and 1945 found that, at the time of application, 39 expressed a sex preference and 72 per cent of this group had asked for a girl. Kornitzer writing in the early fifties claimed that the waiting lists for girls were far longer than those for boys. Goodacre wrote that two thirds of those seen, who had a definite preference, wanted a girl, though she goes on to add that agency officials "reported unaccountable swings in fashion".

Of the 2018 adoption orders granted in Scotland in 1965, just over fifty-two per cent were in favour of boys compared to 47.7% for girls. Triseliotis, in an as yet unpublished

5. Details of this study are available and could be supplied by J. Triseliotis, c/o Department of Social Administration, Edinburgh University.
study of the characteristics of mothers who surrender and of those who keep their children, found evidence to support the view that the fact that fewer girls are adopted is related more to the surrendering habits of biological mothers than it is to the motives of those wanting to adopt. Of the 221 illegitimate children in his sample, 113 were male and 108 female; of the male children, almost forty-eight per cent were surrendered, compared to only 41.7% of girls. As the present study has not found that more girls are adopted either by their mothers or by other relatives, we may conclude that girls are kept by their mothers or other relatives (i.e. grand-parents) who do not proceed to adopt them.

Sex preference in adoption has been looked at from various points of view, such as the "narcissistic" concern of women in preferring a female child, or that the female child is a symbol of affection, and even more that it costs less to raise a girl than a boy. A preference for boys has been associated with male preference to carry on family consanguinity. Cultural factors as well as fashion cannot be ignored either. In countries like India, for instance, the absence of a son to perform certain religious rites, when the head of the family dies, appears to lead mostly to the adoption of male children.

The sex preferences of adopters in our group could be identified from the records of six of the twelve agencies
(Agency Sample), who happened to keep details about the sex preferences of all adopters as expressed at application stage. Of these (table 54) two out of every five asked for a girl, just over one third for a boy and the remaining expressed no preference. All the 55 applicants who expressed no sex preference were first adopters. In the end all the applicants got a child of their original choice, but of those with no preference, more got boys than girls. It is very possible that some of those who express "no preference" may either be afraid of prejudicing their chances or are hoping to get a second child and so, in the latter case, preference for a first child is less pronounced.

Table 54. Adopters' sex preference (Agency Sample-6 agencies N.240).

<table>
<thead>
<tr>
<th>Preference</th>
<th>N.</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Boy</td>
<td>87</td>
<td>(36.2)</td>
</tr>
<tr>
<td>Girl</td>
<td>98</td>
<td>(40.8)</td>
</tr>
<tr>
<td>No preference</td>
<td>55</td>
<td>(23.0)</td>
</tr>
<tr>
<td>Total</td>
<td>240</td>
<td>(100)</td>
</tr>
</tbody>
</table>

The previous table, which refers to sex preferences for all adoptions, shows a slight preference for girls. It was felt, however, that a more accurate comparison would be to
examine preferences for a first child. The findings (table 55) show that the proportions were almost reversed. Of the 240 adoptions handled by the six agencies, 142 were for first adoptions; of these, 48 (or 33.1%) expressed preference for a boy, 40 (or 28.2%) preference for a girl and the remaining 55 (or 38.7%) expressed no preference. If we take only those with a definite preference, 54.5% expressed preference for a boy compared to 47.5% who expressed preference for a girl. The findings suggest that there are considerable differences between a preference for a first child and one for a second or subsequent child.

Table 55. Adopters' sex preference for a first child.

(Agency Sample 6 Agencies N 240.)

<table>
<thead>
<tr>
<th>Preference</th>
<th>N</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Boy</td>
<td>48</td>
<td>(33.1)</td>
</tr>
<tr>
<td>Girl</td>
<td>40</td>
<td>(28.2)</td>
</tr>
<tr>
<td>No preference</td>
<td>55</td>
<td>(38.7)</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>142</td>
<td>(100)</td>
</tr>
</tbody>
</table>

One of the agencies in the sample - Independent society - had an elaborate selection system during which period the applicants were offered the opportunity to change their
preference, if they wished to do so. The agency felt strongly that applicants should be able to exercise a real choice and not to feel under any compulsion to adopt a child of any particular sex. Of 42 cases handled in 1965, the choice for first adoptions was marginally higher for boys than for girls. The slight preference for boys may be a particular cultural characteristic related to the status and authority of the male within the Scottish family. The general conclusion is that the applicants' motives, in first preference, appear to favour slightly the male sex. Where there is an excess of one sex over another, due to the surrendering habits of mothers, the children are usually absorbed in second or third adoptions.

It has been assumed that couples adopting a second or third child, would prefer a child of the opposite sex to the one they already had. In fact 30% of those who adopted a second child chose one of the same sex as the one they had. There were many examples of couples with two, three or even four adopted or own children of one sex, who subsequently adopted a further child of the same sex. In adoptions of second children there was a greater tendency to adopt a second girl than a second boy. Eighteen per cent of adopting couples asked for a second girl but only 12% asked for a second boy. This pattern may confirm the earlier view expressed that in Scotland there is some special significance for the first child
being a boy rather than a girl.

**Summary:** The statistics published by the Registrar-General for Scotland show that more boys than girls are adopted each year. Our analysis of the various sample figures showed some underlying trends: (i) that single mothers surrender fewer girls for adoption than boys; (ii) that among applicants exercising a choice for a first child there was some slight preference for boys. Those who at application stage expressed no preference formed the biggest group. In 30% of second adoptions, a child of the same sex as the one already at home was preferred, but there was a greater preference for a second girl than for a second boy.

(a) The Health of Adoptive Parents

The Adoption Agencies Regulations do not require of agencies to obtain medical certificates on the applicants' health, but most agencies ask for a medical certificate during the selection stage. This is to ensure that medical implications will not bar the applicants from adopting at the court stage. Section 7 (2) of the 1958 Adoption Act specifies that "in determining whether an order will be for the welfare of the infant, the court shall have regard (among other things) to the health of the applicants". When the petitioners lodge their application at the court they are required to attach a
certificate on a prescribed form and signed by a medical practitioner, usually the family doctor. The doctor is required to say whether the petitioner "is physically, mentally and emotionally suitable to adopt an infant". (See Appendix F). This pro-forma certificate does not allow for any detailed information to be inserted and the only expectation is a generalised statement. In none of the cases studied from the court sample did a medical practitioner express any doubt about the suitability of any of the applicants to adopt.

Though the doctor has an important part to play in the medical assessment of would-be adopters, his role appears far from clear. His main function, however, could be seen as one of having to assess the present and perhaps future chances of the couple's health in the next 16 to 18 years, so that loss of a parent will not be a disaster to the child. This medical examination is often paralleled with that for life insurance or for prospective employees for certain jobs. It is thought that for such an examination, if it is going to be more than a formal one, a good background history of the couple is necessary as the amount of information to be obtained in a single interview is of limited value. Because of this need, it is maintained that the family general practitioner is the best equipped person to carry out the examination. What contraindicates this procedure, however, is that the doctor is likely to want to do the best for his patients and may fail to take
account of the needs of the child. After all, even the Hurst committee claimed that doctors often suggest adoption to their patients as the cure for a number of ills, and it is also well-known that some doctors act as professional third parties in matters of adoption. Leaving aside these arguments, one would not dispute the impartiality of most family doctors, but certain safeguards may have to be built in somewhere. Most cases will be straightforward ones and the real problem for decision-making by the agency will be in those border-line cases, where the doctor reports some kind of medical condition. It is for this reason that a minority of agencies (in our case only Independent society), appoint a Medical Adviser who can interpret to the case-committee the nature and prognosis of diseases recorded in medical certificates. The Medical Adviser is seen as someone who should avoid writing memos or letters to the case-committee, but who will try and be present at the discussion in order (a) to explain in ordinary language the implications of the medical report and (b) through participation in the committee's work to acquire more awareness of

1. "Report of the Departmental Committee on the Adoption of Children".
the adoptive situation and of adoption needs. Some medical people would like to see the family doctor playing a much wider part in such cases. They argue that the family doctor can make a unique contribution in that he can "penetrate" into a family much more easily, especially when someone is ill and the family are undefended and can more easily betray their anxieties. The doctor can then obtain a better understanding of their strengths and weaknesses, which if the need arises, can be communicated to the adoption agency. Apart from the ethical implications raised, it is doubtful whether doctors themselves would like to associate themselves with this type of role.

Half of the twelve agencies in the sample, had no particular policy on the matter of medical certificates. Sometimes they would ask for them before the placement, but very often no certificates would be asked except after the child was placed. The certificate would then be attached to the petition submitted to the court. This procedure meant that aspects of the applicants' health were not considered at the selection stage. In the case of second or third

1. This theme was developed by Dr. J. Marshall at a Day Conference organised in London by the Standing Conference of Societies Registered for Adoption.
adoptions, all agencies, with one exception, failed again to ask for a new medical certificate to be considered at selection stage. The possibility that, between the first and second adoption, the applicants' health might have been impaired was not considered.

The remaining six agencies followed a different procedure with regard to health matters with first adopters. At selection stage they would ask applicants to consent to a medical report on a form specially drawn up by the agency. The form was forwarded by the agency to the applicants' doctor. The latter was expected to examine the applicants and report to the agency whether the couple suffered either now or in the past from a number of specified diseases, including psychiatric conditions. The doctor also had an opportunity to comment at the end of the form whether the applicants were suffering from any other disease not mentioned in the form. Where the medical reports indicated that there were health problems, the agencies would occasionally, but not always, ask the same doctor to elaborate on his report. Where the reports were not unreservedly favourable, at least one agency - Independent society - would pass these (without disclosing the applicant's name) to its Medical Adviser for his opinion as to future risks. Whilst other societies might consult a doctor serving on one of their committees, local authority workers had no such
opportunities and the assessment of medical reports had to be done by social workers. The extent to which family doctors and other specialists avoid giving full medical details to non-medical people and lay committees was difficult to assess. In certain cases, this seemed to be as much a matter of the individual doctor's approach as a reflection of the agency's particular image. At least one agency - Independent society - was successful in eliciting comprehensive reports and this was perhaps related to the way the request was made, as well as to the knowledge that the agency had a specialist adviser who would handle the information appropriately. For doctors to know that the medical information will not be assessed solely by social workers and lay committees seems to allay their anxieties. (As stated in chapter five, only Independent society had a formal arrangement for medical consultation, whilst the remaining societies were satisfied with having a doctor on one of their committees. Local authorities lacked any such arrangements.)

Because of the different types of certificates reaching agencies and courts, it was found that there were considerable omissions in the certificates going to the courts, compared with those going to the agencies. Many medical conditions, that were originally included in the certificates obtained by the agency, were not included in the ones lodged with the court.
The explanation may be connected either with the general layout of the prescribed official certificate or with the fact that the court certificate was personally obtained by the applicants from their doctor, whilst the ones going to the agency were requested by the agency directly, with the consent of the adopters.

To establish the extent of this discrepancy, we compared the two types of certificates for the same 128 applicants who were selected by four agencies in the Edinburgh Sheriff court area. The medical certificates that went to the courts quoted sixteen (or 12.5%) of these applicants as having suffered or as suffering from some sort of disease. Only one applicant was quoted as suffering from a psychiatric condition. Of the 128 certificates that went to the agencies 49 (or 38.2%) of the applicants were described as having suffered or as suffering from some kind of disease. Eleven of these conditions were connected with a psychiatric disturbance. In one case the adopting mother had a prolonged period of depression and in two other cases the adoptive fathers had been under psychiatric treatment for at least five years. There were four cases of chronic anxiety and the remaining four cases were for lesser conditions of an emotional nature. On the physical side, four applicants were suffering with recurrent asthma, six with different forms of ulcerative colitis, two with active kidney
conditions, three with controlled epilepsy and three with heart conditions.

Local authorities selected double the number of applicants who suffered or were suffering from some kind of disease, compared to adoption societies. In an earlier chapter the point was made that only a very small number of children with physical handicaps were adopted in 1965 and this was explained as possibly reflecting an excessive zeal on the part of agencies to place only those children who were thought to be "perfect". The fact, however, that a far higher percentage of adopters suffering or having suffered from some medical condition were accepted as adopters suggests that agencies subject the health of the infant to closer scrutiny than that of the adopters. It is recognised, of course, that by the time the average person applies to adopt, he is likely to have gone through some illness and this in itself should not be a bar to adoption. Similarly, some of them may still be suffering from some sort of mild condition or handicap which should not deprive them of the opportunity to become adoptive parents. Dr. Hamilton, speaking at the 1961 conference of the Standing Conference of Societies Registered for Adoption, said that "impairment formerly viewed with anxiety and treated with severity - such as adequately treated and controlled tuberculosis, controlled epilepsy and old poliomyelitis - need
not give rise to automatic rejection of applicants...nor need handicapped people be refused". This appears to be a very reasonable approach, but though equally balanced remarks have been made about children's conditions, the practice of many agencies still tends to pay more attention to the health of the baby and less to that of the adopters.

(f) Socio-Economic Background of Adopters

When applying to the agency for a child to adopt, each applicant is expected to fill in the column which asks for his occupation. Though in theory no agency has a policy of barring people with any particular occupation, the latter criterion is used by the agency as a guide to the applicants' general economic standing. Some agencies, for instance, which claim to match the social class and intellectual background of the child with that of the adopters may have to reject certain applicants whose background does not resemble that of the children surrendered to the agency. Though agencies made a point at the interview stage of asking applicants, such as craftsmen, semi-skilled and unskilled labourers about their earnings, they did not always do the same with professional and business people.

Agencies answering our questionnaire, rated material conditions as the third most important factor in their selection criteria. These, by being more tangible, in comparison with psychological factors, were perhaps easier to assess. As the assessment of emotional and psychological suitability is such a skilled but imprecise task, agencies that concentrate on material comfort can at least get the satisfaction that they are doing something very tangible for the child. It has been suggested that in the United States, where too much importance had been given to emotional factors over the last twenty years, material comfort and its importance was neglected to the detriment of some children.

The Registrar-General in his census report for 1961 uses occupation as the criterion for determining social class. We used the same criterion and classification system to estimate the social class background of couples who adopted in 1965. This classification was applied to adoptions by non-related couples and based on the occupation of the adoptive father. (Of the original 783 non-related adoptions, 28 were in favour of fathers who were serving in the armed forces and therefore non-classifiable and four were in favour of spinsters not in employment. There was no information for a further three adoptive fathers).
Table 56. The social class background of adopters. (Court sample N. 748).

<table>
<thead>
<tr>
<th>Social class</th>
<th>Adopters</th>
<th>Census (Scot) 1961</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>N.</td>
<td>%</td>
</tr>
<tr>
<td>I Professional</td>
<td>116</td>
<td>(15.5)</td>
</tr>
<tr>
<td>II Intermediate</td>
<td>165</td>
<td>(22.1)</td>
</tr>
<tr>
<td>III Skilled</td>
<td>358</td>
<td>(47.9)</td>
</tr>
<tr>
<td>IV Semi-skilled</td>
<td>78</td>
<td>(10.4)</td>
</tr>
<tr>
<td>V Unskilled</td>
<td>31</td>
<td>(4.1)</td>
</tr>
<tr>
<td>Non-classifiable</td>
<td>35</td>
<td>-</td>
</tr>
<tr>
<td>Total</td>
<td>748</td>
<td>(100)</td>
</tr>
</tbody>
</table>

The findings from table 56 confirm the commonly held view that the two upper-classes are over-represented in adoption whilst the lower two classes are under-represented. The middle-class (III) shares an almost equal representation. Almost two out of every five adopters belonged to social class I and II compared to a numerical strength of only 16.1 per cent among the general population. At the other end of the scale, though semi-skilled and unskilled workers form almost one third of the
general population, their numerical representation as adoptive parents was only 14.5 per cent.

The Registrar-General's five-fold classification has, however, certain limitations for the purpose of this part of the study, the main drawback being that the so-called 'intermediate' group i.e. social class II and the middle group i.e. social class III, tend to have a very wide spread. For instance, social class II does not distinguish between managers, employers and semi-professional people. Equally, social class III does not distinguish between a big group of non-manual workers, such as clerks, salesmen, insurance and bank employees etc., and skilled workers. Because of these drawbacks it was decided to use the 1965 sample census seven-fold classification based on socio-economic background. (table 56). Group No.1 is comprised of professional workers engaged in jobs usually requiring university degree standard; Group No.2 covers employers and managers; Group No.3 includes Foremen, skilled manual and own account workers; Group No.4 includes inter-mediate non-manual workers including those working as ancillary to professions and not normally requiring university qualifications; Group No.5 is made up of personal service workers, semi-skilled and agricultural workers; Group No.6 is made up of unskilled manual and Group No.7 covers the Armed Forces and persons with inadequately described occupations.
Table 57. Socio-economic classification of adopters.

(Court Sample N. 779 - includes armed forces).

<table>
<thead>
<tr>
<th>Socio-economic background</th>
<th>Adopters</th>
<th>Sample Census 1965 - for areas covered by the study</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>N.</td>
<td>%</td>
</tr>
<tr>
<td>1. Professional workers</td>
<td>129</td>
<td>(16.6) (3.4)</td>
</tr>
<tr>
<td>2. Employers and Managers</td>
<td>49</td>
<td>(6.3) (10.7)</td>
</tr>
<tr>
<td>3. Foremen, Skilled manual and own account workers</td>
<td>251</td>
<td>(32.2) (37.4)</td>
</tr>
<tr>
<td>4. Non-manual</td>
<td>210</td>
<td>(26.9) (15.7)</td>
</tr>
<tr>
<td>5. Personal service workers, semi-skilled and agr. workers</td>
<td>78</td>
<td>(10.0) (20.0)</td>
</tr>
<tr>
<td>6. Unskilled manual</td>
<td>31</td>
<td>(4.0) (9.9)</td>
</tr>
<tr>
<td>7. Armed forces and persons with inadequately described occups.</td>
<td>31</td>
<td>(4.0) (2.9)</td>
</tr>
<tr>
<td>Total</td>
<td>779</td>
<td>(100) (100)</td>
</tr>
</tbody>
</table>

The surprising finding from this table is that the people who adopt from the two upper social classes are mainly
professional people such as doctors, solicitors, lecturers, architects, civil and electrical engineers and other similarly qualified professionals. Employers and managers form only a small percentage of adopters compared to their numerical strength and even to their material wealth. Though professionals form only 3.4 per cent of the general population where the study took place, their numerical representation as adopters was almost five times that. On the other hand, whilst employers and managers formed 10.7% of the population in the areas covered by the study, the rate of adoption amongst them was only 6.2%. Another class that is over-represented is that of non-manual workers. This group included many semi-professionals and white-collar workers. Their rate of adoption was almost double their numerical strength. The under-representation of groups six and seven is again noted.

The most likely person to become an adoptive parent is someone holding professional qualifications or employed as a non-manual worker; the less likely is someone employed as an unskilled worker.

Why adoption appears to be more popular among professional people and much less so among employers and managers may be related to attitudes about inheritance, fears of unknown heredity and perhaps the lingering feeling that adoption is only for the working classes. The professionals - who were mostly
university graduates - possibly represented a more enlightened
and liberal section of the community, with less fear about here¬
idity and fewer qualms about the stigma of illegitimacy. The
low percentage of employers and managers adopting was constant
in all areas with the exception of Edinburgh, where it
approached its numerical strength among the general population.

Table 58 which compares by social class background,
adopters chosen by adoption societies and those by local
authorities, seems to confirm only to some extent, the commonly
held view that adoption societies deal mainly with the upper
classes whilst local authority agencies are mainly left with
couples from the lower social classes.

Table 58. Social class background of adopters by placement
agency. (Court sample N.747).

<table>
<thead>
<tr>
<th>Social class</th>
<th>Adoption Society</th>
<th>Local Authority</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>N.</td>
<td>%</td>
</tr>
<tr>
<td>1. Professional</td>
<td>80</td>
<td>(20.7)</td>
</tr>
<tr>
<td>2. Intermediate</td>
<td>97</td>
<td>(25.1)</td>
</tr>
<tr>
<td>3. Skilled</td>
<td>179</td>
<td>(46.2)</td>
</tr>
<tr>
<td>4. Partly skilled</td>
<td>24</td>
<td>(6.2)</td>
</tr>
<tr>
<td>5. Unskilled</td>
<td>7</td>
<td>(1.8)</td>
</tr>
<tr>
<td>Non-classifiable</td>
<td>13</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>400</td>
<td></td>
</tr>
</tbody>
</table>
The contrast between the type of adopters selected by the two types of agencies is greater, however, in areas where applicants had a clear choice. In such areas applicants of professional and semi-professional background as well as white-collar workers, chose in their vast majority the voluntary agencies. (Edinburgh where such clear choice exists is one example: Voluntary societies placed 55% of children with couples of social class background I and II compared to only 26% by the local authority). Various explanations can be offered for this preference: One, is that referral agents such as doctors, health visitors and solicitors determine to a large extent, whether their patients or clients go to one agency rather than another and these agents generally seem to prefer the voluntary societies, where such a choice exists. A second explanation is what appears to be a welfare stereotype, associated with local authorities, which smacks of charity and is therefore to be avoided by people of independent means. Thirdly, adoption societies have on their committees persons who are of the same socio-economic background as the majority of their applicants. This seems to add an air of respectability to their work and applicants get the feeling that those running the society are "like us". In reverse, this often acts as a deterrent to people from lower socio-economic backgrounds. Fourth, many couples make donations and sign covenants when
they adopt from societies and this seems to take away the feeling of having accepted "charity" or welfare assistance. Fifth, the premises and waiting rooms of the voluntary societies were generally more comfortable and private compared to those of local authority departments. Sixth, it is possible that many working class couples avoid agencies that are "above them" and where they will be expected to meet agency fees, donations and covenants. (It must be stressed again that until such time as agencies can provide detailed information about the characteristics of people they reject, it will not be possible to identify the different types of applicants who go to each of the two types of agencies).

A further significant difference that is illustrated by table 59 is the variation of the socio-economic background of adopters in different parts of the country. After taking into account the different population structure as well as the numerical representation of each socio-economic group, in each area, a varied pattern emerged which showed that in the Eastern part of the country - areas represented below the red line - far more professional people adopted than in the Clydeside conurbation and the Western part of the country. In the latter areas - areas represented mainly above the red line - a greater percentage of skilled, semi-skilled and unskilled workers as well as white collar workers adopted. Thus the
Comparison by area of adopters' socio-economic background.

<table>
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</tr>
</thead>
<tbody>
<tr>
<td>Ayr County + Boroughs</td>
<td></td>
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<td></td>
<td></td>
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<tr>
<td>Lanark County + Boroughs</td>
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<td></td>
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<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Midlothian C</td>
<td></td>
<td></td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Stirlingshire C</td>
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<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Edinburgh + Boroughs</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fife County + Boroughs</td>
<td></td>
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<td></td>
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</tr>
<tr>
<td>Aberdeenshire County + City</td>
<td></td>
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<td></td>
<td></td>
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<tr>
<td>Aberdeen City + Boroughs</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Angus County + Boroughs</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*The group for Armed Forces was not included.*
pattern of adoption changes as we move from the Eastern to the Western and industrialised part of the country. The main explanation is that, in the Clydeside conurbation, adoption is still being regarded as a mainly working class institution which is only gradually spreading among the lower middle-classes and less gradually among the upper classes. In 1935, for instance, almost ninety per cent of adopters in both the cities of Edinburgh and Glasgow were skilled, semi-skilled and unskilled labourers; in contrast, thirty years later, 85.0 per cent of adopters in Glasgow were still classified in the same group, compared to only 54.0 per cent in Edinburgh. A further explanation is that, more adoption societies were set up in the Eastern part of the country which helped to popularise adoption among a wider public.

It thus appears that in some parts of the country there are still many untapped potential adopters, especially from social class I and II and in some others, from social class IV and V. This is a group of potential adopters towards whom agencies that are finding it difficult to recruit, might in future direct a recruitment campaign. In cases of general scarcity of adoptive applicants, an educational campaign aimed at reaching also employers and managers might prove rewarding.

**Summary:** Adoption appears to be most popular among the two
upper social classes and especially among professional and semi-professional people and much less so among employers and managers. There are also significant differences in pattern between one part of the country and another. In the Eastern part of the country a pattern emerges indicating that a high percentage of those adopting belong to the two upper classes, whilst in the Clydeside conurbation a pattern emerges showing a higher number of adoptions being entered into by working class families. Whilst in the Eastern part of the country adoption has become a fashionable middle-class institution, in the Clydeside conurbation it is still a mainly working class one, which is only very gradually permeating into the upper classes.

Adoption societies arranged more adoptions with couples from the two upper social classes, compared to local authority agencies, whilst the latter arranged more adoptions with partly skilled and unskilled workers. The overall low percentage of working class couples adopting reflects, in some areas, agency attitude towards material standards and general status. In the Eastern part of the country, where the number of applicants per child available was considerably higher than in the Clydeside conurbation, the number of working class couples adopting was small. Where competition appeared greater, fewer working class couples adopted.
g) Housing

One piece of information that was supplied in all reports was a description of the applicants’ housing situation. Housing, like occupation, being one of the tangible criteria, very often became the main focus of the adoption worker. Agencies answering our questionnaire reported only 6 applicants (or 5.3%) as having been rejected because of unsatisfactory income and accommodation. The small figure suggests that would-be applicants do not apply until they reach some financial security and have adequate accommodation. This may explain, as mentioned earlier, why couples of a lower socio-economic background wait longer after marriage before they adopt.

In the areas covered by this study the average number of owner-occupiers was 27%, whilst the average number of owner-occupiers who adopted was almost double this rate. These figures reflect again the number of middle-class families adopting, but equally 45 per cent of those in social class III were also house or flat owners, which means that adoption is an institution which is increasingly entered into by the upward

1. Census figures (Scotland) 1961.
aspiring section of the community. In a country such as Scotland, where seven out of ten people live in corporation or private rented housing, the number of owner-occupiers adopting, indicates either an agency orientation towards property ownership or that applicants who are not owner-occupiers are deterred from applying.

(h) The Adoption of "Hard-to-Place" Children

This group comprised of a total of 64 children, 52 of which had been in the care of local authorities. Couples adopting "hard-to-place" children (mostly foster-parents) appeared to differ considerably from couples adopting other children (table 60). These differences were reflected in the following characteristics: age of adoptive mother, marital status, social class, family composition, health and housing. Couples adopting "hard-to-place" children differed from the remaining couples by being older, of lower socio-economic background, having more own children, a greater percentage having suffered or suffering from some kind of disease, a smaller percentage owning their own houses and finally the few spinsters or widows that adopted were mostly confined to this group. As far as social class and home ownership was concerned, couples adopting "hard-to-place" children, resembled the general population rather than other adopting couples. There was one
The characteristics of couples adopting "hard-to-place" children compared to the rest of the adopters (Court Sample N.743)

<table>
<thead>
<tr>
<th>Age</th>
<th>Household</th>
<th>Other children</th>
<th>Health</th>
<th>Social Class</th>
<th>Family Composition</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Present or</td>
<td>Adopted</td>
<td></td>
<td>III &amp; IV</td>
<td>I &amp; LV</td>
</tr>
<tr>
<td>60 &amp; under</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>60-70</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>70-80</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>80+</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(a) In care and colour group:

- "White" (N.51): 33 22 12 36 46 13
- "Coloured" (N.13): 32 11 0 - 60 40 - 50 32

(b) Rest of adopters (N.684): 8 7 33 11 33 11

Table 60: The characteristics of couples adopting "hard-to-place" children compared to the rest of the adopters.
exception to this, in that couples adopting coloured children or children of mixed blood differed from other couples in the "hard-to-place" category by being of a higher socio-economic background. Though the numbers were very small for conclusions to be drawn (13 couples), these were mainly professionals who appeared to be more enlightened and possibly had less reservations about adopting a coloured child.

The findings from Table 60 suggest that, in the case of "hard-to-place" children, agencies accept couples which differ considerably from the average adopting couple. It is difficult, though, to say how far these could be described as "marginal" couples adopting marginal children. The only indication of either "marginal" eligibility or bias in their selection, came from a number of caseworkers who intimated that their agencies would decline to place children with certain types of applicants (criteria never disclosed), unless these were prepared to consider either long-term fostering with the possibility of adoption, or a "hard-to-place" child. As the same agencies had placed a considerable number of young, healthy infants with adopters which resembled the average adopting couple in Scotland, it was not possible to identify which how they decided on/applicants should be asked to foster first or take a "hard-to-place" child, with no other option or choice. The evidence accumulated from the characteristics of couples
who adopted such children and from the circumstances that led to the adoptions, suggested that these were couples which otherwise did not meet the agency's eligibility criteria, including socio-economic factors. Whether the couples' willingness to compromise was an indication of "marginal" eligibility is difficult to judge. The characteristics found to be associated with this group of adopters do not necessarily make them "marginal" simply because they were selected on the principle of "less eligibility", because "less eligibility" was decided upon by the agency without any regard to an external body of knowledge. Further evidence is needed to show how far certain personality traits, thought not to be conducive to successful adoptions, are more characteristic of this group of adopters than of the rest. Studies in foster-care, after all, have shown that the best substitute parents are most often those middle-aged couples whose own children are grown up, yet who remain eager to continue their parental functioning.

Again we do not know, how many older children, children of minority groups, and physically or mentally handicapped children are not adopted by the people caring for them, or by other people who might come forward to do so, because they do not have adequate financial means, including better housing. Child care officers in private discussions told us of several
cases where foster-parents would have liked to adopt a particular child but they also were largely dependent on the foster-care allowance which they were receiving from the local authority. It appeared from these discussions, and from some of our findings, that there is a strong case for subsidised adoptions as one way of making it possible for "hard-to-place" children to be adopted. Suitable housing and supplementary financial grants given to properly selected would-be adopters could make it possible for these families to provide a permanent home for children that otherwise may never come to have one. There are many quasi-adoptions of children in long-term care and a change of policy could help to provide a permanent parental relationship for children deprived of their natural parents.

Summary of Eligibility Criteria.

The summary table (61) demonstrates the great variety of eligibility criteria that agencies appear to use in the process of selecting adopters. This variety could have been viewed as a sign of flexibility and health, in its avoidance of stereotyped practice, except that only in a minority of cases were these criteria worked out and formulated into practice-principles. For the majority of agencies the criteria represented the views, principles, personal beliefs and
<table>
<thead>
<tr>
<th>Agency Sample</th>
<th>12 agencies</th>
</tr>
</thead>
<tbody>
<tr>
<td>Western G.</td>
<td>Y</td>
</tr>
<tr>
<td>Western C.</td>
<td>Y�</td>
</tr>
<tr>
<td>Western B.</td>
<td>Y�</td>
</tr>
<tr>
<td>S. Eastern C.</td>
<td>Y</td>
</tr>
<tr>
<td>Highland B.</td>
<td>Y�</td>
</tr>
<tr>
<td>Highland C.</td>
<td>Y�</td>
</tr>
<tr>
<td>S. B. I.</td>
<td>Y�</td>
</tr>
<tr>
<td>B. I.</td>
<td>Y�</td>
</tr>
<tr>
<td>B. B.</td>
<td>Y�</td>
</tr>
<tr>
<td>B. I.</td>
<td>Y�</td>
</tr>
</tbody>
</table>

### Key to Symbols:
- **Y** = Yes
- **N** = No
- **P** = Possibly or occasionally

### Table 61: Summary of Agency Eligibility Criteria

<table>
<thead>
<tr>
<th>Agency</th>
<th>Required Tests</th>
<th>Age Limit</th>
<th>Marital Status</th>
<th>Fertility After Marriage</th>
<th>Other Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>S. B. I.</td>
<td>Y�</td>
<td>Y�</td>
<td>Y�</td>
<td>Y�</td>
<td>Y�</td>
</tr>
<tr>
<td>B. I.</td>
<td>Y�</td>
<td>Y�</td>
<td>Y�</td>
<td>Y�</td>
<td>Y�</td>
</tr>
<tr>
<td>B. B.</td>
<td>Y�</td>
<td>Y�</td>
<td>Y�</td>
<td>Y�</td>
<td>Y�</td>
</tr>
<tr>
<td>B. I.</td>
<td>Y�</td>
<td>Y�</td>
<td>Y�</td>
<td>Y�</td>
<td>Y�</td>
</tr>
<tr>
<td>B. B.</td>
<td>Y�</td>
<td>Y�</td>
<td>Y�</td>
<td>Y�</td>
<td>Y�</td>
</tr>
<tr>
<td>B. I.</td>
<td>Y�</td>
<td>Y�</td>
<td>Y�</td>
<td>Y�</td>
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</tr>
<tr>
<td>B. B.</td>
<td>Y�</td>
<td>Y�</td>
<td>Y�</td>
<td>Y�</td>
<td>Y�</td>
</tr>
<tr>
<td>B. I.</td>
<td>Y�</td>
<td>Y�</td>
<td>Y�</td>
<td>Y�</td>
<td>Y�</td>
</tr>
<tr>
<td>B. B.</td>
<td>Y�</td>
<td>Y�</td>
<td>Y�</td>
<td>Y�</td>
<td>Y�</td>
</tr>
</tbody>
</table>

Upper age limit for wives: 40
Lower age limit for wives: 25
prejudices of individual workers or committees. Single attributes could determine the outcome of an application. Though in their "professed" criteria local authority agencies appeared more flexible than voluntary societies, in actual practice there was little difference between the two types of placements, except in the case of "hard-to-place" children. In spite of this, there has been evidence of some movement away from rigid attitudes to certain factors such as: upper age limits, religious requirements, re-married people, inter-racial adoptions, the presence of "own" children in the family, and fertility tests. It is possible, of course, that adoption practice in Scotland has always been like this. However, as this movement has not been formulated in an explicit policy, the danger of regression is always present.

No agency has up to now tried to make public its eligibility criteria, so that applicants could avoid embarrassment and unnecessary dependency. Neither has any public authority though it necessary to collate the various requirements and publicize them so that would-be adopters could see where their special needs could best be met. The Standing Conference of Societies Registered for Adoption made one such effort on behalf of voluntary societies but it marked the subsequent reports as "confidential" so that its contents could not be made public. We can see nothing confidential in what
constitutes the basic right of clients to know on what criteria they will be judged for the role of a parent. After all, it is the same public that supports these agencies through rates or voluntary subscriptions. A lot of unnecessary suffering and misunderstandings might be avoided if both public and voluntary agencies were to be more explicit about their adoption work. The present secrecy only helps to perpetuate possible prejudices and untested assumptions by agency workers and to promote a community feeling that adoption social workers are 'playing God'.
III.

THE STUDY PERIOD PROPER

Most of the requirements that determine initial eligibility, such as age, marital status, occupation, religion, nationality, number of children in the family, health, etc. are usually supplied at intake stage. If the agency is satisfied, the applicants will then go on to the next stage, the study period proper. It was noted at the beginning of this chapter that the investigating method, generally used by social workers for the study of applicants, involves a series of interviews which aim at establishing each applicant's personal suitability. The caseworker is expected to assess general suitability for adoptive parenthood, including the quality of emotional relationship the applicants can offer to an adopted child. Though greater flexibility in selection is urged now than fifteen years earlier, social work literature and writings in child development stress the need for a careful study of the psychological factors involved, to enable an informed decision to be made in the end. The Association of Scottish Children's Officers and the Association of Child Care Officers, in a joint memorandum to their members, stress that "the whole success of adoption depends in selecting the
applicants with the right qualities; it is crucial that the utmost care be given at the assessment stage..." Jane Rowe also comments that "home finding for adoptable children includes studying adoptive parents so that their personalities, attitudes and life situations can be understood and the most suitable family chosen for each child". The United Nations report and the Hurst committee report on adoption practice stress that high importance should also be attached to the applicants' motivation as it is probably the most decisive element in the success or failure of adoption. It is maintained that adoptive parents are usually moved by a great variety of motives of which they may or may not be


conscious themselves, but that it is the investigating worker's responsibility to understand and assess them. Schmidt, also commenting on the motivation for adoptive parenthood, claims that "unconsciously, for some reason, many people consider the declared wish to adopt a child as being prima facie evidence of adequacy to be a good parent." He then goes on to add that it would be naive to assume that all people who apply for a child to adopt are such warm hearted persons, "in the same way that it cannot be assumed that all those who bring own children into the world are invariably equipped with parental love." Rowe urges an understanding, at study stage, of both the conscious and unconscious motives that are in constant operation and that make people "cover up, rationalise and even distort realities for their own ends.

She warns that a child should not be used "as medicine for neurosis or cure for personality difficulties or marriage problems."

1. C.W. Schmidt "The Community and the Adoption Problem"

2. Ibid.


4. Ibid. p. 156.
Trasler also maintains that applicants for a child may be seeking to satisfy emotional needs of which they are partly or entirely unaware. McWhinnie gives a number of reasons that appear to motivate people to want to adopt. Some of these she considers as not being healthy such as "seeking a child to satisfy one's own egocentric needs". Josselyn on the other hand, while agreeing with these comments, warns that to know the motive is not necessarily to know the outcome of the course of action and she urges that this should be understood in terms of the applicants' total personality. It is the writer's experience, from his adoption work, that most couples come to an agency with a declared motive, and probably with an underlying need of which they may not be aware. It is natural though that they should seek to satisfy some of their needs through adoption, provided they can also meet most of the child's needs too. It is therefore, the extent of a


couple's needs that must be assessed rather than their presence. Rowe acknowledges that it is normal to be a little neurotic and that all adequate home-studies are going to reveal "weak spots" in prospective adopters. She gives as an example the case of the man who may not have stopped trying to compete with his brother but who may nevertheless make a good father to a girl; or the woman who is somewhat uncertain of her femininity and may be quite threatened by a beautiful adopted daughter competing for the father's attention, but who does well with a son.

It is recognised by all that, if the assessment is going to carry some degree of authority and objectivity, both knowledge and experience are required on the part of the case-worker. Brieland found that the degree of agreement among trained workers was only 74.0 per cent, and though this is not to be scorned, when the complexity of the human situations involved are considered, it is a matter of speculation what kind of agreement would be found among the caseworkers of the twelve agencies, where less than a fifth of the personnel were trained.


It is assumed that professionally trained workers have a common body of knowledge to which they usually refer and that they evaluate behaviour and aspects of information they receive, against this particular background. Untrained workers, however, have to rely mostly on their experience, though experience by itself can be of limited value unless examined and re-assessed by its effectiveness in practice. In fact experience alone could easily lead to a repetition of past mistakes and to the perpetuation of routine practices. We are aware, therefore, that in using the evaluative standards of the social work profession, we are using somewhat idealistic criteria to assess the work of some trained, some semi-trained and some altogether untrained workers. Notions about personality, emotional maturity, motivation and quality of relationships are open to several interpretations, as they have no clear definition and no defined boundaries; to the untrained and uninitiated, these notions must spell even greater uncertainty and anxiety.

Sample Study of Selection Material

As stated earlier, the basic objective, in this part of the study, was to study the factors that entered into the caseworkers' assessments of the adoptive applicants and the kind of information on which the selection decisions were made.
To limit the task to manageable numbers, only five cases from each agency were studied and graded. The sampling was done on the following basis:

The twelve agencies (Agency Sample) placed between them 376 children with an equal number of applicants. As the agencies did not, as a rule, provide fresh selection material on applicants that had previously adopted through them, we had to restrict ourselves to first agency placements only. This left us with 240 cases. The twelve agencies made from five to 40 first placings each and it was decided to take five cases from each agency for analysis and grading. (The number five was decided upon because it represented the minimum number of first placings by any one agency). This gave us a total of 60 cases.

From agencies that arranged only five first placings, all five cases were studied, analysed and graded; from agencies that arranged between five and ten, every other case was included; from those that placed between ten to fifteen children, one in every three cases was studied and so on until cases from all the agencies were selected. The fact that only five cases from each agency were analysed, did not appear to involve any obvious drawbacks. The subsequent findings confirmed that there was very little or no difference between selection material prepared within the same agency, even where
it was prepared by different caseworkers. The general tendency of caseworkers was to follow the traditional pattern of their agency rather than to use an individual approach. It is therefore very unlikely that some more or less informative cases were left out. Four of the agencies (all local authority ones) used almost identical forms in which all the selection material was contained. The forms asked for information about the applicants' age, nationality, religion, occupation, etc; it also had a number of questions to be answered and at the end there was space for the caseworker to add his observations. This type of form was also used by the other agencies but only as a basis for establishing initial eligibility, whilst these four agencies (Eastern Borough II, Western county, Highland borough and Highland county) used them both for establishing initial eligibility and for the main study.

1) Number of interviews with each couple

There are no set rules about the number of times a couple ought to be seen before the study is completed. However, in order to reach an understanding of the complex psychological and emotional factors involved, it is thought that a series of interviews are necessary. Rowe suggests at least four, whilst the Child Welfare League recommends a "series".

McWhinnie says that at least three interviews are necessary,

1. J. Rowe "Parents Children and Adoption".
"sometimes more". She suggests an interview in the office with the couple together, an interview with the wife on her own - usually combined with a home visit - and one with the husband by himself.

In answer to our postal questionnaire, three out of every four agencies said that they hold three or more interviews, with some of them mentioning five to eight. Four agencies said that they hold only two interviews, and the remaining ones were non-committal. Local authority agencies claimed to give the highest number of interviews. Contrary to what the agencies said, however, in actual practice the selection interviews of the twelve agencies averaged 1.7 for every couple (table 62). Almost half the couples were selected on the basis of a single interview, but at least nine couples had three of more. Bradley, in a recent study of eight agencies in the United States, found that the median number of interviews was four per couple. One quarter of the agencies in our sample


* Please see following page.
Table 62: Number of selection interviews with each adoptive couple
(Agency Sample - 60 cases)

<table>
<thead>
<tr>
<th>Agency</th>
<th>No. of interviews (including home visits)</th>
<th>Average No. of interviews</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Couple No. 1</td>
<td>Couple No. 2</td>
</tr>
<tr>
<td>Eastern Borough I</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Eastern Borough II</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Eastern County</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>Highland Borough</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Highland County</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>S.E. County</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>Western Borough</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Western County</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Societies</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Independent Soc.</td>
<td>3</td>
<td>4</td>
</tr>
<tr>
<td>Moral Soc.</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>National Soc.</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>St. Kilda Soc.</td>
<td>2</td>
<td>2</td>
</tr>
</tbody>
</table>

Average number of interviews for all agencies 1.73
Footnote - please see preceding page.

In those cases where the applicants had previously adopted through the same agency, it was the practice of two thirds of the agencies to treat the application stage as the study stage. This practice fails to recognise two important factors stressed by social work literature: (a) that the applicants' circumstances may have changed since they last adopted i.e., general socio-economic position, health etc; and (b) failure to recognise that one of the best ways of understanding the applicants' capacity for further parenthood is to assess how the children already in their care are growing up. In four such cases, in fact, the child was placed without the adoptive father having been seen at all. Applications by such couples were usually dealt with far more quickly than others and in a few cases a child was placed within a week or fortnight of the date of the application. New medical certificates and references were dispensed with. In three placements of this type, a child was placed following some correspondence and a couple of telephone calls. Personal contact with the applicants was established subsequent to the placement.

1. Witmer and her associates reported that the presence of children in the family before adoption was a somewhat unfavourable sign, and this is an area where closer scrutiny of the motivation of second or subsequent adoptions may be necessary.

held two or more interviews, but six agencies gave only one interview. All the agencies paid at least one home visit, but some agencies used this visit as the only pre-placement contact with the applicants. The assumption that one interview is sufficient to assess the complex psychological and emotional make-up of applicants may appear rather over-optimistic.

Adoption societies, in general, gave more interviews than local authority agencies, though in the questionnaire it was the local authority agencies that had over-stated the number of their selection interviews.

Four of the six agencies that mainly held only one interview had the poorest ratio of staff to cases. The remaining two, however, had the best ratio of staff to cases among the agencies featuring in the study. Once again, though the number of staff and the amount of other resources appear to influence practice, this is not always the case. Where practice becomes routinised, improvement of the staff to cases ratio does not seem to have much effect, if it is not accompanied by other measures aimed at changing agency programmes.

(11) Content Analysis of the Selection Material

A decision in selection is likely to be as good and reliable as the amount and type of information on which it is based. There are indications, for instance, that there is a
certain optimum amount of information beyond which reliability is inversely affected. Social work literature stresses that the selection decision ought to be influenced mainly by information on the psychological and emotional make-up of the applicants and by information about their attitude to certain matters. We set about, therefore, to establish the extent to which these aspects featured in the caseworkers' selection material. From social work literature and the standards manuals of the various professional bodies, the following topics were identified around which basic information should be obtained:

(i) The total personality of the applicants;
(ii) their emotional maturity;
(iii) the quality of their marital relationship;
(iv) their attitude towards childlessness and infertility;
(v) their understanding of children and their needs;
(vi) their attitude towards illegitimacy and unmarried parenthood; and
(vii) their emotional motivation.

In order to give a more complete picture, it was decided

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to include in the analysis the coverage of two important factual topics: i.e.

(viii) housing, and
(ix) socio-economic situation.

All attempts at analysing and grading information eventually face the difficult task of having to minimise the element of subjectivity that is likely to enter into the decision. To reduce this danger, the nine broad topics described above were sub-divided into a number of items, also deduced from social work literature. Thus, the final analysis of the material was done, first by identifying the number of topics covered by each case and secondly by identifying the number of items covered under each topic. In the findings which appear in table 63, the five cases studied from each agency were divided into 9 topics, each under a separate column and each column divided into its relevant items. The total number of items reached was 40. The sign \( x \) under an item indicates that the relevant material was covered; the sign \(-\) indicates that the relevant material was not discussed or covered. Because of some blurring of the boundaries between one item and another, especially for items coming under the same topic, material may have been scored under one item instead of another. This drawback should not affect the overall
scoring, as the important thing was to see that every bit of relevant material was scored.

No attempt was made to establish the extent to which each item was covered because by each topic being split into its component parts, it made this exercise superfluous. The 9 topics and their component items are described below, together with a number of real examples showing how the material in them was rated.

**Topic: (i) The total personality of the applicants.**

**Relevant items:**

1. Their ability to make social relationships;
2. ability to deal with difficulties and how they have dealt with previous life situations, especially stressful ones;
3. how they get along with other people and with their own families;
4. general standing in the community, including special interests;
5. caseworker's assessment of the applicants' personality.

**Total items: 5.**

Examples from actual selection reports showing how items
were identified and classified under this topic:

Extracts from case 'G':- "The G's are respectable citizens and live a Christian life". This was the only piece of information given in the report and coming under this topic. It was scored under item 4.

Case 'H':- "They are a fairly reserved pair with a very sensible outlook toward adoption". Scored under item 5.

Case 'K':- "Mr. and Mrs. K. are a likeable couple who have come to the area two years ago. Since then they seem to have made a number of friends through joining the opera group. Mr. K. has already appeared in one production. Last summer they had their holidays with a couple who had two young children and they got on very well.

Mrs. K's mother spent a fortnight with them recently and it appears
that all the relations are excited about the prospect of adoption. One of the K's referees is a local man and speaks very highly of them.

The K's appear to be a relaxed couple with many interests and friends."

Scored under items: 1, 3, 4 & 5.

**Topic: (ii) Emotional maturity**

**Relevant items:**
1. Capacity to give and receive love.
2. Flexibility and ability to change in relation to the needs of others.
3. Ability to cope with disappointments and frustrations.
4. Ability to accept normal hazards and risks.

**Total No. of items:** 4.

**Examples from practice:** Case 'E': "The E's are a very nice couple and are very fond of each other".

This being the only information coming under this topic, it was
scored under item 1.

Case 'I': "The L's are an easy going couple with no rigid ideas about how to bring up a child. They feel that it is difficult to make advance plans without knowing something about the child's likes and dislikes. Though they appear to be a very intelligent couple - the husband is an electrical engineer and the wife is teaching - they realise that they have to accept a child as it is. The loss, through repeated miscarriages, of three babies, seems to have made them very tolerant and understanding".

Items scored under this topic were: 1, 2, 3 & 4.

**Topic: (iii) The quality of their marital relationship.**

**Relevant items:** 1. Couple's marital history;
2. acceptance of sex roles;
3. strength of marriage; feelings about each other and amount of support
given to each other;
4. the effect of the discovery of childlessness on the marriage;
5. how the balance of the marriage is likely to be affected by the coming of a child.

Total items: 5.

Examples
from practice: Case 'C': "Mr. and Mrs. C...married in Aberdeen on ..... I checked the date of their marriage".

Again as this was the only information coming under this topic, it was scored under item 1.

Case 'M': The report starts by giving information about the circumstances of the marriage and how Mr. and Mrs. M. grew up in the same neighbourhood. Parents on either side welcomed the match. The report went on to say that the M's are very fond of each other. They had a few upsets in the first couple of years of their
marriage and it was thought that Mrs. M's mother was interfering with the young couple. Eventually Mrs. M's firmness with her mother helped to bring the couple closer together and to-day they both share a lot of activities together.

For financial reasons, during the first couple of years they tried to avoid having children. Their failure to conceive later led them to seek advice; it had never dawned on them that they might become childless. When the Drs. told Mrs. M. that it was unlikely she could have any children, she was very distressed and for a long time she could not bring herself to understand why. She told Mr. M. that she would help him obtain a divorce, but he could not hear of it. He said that it never occurred to him to ask his wife for a divorce and added that one has to accept what comes along and not
run away from it..."
Under this topic the following items were scored: 1, 2, 3 and 4.

**Topic: (iv) The applicants' attitude toward childlessness and infertility.**

**Relevant items:**
1. The reasons for not having their own children;
2. their attitude towards their infertility;
3. effect of discovery on each partner;
4. extent to which the couple have accepted their situation.

**Total No. of items:** 4.

**Examples:**
*Case 'C':* "Mr. and Mrs. C. have no chance of having any of their own children". This piece of information was scored under item: 1.

*Case 'B':* "Mrs. B. attended the fertility clinic at the R. hospital for two years. Recently she was told that there seems to be very little hope of her having a child. Her ovaries appear to be damaged. Mrs. B. said*
how much she has been longing all along for a baby and what a disappointment it was. Because of this shock she was depressed for some time".

This type of material was scored under items 1 & 3.

Case 'K': - "I asked whether they made any attempt to find out why they cannot have their own children. The husband responded by saying that it all has to do with him. He was told at the clinic at the W.. where he attended that he was sub-fertile. At my remark he said that the news rocked him as he never considered the possibility of anything being wrong with him. For sometime afterwards he felt terrible and 'less of a man'. He could not find a way of telling his wife but when he decided to do so he felt much better; he added "she was wonderful". She reassured him that there was no reason why this
should make any difference to their feelings for each other. According to Mrs. K., for a few months afterwards, her husband kept going back to the same subject and seemed to need a lot of re-assurance from her. She talked about her own disappointment, but that now she does not mind as much, though occasionally she feels it would have been nice to have their own child. However, they have heard of other childless couples who adopted and are happy and feel that they will love an adopted child as if it was their own."

All items under this topic were scored i.e. 1, 2, 3 & 4.

**Topic: (v) The applicants' understanding of children and their needs.**

**Relevant items:** 1. Experience with own children or children of relatives or friends;

2. Capacity to have a relationship with and enjoy a child;

3. ability to assume responsibility for
someone else's child;
4. capacity to allow a child to develop in his own way and at his own pace;
5. ability to deal with developmental problems.

Total No. of items: 5.

Examples: Case 'Mc': - "Mr. and Mrs. Mc. have a three year old boy whom they adopted whilst living in England".

This was the only information that could be classified under this topic. It was scored under item 1.

Case 'T': - "Mr. and Mrs. T. adopted a little boy just over two years ago whilst they were living in Glasgow. I saw the boy and I was impressed with the easy way with which he related both to Mr. and Mrs. T. He looked bright and active and my presence did not scare him unduly. The T's seemed to have enjoyed bringing him up. They started telling him that he was adopted and the language and method they use seemed very appropriate."
They are also preparing him for the new baby. Both parents appear to give the child a lot of care and affection but are not over-possessive in any way”.

This material was scored under items: 1, 2, 3 and 4.

**Topic: (vi) The applicants' attitude toward illegitimacy and unmarried parenthood:**

**Relevant items:**
1. Attitude toward illegitimacy;
2. Knowledge and attitude about heredity;
3. Attitude toward parents surrendering their children;
4. Attitude to telling the child about his background;
5. Attitude to telling a child that he is adopted.

**Total items:** 5.

**Example: Case 'G':** - "They intend to tell the child that he is adopted".

Again this being the sole piece of information on the whole topic, it was scored under item 1.
Case 'L':— "They realise that the child will be illegitimate and do not mind at all. They feel very sad for mothers who have to give up their children, but realise that they must have good reasons for doing so. They have no fears that this will affect the way the child is going to grow up in the future. Mr. L. added that it is what you give a child that matters, not what his parents were like. We then discussed ways of telling the child about his adoption and both seemed to understand the importance of this to the child".

Items scored from this material were: 1, 2, 3, 4 & 5.

Topic: (vii) The applicants' emotional motivation:

Relevant items: 1. How they reached their decision to adopt;
2. their reasons for seeking a child;
3. assessment of their deeper or disguised motives in seeking a child;
4. strength of motivation.

Total items: 4.
Examples: Case 'E':— "Mr. E., has just returned from N.... He is employed there as a Bank Manager. He and his wife want to offer a home to a child who might run the risk of not having one at all."

This piece of relevant information was classified under item 2.

Case 'M':— "It was some months after the Doctors told them that they could have no children, that they began to think seriously of adoption. The first to suggest it was Mr. M. and his wife was very pleased with him for doing so. She could not bring herself to do it first. They have discussed it with their families and they are agreed that this is the best solution. They have also met a couple who have adopted a few years ago and who seem to be very devoted to the child 'as if it was their own'. The M's feel that they have a lot to offer to a child and
are very keen to become parents. They sound very sincere and understanding and do not appear to have any pathological needs to satisfy through adoption. A child placed with them should find a lot of happiness. Items scored from this material were: 1, 2, 3 & 4.

**Topic: (viii) Housing situation**

**Relevant items:**
1. Whether a home visit was paid;
2. Description of the home;
3. Description of the neighbourhood;
4. Description of living conditions and of the general home atmosphere.

**Total no. of items:** 4.

**Example. Case 'H':** "I visited Mrs. H. at home. This is an attractive house, well kept and well furnished. It has five apartments and Mrs. H. showed me a nicely arranged room kept for the baby. Mrs. H. seems to be an immaculate housekeeper. It is situated in a good working class neighbourhood."
Items scored: 1, 2, 3 & 4.

Topic: (ix) Socio-economic background:

Relevant items: 1. Job description;
2. work adjustment and satisfactions;
3. earnings;
4. outstanding debts and other commitments;

Total number of items: 4.

Example: Case 'D': "Mr. D... is a school-teacher at F... school. He is a university graduate and teaches maths. His income is about £1490, but hopes to get an appointment soon as Headmaster in one of the corporation's schools. He is very happy with his job and enjoys teaching. Mrs. D... works as a part-time secretary with R... company but will give it up if we decide to place a child with them. I consider that they have ample means to bring up a child".

Items scored were: 1, 2 and 3.

The findings

The detailed analysis of the 60 cases (table 63) shows
<table>
<thead>
<tr>
<th>High County</th>
<th>Highland County</th>
<th>Highland County</th>
<th>Highland County</th>
<th>Highland County</th>
</tr>
</thead>
<tbody>
<tr>
<td>Eastern County</td>
<td>Eastern County</td>
<td>Eastern County</td>
<td>Eastern County</td>
<td>Eastern County</td>
</tr>
<tr>
<td>I</td>
<td>II</td>
<td>III</td>
<td>IV</td>
<td>V</td>
</tr>
<tr>
<td>VI</td>
<td>VII</td>
<td>VIII</td>
<td>IX</td>
<td>X</td>
</tr>
</tbody>
</table>

Table 63: Analytical and Descriptive Analysis of Selected Materials (Agency Sample N. 60)
Table 63: Analysis and classification of selection material (Agency Sample N. 60)

<table>
<thead>
<tr>
<th>Items</th>
<th>I</th>
<th>II</th>
<th>III</th>
<th>IV</th>
<th>V</th>
<th>VI</th>
<th>VII</th>
</tr>
</thead>
<tbody>
<tr>
<td>Item 1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
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</tr>
<tr>
<td>Item 3</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Item 4</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Item 5</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Legend:
- Eastern Borough
- Highland County
- Eastern Borough I
- Eastern Borough II
- Highand Borough

(Additional data and analysis information)
the extent to which each report covered the topics and items suggested by social work literature. As the material in each case was divided into nine identifiable topics, the 60 cases could produce a possible maximum of 540 topics. In actual fact the selection material gave information on only 207 topics (or 38.0%). If out of the nine topics we exclude topics VIII and IX which are tangible ones, we find that only twelve of the 60 cases touched on all seven intangible topics. Eight of the 60 cases contained no comment on any of the seven intangible topics, another 8 contained no comments on six of the topics, a further 5 had no comments on five topics, 3 cases had no comments on four topics, 10 reports had no comments on three topics, 11 reports had no comments on two topics and finally 3 cases had no comments on one topic. In all, 24 (or 40%) of the sixty cases contained no comment of any form on four or more of the seven intangible topics. The pattern from table 63 shows that case material from the same agency tended to repeat itself even if the selection had been made by different workers. This meant that traditional methods of work were perpetuated and that all selection material was in the same routine form. There seemed to be little possibility that a topic not touched upon in one selection case would be mentioned in a subsequent one.

The selection material on each case had 40 identifiable
items which meant that the 60 reports could add up to a maximum of 2400 items. In actual fact the sixty cases covered only 741 items (or 30.8%). Only ten cases (or 16.7%) contained fifty per cent or more of the prescribed items, whilst seven out of ten contained less than one third of the suggested items.

In a final analysis, (table 64) it appears that the selection of the sixty couples was based on widely differing material, ranging from considerable to very little. Only 10 of the couples (or 16.6%) were selected on the basis of adequate information as outlined by social work literature. A further 13 couples (or 21.7%) were selected on a fair amount of information but well below the standards suggested by social work literature, whilst 37 of the couples (or 61.7%) were selected on very inadequate information which consisted mainly of tangible aspects such as housing and occupational background of the adopters. The findings again suggest a great disparity between the expectations of social work literature and actual practice.
Table 64. Amount of material which formed the basis of selection (Agency Sample. N 60 reports)

<table>
<thead>
<tr>
<th>Reports</th>
<th>N.</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Selection based on 50% of recommended material or more</td>
<td>10</td>
<td>(16.6)</td>
</tr>
<tr>
<td>Selection based on between 30 and 50% of recommended material</td>
<td>13</td>
<td>(21.7)</td>
</tr>
<tr>
<td>Selection based on less than 30% of recommended material</td>
<td>37</td>
<td>(61.7)</td>
</tr>
<tr>
<td>Total</td>
<td>60</td>
<td>(100 )</td>
</tr>
</tbody>
</table>

Table 65 below shows the amount of information provided by each agency on each one of the 9 topics and the median percentage coverage of each topic by the 12 agencies jointly. One in every three agencies did not provide information of any kind on five or more topics. The best covered topics were housing and socio-economic situation. The information on housing met the 'standards level' up to 85.4 per cent and that on socio-economic background up to 60 per cent. None of the remaining topics was covered beyond 30 per cent. The most poorly covered subjects were, 'the quality of the marital
relationship', 'emotional maturity' and 'attitude toward illegitimacy and unmarried parents'.

(i) The total personality of applicants. The median coverage of this topic by the 12 agencies was less than a quarter of the "standards" level that social work literature and professional bodies prescribe as necessary. One in every four agencies did not provide any information on this topic and two more provided the barest type of material.

The memorandum of the two Scottish professional bodies, in urging a study and assessment of the total personality of the applicants, points out that a couple's capacity to meet the needs of an adopted child will eventually depend on the kind of people they are. McWhinnie too stresses the need to understand each applicant as a separate person. Only two of the 12 agencies, however, provided sufficient information on this topic that could lead to the assessment of the applicants' personality. Some of the remaining agencies that tackled the subject made one sentence assessments without any corroborating evidence. The following were typical assessments: "Quite a nice couple. Doctor recommends 100%", or "very nice, very happy couple", or "these are respectable people and should be allowed to adopt". In another case the adoption worker simply said of the applicants that they were 'very nice and sensible people'. Considering that this couple had been

1. A.M. McWhinnie "Adoption Assessment".
Percentage coverage of each topic by agency (based on findings from Table 63)

<table>
<thead>
<tr>
<th>Agency</th>
<th>Topic 1</th>
<th>Topic 2</th>
<th>Topic 3</th>
<th>Topic 4</th>
<th>Average % coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Eastern B.I.</td>
<td>55</td>
<td>75</td>
<td>25</td>
<td>17</td>
<td>15.4</td>
</tr>
<tr>
<td>Eastern B.II</td>
<td>60</td>
<td>70</td>
<td>35</td>
<td>20</td>
<td>24.2</td>
</tr>
<tr>
<td>Eastern G.</td>
<td>15</td>
<td>75</td>
<td>20</td>
<td>15</td>
<td>28.3</td>
</tr>
<tr>
<td>Highland 3.</td>
<td>75</td>
<td>20</td>
<td>15</td>
<td>20</td>
<td>17.7</td>
</tr>
<tr>
<td>Highland 4.</td>
<td>50</td>
<td>100</td>
<td>10</td>
<td>10</td>
<td>22.3</td>
</tr>
<tr>
<td>S.Eastern C.</td>
<td>57</td>
<td>25</td>
<td>43</td>
<td>45</td>
<td>28.3</td>
</tr>
<tr>
<td>Western B.</td>
<td>50</td>
<td>85</td>
<td>22</td>
<td>-</td>
<td>14.3</td>
</tr>
<tr>
<td>Western C.</td>
<td>50</td>
<td>6</td>
<td>-</td>
<td>15</td>
<td>15.4</td>
</tr>
<tr>
<td>Independent S.</td>
<td>60</td>
<td>70</td>
<td>60</td>
<td>60</td>
<td>60.4</td>
</tr>
<tr>
<td>National S.</td>
<td>37</td>
<td>25</td>
<td>-</td>
<td>20</td>
<td>25.3</td>
</tr>
<tr>
<td>Moral S.</td>
<td>12</td>
<td>15</td>
<td>-</td>
<td>-</td>
<td>12</td>
</tr>
<tr>
<td>National S.</td>
<td>37</td>
<td>25</td>
<td>-</td>
<td>20</td>
<td>25.3</td>
</tr>
<tr>
<td>Moral S.</td>
<td>12</td>
<td>15</td>
<td>-</td>
<td>-</td>
<td>12</td>
</tr>
<tr>
<td>National S.</td>
<td>37</td>
<td>25</td>
<td>-</td>
<td>20</td>
<td>25.3</td>
</tr>
<tr>
<td>Moral S.</td>
<td>12</td>
<td>15</td>
<td>-</td>
<td>-</td>
<td>12</td>
</tr>
<tr>
<td>National S.</td>
<td>37</td>
<td>25</td>
<td>-</td>
<td>20</td>
<td>25.3</td>
</tr>
<tr>
<td>Moral S.</td>
<td>12</td>
<td>15</td>
<td>-</td>
<td>-</td>
<td>12</td>
</tr>
<tr>
<td>National S.</td>
<td>37</td>
<td>25</td>
<td>-</td>
<td>20</td>
<td>25.3</td>
</tr>
</tbody>
</table>

Table 65: Percentage coverage of each topic by agency (based on findings from Table 63)
rejected by another agency, a more thorough investigation might have been expected. In fact limited comments of this type, which could not be deduced from the material, took the decision out of the hands of committees - where these existed.

(ii) Emotional maturity: The median amount of information provided under this topic was 15.4 per cent, with five of the 12 agencies providing no information at all. Social work literature and writings in child development stress the importance of assessing the applicants' emotional maturity. The Child Welfare League points out, that "adults who are emotionally mature will generally have a capacity to grow into parenthood as they experience a relationship with a child." Bowlby also claims that those applicants who adopt rigid attitudes are doing so for reasons connected with their own emotional conflicts and that in such cases "the child is needed not for himself, but as a solution of a private difficulty in the parents". He quotes as an example the woman who has always felt unloved and who seeks love and companionship from the baby so will not wish him to grow up.


Witmer and his associates found, from their study, that the lack of emotional maturity on the part of the mother was associated with a lower-than-average rating.

Only two agencies, Independent Society and South-Eastern County, provided information on this subject that could lead to an understanding of the emotional suitability of the applicants.

(iii) The quality of the marital relationship. This was the least covered subject, with the lowest percentage of information being provided. Two out of every three agencies did not even mention the marital relationship as a factor for assessment. Three of the remaining four agencies, however, supplied a fair amount of information with a coverage ranging from 40 to 60 per cent of the "standards" level.

The marital relationship as a subject for assessment, together with its importance in determining the future outcome of the adoption situation, is again stressed by several writers. Rowe writes that "a truly loving marriage that enriches and supports each partner is essential for happy family life and evaluating this relationship is an important part of every home-study". The Scottish professional

associations urge their members "to make careful enquiries which will indicate the strength of the marriage and the present pattern. Individual interviews with the husband and wife separately, are essential for this evaluation". 1. (Only in 14 per cent of the cases husband and wife were seen separately). Witmer et al found that of four traits referring to interpersonal relations, on which their home ratings were largely based, two, i.e. the quality of the marital relationship and of the mother-child relationship, were the most closely related to the children's adjustment. 2.

(iv) Attitude towards childlessness and infertility. It was stressed earlier in this chapter that the applicants' feelings about childlessness seem to play an important part in their ability to accept their role comfortably. Humphrey and Ounsted's findings, showing that one fifth of the couples whose adopted children were referred for psychiatric treatment had lasting pre-occupations with their failure to have children, have implications for this topic. 3. After housing and

1. "Memorandum on Adoption in Scotland".
2. H.L.Witmer, E.Herzog, E.A.Weinstein and M.E.Sullivan "Independent Adoptions".
socio-economic background, this topic came third in the amount of information provided, though the median coverage was just under a third of the "standards" level. However, with the exception of one agency, all the others provided some information on the matter. A lot of this information, though, consisted only of facts supplied by the applicants rather than of a discussion of the psychological aspects of the discovery of inability to have children.

(v) The applicants' understanding of children and their needs: It is generally recognised that it is a difficult task trying to understand what kind of parents people will turn out to be, before they have the opportunity of actually being in a parental role. This can best be assessed, according to social work writings, on the evidence of the applicants' previous experience with children - own, relatives or friends -. We have earlier seen, however, that in cases where the applicants had previously adopted from the same agency, the tendency was to avoid a fresh assessment. Thus an opportunity to assess capacity for parenthood on the evidence of experience was lost. Seven of the 12 agencies in the sample provided no information of any kind on this vital area of assessment.

(vi) The applicants' attitude towards illegitimacy and unmarried parents: It is equally important, for selection purposes,
to try and assess at the study stage the applicants' attitude
to illegitimacy, unmarried parenthood and the background of
any child they may adopt. Strong feelings and fears about
illegitimacy and unmarried parents can make adoptive parents
desire to hide that their child is adopted. McWhinnie's find-
ings claim that the adopted child wishes to be told of his
adoptive status by his adoptive parents, on the initiative of
these parents. Only three agencies indicated in their
selection study that this important area was discussed with
the applicants. (Independent society, South-East County and
Eastern County). Five agencies made no reference to the
subject and the remaining four handled it at a very poor
level. Their only indication that the matter was discussed
was that "the applicants promised to tell the child that he
is adopted". This is an area where Kirk's educative group
approach might prove most useful in helping prospective
adopters to accept this emotionally.

(vii) The applicants' motivation: Motivation for adoption, as
an area for exploration was discussed earlier on. Reference
was made to the U.N. report, and the writings of Schmidt, Trasler,
Rowe and McWhinnie.

One agency gave information on the matter, which met by

1. A. McWhinnie "Adopted Children - How they Grow up".
80 per cent the "standards" level. Two agencies made no reference to the subject at all, but the remaining ones touched on the subject. Under this topic, the majority of agencies would simply quote the applicants' declared wish, without seeking to assess any deeper motives or how strong the applicants' motivation was.

(viii & ix:) Housing and socio-economic situation: All the agency reports provided adequate information on these two areas of study. There was still, however, the tendency by some caseworkers to provide only simple facts. Most of the reports on socio-economic situation were content to give information on the applicants' occupation and earnings. There was no, or little, attempt to explore work satisfactions, adjustments and prospects. Social workers, in their writings, are now beginning to recognise that it is easier for a man to talk about his job than about his feelings, but that wider feelings and interactions may be understood through discussing the job situation.

A further failure in all the reports was the absence of any information concerning debts, E.P. and other commitments. The fact that a man earning £2,000/ might have a five thousand pounds mortgage did not seem to merit investigation or mention.
THE DECISION MAKING PROCESS.

Each voluntary society is required by law to appoint a case committee to be responsible, among other things, for the "consideration" of applicants. This is interpreted to mean that the final approval for the selection of a couple must rest with the committee. The decision is usually based on the information and assessment that the caseworker supplies to the committee. It is recognised that, if the committee are not satisfied, they can ask for supplementary verbal evidence from the caseworker. However, two, of the four societies in the sample, did not invite their caseworkers to be present when the applicants were being considered. This practice not only prevented additional information being given but also did not give the caseworker an opportunity to understand what sort of information the committee found helpful, when trying to reach a decision. Local authorities, as stated in chapter five are not required to have similar committees, but one of the eight agencies in the sample, Western borough, had one. In all other cases, the final decision was left either to the caseworker who prepared the report in consultation with the children's officer, or to the caseworker who had interviewed the applicants. Rowe, commenting on the undesirability of one person alone carrying the responsibility for making "the far reaching decision needed in adoption work," adds that major decisions
should not be left to the discretion of the individual workers.

It would have been thought that, because adoption workers in voluntary societies submit their report to the case-committees, this would have been an incentive to prepare more informative ones. However, only the reports of one society were generally informative and comprehensive. Likewise, the reports of the local authority agency that discussed all reports at a departmental meeting were also generally informative. The selection reports of the only local authority that had a properly constituted committee were among the poorest in content. This suggests that the sheer fact of having a committee is no guarantee of getting more informative reports, unless the committee is prepared to ask for more information where necessary and not to act as a rubber-stamp. A further drawback of such committees is that usually they are the same ones who determine and apportion resources, in staff and time, and they cannot therefore make demands that are incompatible with the rest of their policy.

Table 66 shows the importance the caseworkers attached to each topic and the extent to which each topic influenced the final decision. It is made obvious from this table that

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1. J. Rowe, "Parents Children and Adoption", p.188.
most of the information supplied, was about housing and the socio-economic situation. Attitude toward childlessness and infertility came third, but with the percentage amount of information supplied well below the "standards" level.

Brown, commenting on the selection of adoptive parents, wrote that "in the earlier days, there was a great emphasis on environmental factors, and an adoptive home was selected on the basis of the family's ability to provide a pleasant home, adequate space, and financial security. The family was expected to be kind and well respected in the community. The emphasis was on selection of the "right" child for the family rather than on selecting the family that would best meet the needs of the child." Brown goes on to say that at present "we base our selections mainly on our casework understanding of the family rather than on environmental factors". Rowe makes the point that "money, housing, education, etc. are not now considered as important in selection as the more intangible qualifications for adoptive parenthood." Our findings, however, do not bear out either Brown's or Rowe's


2. J. Rowe "Parents Children and Adoption".
assumptions. The selection of adoptive applicants in our sample was mainly determined by environmental factors and intangible ones played only a very minor part. Only one in every six applicants was selected after full consideration of tangible and intangible information.

Table 66.
Contribution of each factor to the decision making process.

<table>
<thead>
<tr>
<th>Topic</th>
<th>% amount of information</th>
<th>% degree of influence</th>
</tr>
</thead>
<tbody>
<tr>
<td>Housing situation</td>
<td>85.4</td>
<td>29.6</td>
</tr>
<tr>
<td>Socio-economic situation</td>
<td>60.4</td>
<td>20.9</td>
</tr>
<tr>
<td>Attitude toward childlessness and infertility</td>
<td>28.3</td>
<td>9.8</td>
</tr>
<tr>
<td>The total personality of applicants</td>
<td>24.2</td>
<td>9.4</td>
</tr>
<tr>
<td>The applicants' emotional motivation</td>
<td>22.8</td>
<td>7.9</td>
</tr>
<tr>
<td>Their understanding of children and their needs</td>
<td>20.1</td>
<td>7.0</td>
</tr>
<tr>
<td>Attitude toward illegitimacy and unmarried parents</td>
<td>17.7</td>
<td>6.1</td>
</tr>
<tr>
<td>Emotional maturity</td>
<td>15.4</td>
<td>5.3</td>
</tr>
<tr>
<td>The quality of their marital relationship</td>
<td>14.3</td>
<td>5.0</td>
</tr>
</tbody>
</table>

100
The contribution of each of the above factors to the decision making process highlights again the discrepancy between social work "standards" and actual practice. The agencies that answered our postal questionnaire also profess to look for certain attributes when selecting adoptive applicants, but in practice the selection material included no relevant information that could lead to an identification of these qualities in the applicants. Agencies in their replies quoted 'stability, maturity and good character' and 'general love for children and capacity to respond to the needs of an adopted child' as the topmost qualities they look for. Information in the reports, that could lead to the identification of these qualities, approximated social work expectations only by 24.2 and 20.1 per cent respectively. Topmost importance in the selection reports was given to housing and socio-economic situation. When Springer asked three groups of parents "what would you do if you had 50 children to place for adoption and a thousand couples asking for them", she found that they first discussed the emotional component of parenthood, with a view to ascertaining which of the couples possessed these. The groups often omitted the more concrete

needs such as financial stability, suitable housing and good health, until they were mentioned by the worker. In contrast to this, the selection material studied mostly concentrated on concrete facts. Non-factual information consisted mainly of subjective or value judgements without substantiating evidence. Some of the following extracts demonstrate the points made:

"The Mo's are 41 and 43 years old respectively. Married 4½ years ago but no pregnancies. Husband is a general labourer employed by C...firm for the last 20 years. He is fair haired, 5'5" tall and 11 stones in weight. The wife was a children's nurse prior to her marriage. Has devoted her time to wifely duties since marriage. She was brought up by her maternal grandparents. She is small, plump and fair haired. Extremely good natured.

The family have an income of £14.10.0 a week. The house is a two apartment with entrance up back stair in an old tenament. Building in good condition. Well furnished and comfortable. The husband bought this house before marriage. They are a good working-class type with genuine warmth and sincerity."

The only information in this report that refers to applicants as people is the information that the wife is "extremely good natured" and that they are "a good working class type with genuine warmth and sincerity". No indication
is given of how the caseworker arrived at this conclusion, in order to aid the committee when considering the case.

The following extract from another report shows the only piece of personal information that, apart from some factual information, formed the basis for the decision to place a baby with the applicants:

"This couple who came to see me with their baby would like more than one child. Sensible, homely pair, intelligent and thoughtful. I liked them both very much. Baby would need to be from a good middle-class background."

The case-committee that reached a decision on this couple must have accepted wholly the caseworker's assessment without asking for any further information. As this particular worker's subsequent reports were similar, it indicates that the committee was satisfied with the amount of information it was getting.

In the following case it is again very unclear what the caseworker was evaluating, in view of her first comments and subsequent action:

"...I felt that Mrs. G...seemed extremely immature and unadult for her age. She was more like a 16 or 17 year old...I question whether she is a mature resourceful enough person to have the responsibility. I warned
her that the committee might not be in a position
to accept someone with no experience in caring for
children".
A month later, and without any further explanation about some of the serious reservations raised earlier, the committee approved the couple, and a child was placed with them two months later. It was difficult to identify whether, in the end, the caseworker changed her recommendation or the committee made an independent decision.

In another case the worker initially refused to recommend the couple solely on the fact that they had changed two houses within the last two years. She thought that, if they changed two houses in two years, they might want to change the baby too. She ended her recommendation by saying that "under the circumstances I think that they should be kept on the waiting list and observed". Ten days later the same worker visited the couple at home and made a strong recommendation to her committee for their acceptance. Six weeks later a baby was placed with them.

The presence of mental illness in another couple did not seem to merit any further discussion, enquiries or medical reports. The caseworker commented that Mr. A. "had a nervous breakdown about six years ago and was in the mental hospital for six or seven months". The couple were approved by the
committee within a fortnight and in another four weeks' time a baby was placed there.

Only Independent society and S. Eastern County had developed a policy about the method of study of adoptive applicants. At their regular staff meetings these methods were re-examined and modified. These were also the only two agencies that met the "standards" level. The remaining agencies approached the matter of selection in a rather haphazard way. A method usually provides a structure within which staff, especially those who are untrained, can work with some assurance and less anxiety. The drawback of developing such methods is that they can be used too rigidly unless there is frequent discussion among the staff with the aim of changing them, when necessary, to reflect other changes in practice. Such changes need to take into account new theory and new findings from research.

League Table Comparisons.

Like table 32 (chapter six), the next table was also constructed on a league basis by reproducing the four items included in table 32 and now adding two new items i.e. Number of actual selection interviews with applicants and content of the selection material.
The League table (No. 67) demonstrates a fair amount of consistency in performance, which could suggest that all aspects of the adoption situation were given consistently the same amount of attention, whether this was considerable, fair or poor. The table again shows that the agency with the best ratio of staff to cases - Independent society with one worker to every 19 cases - performed consistently better than any other agency. At the other end, the agency with the worse ratio of staff to cases - 1:83, which was Western borough - performed almost consistently worse than the rest of the agencies. However, Western county and National society with a very favourable staff to cases ratio - 1:39 and 1:48 respectively - performed worse than agencies with a much less favourable staff to cases ratio. In contrast, South-Eastern county with a poor staff to cases ratio (1:77) performed remarkably better than agencies with a much more favourable staff to cases ratio.

As pointed out in chapter six, though a good complement of staff and other resources can influence practice in a positive way, a favourable complement of such resources does not always lead to good performance. Where practice has become too stereotyped, the extra staff appear to follow past routine and established practices rather than to innovate. Where, however, a planned programme exists, it can counter-
League table 67: Agency Performance (twelve agencies)

<table>
<thead>
<tr>
<th>Agency</th>
<th>Staff Cases</th>
<th>League position</th>
<th>Contact with biol. parents</th>
<th>Casework help to biol. parents</th>
<th>Background Information on the parents</th>
<th>Contact with adopt. parents</th>
<th>Content of selection reports</th>
</tr>
</thead>
<tbody>
<tr>
<td>Independent Soc.</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>St. Kilda Soc.</td>
<td>2</td>
<td>2</td>
<td>3</td>
<td>3</td>
<td>3</td>
<td>3</td>
<td>5</td>
</tr>
<tr>
<td>Western county</td>
<td>3</td>
<td>7</td>
<td>9</td>
<td>9</td>
<td>9</td>
<td>9</td>
<td>10</td>
</tr>
<tr>
<td>National Soc.</td>
<td>4</td>
<td>12</td>
<td>12</td>
<td>11</td>
<td>6</td>
<td>8</td>
<td>3</td>
</tr>
<tr>
<td>Eastern county</td>
<td>5</td>
<td>6</td>
<td>4</td>
<td>4</td>
<td>4</td>
<td>4</td>
<td>3</td>
</tr>
<tr>
<td>Moral society</td>
<td>6</td>
<td>8</td>
<td>7</td>
<td>8</td>
<td>7</td>
<td>7</td>
<td>7</td>
</tr>
<tr>
<td>Eastern bor. I</td>
<td>7</td>
<td>3</td>
<td>5</td>
<td>5</td>
<td>4</td>
<td>4</td>
<td>4</td>
</tr>
<tr>
<td>Eastern bor. II</td>
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<td>8</td>
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<td>11</td>
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<td>Highland county</td>
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<tr>
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<td>8</td>
<td>6</td>
<td>9</td>
<td>12</td>
<td>12</td>
</tr>
<tr>
<td>S. Eastern c.</td>
<td>11</td>
<td>4</td>
<td>2</td>
<td>2</td>
<td>2</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Western bor.</td>
<td>12</td>
<td>11</td>
<td>11</td>
<td>12</td>
<td>9</td>
<td>9</td>
<td>9</td>
</tr>
</tbody>
</table>

* A number of agencies under this column tied in their averages.
balance the drawbacks entailed in shortage of staff and other resources, at least to a fair degree. Brieland pointed out, from his study on the selection of adoptive parents, that the agency, which showed the highest level of agreement, had had meetings one day a month for over a year to consider their standards for adoptive couples, and to define more specifically what constituted a good prospective adoptive couple. Uniformity appears to come, therefore, not only with numbers and training but with a continuous revision and examination of the use to which staff and resources should be put.

SUMMARY

The selection of adoptive parents, as seen through the practices of the twelve agencies, was mainly decided on the basis of factual and environmental information rather than on an assessment of their personal suitability. Possession of a comfortable home, a steady occupation and income, together with a 'good' standing in the community, which was often interpreted as being a "good Christian" or a "good Catholic", appeared to be the decisive factors. It could be concluded from this that judgement was reached on a very limited range of factors and that case committees, where these existed, acted as rubber-stamps for the caseworkers' recommendations. Most agencies had no organised approach to their selection work.

1. D. Brieland "An Experimental Study of the Selection of Adoptive Parents at Intake"
and the selection of couples reflected the personal views and sometimes the prejudices of individual workers or of committees. A serious gap was found to exist between actual practice and social work theory as well as between professed and actual practice. Only exceptionally, theory and findings from research appeared to percolate down the agency structure and influence practice in some form. A lot of theory appears to transcend national boundaries very rapidly, especially from the more "developed" areas with full complements of trained staff, to other areas where this form of work has not received equivalent attention. On these occasions, there is a real danger in thinking that, once theory is put to paper, it is also practised. In a less "developed" area, such theories - if read at all - are super-imposed on the work of untrained staff who do not have the necessary background to absorb them and relate them to what they are doing.

In general, caseworkers in both local authority and private agencies, were left with too much responsibility and authority and with very little training and support to carry out this serious task. Accountability by their employers was interpreted as fulfilling administrative and legal requirements. The expertise claimed for agency selections is not justified by actual performance.
CHAPTER NINE

THE 'MATCHING' PROCESS

Theories in child development have been stressing the importance of stable family relationships as a factor in healthy child development. (Bowlby, Anna Freud, Winnicott etc.). The effect of these theories on adoption was the strengthening of the belief that the success of the adoption situation was very much dependent on the integration of the child into the family. Because of this, a conviction developed among adoption caseworkers that a reasonable matching of parents and child, in as many attributes as possible, was likely to reduce friction and lead to success. Every effort was, therefore,


made to place a child with as far as possible similar characteristics as those of the adoptive parents. The practice of matching parents and child came to be associated with a stress on similarity in such aspects as physical appearance, personality, temperament, intellectual capacity, race, cultural background, religion etc.

Though the word 'matching' was used extensively, especially in the forties and fifties, agencies never really spelled-out what this amounted to. Some agencies in the United States were proud to advertise their matching practices as an attraction to adopters and as a means of deterring independent arrangements. The Louisiana department of Public Health, for instance, in a brochure published in 1950, said about its adoption matching practices: "A licensed agency places a child in your home who is as far as possible like the child who might have been born to you and who is likely to grow into the kind of person who can share your family's interests and be looked on as your child. Licensed agencies generally try to find a child whose physical characteristics, mental capacities, personality, nationality and religious background are comparable to those of the adoptive family". The Oklahoma

State Department of Social Welfare claimed to be able to tell adopters about the child's heritage, his physical and mental development, his emotional stability and above all about his potentialities, all attributes that would be as near their own as possible. The concept of 'matching' was copied by many agencies in Britain as an ideal objective to strive for. As early as 1937, the Horsburgh committee recommended that "an attempt should be made, as far as possible, to place the right child in the right home". The committee did not elaborate on what criteria and characteristics this should be based on.

Steinman, writing in 1953, warned that there was a great deal of fear among adoption workers of even considering that perhaps there are children and families who can accept a great deal in the way of differences. He criticised the lack of

help to prospective adopters to develop their capacities for the acceptance of difference. In the same year, Davis and Bouck wrote that matching in physical appearance, racial background and intellectual potential did not have the weight often given it by the workers, by many of the applicants and by the lay public. Similarly, Loeb in 1956 was saying that "there is ... more mystery and less fact in the matching process than elsewhere in adoption practice".

The practice of trying to match parents and child appeared to be based mostly on assumptions rather than on proven facts. As such, it went through various stages over the last twenty to thirty years. For example, in the forties and fifties, many agencies - mainly in the States - considered cultural background as an absolute necessity, likewise nationality and skin-colour. Ten years later, they were described as of little importance. Gradually, it was beginning to dawn on many adoption workers in the field that what were often community


prejudices were being projected as matching necessities.

Schapiro, commenting on agency replies to his postal questionnaire on the matter of matching, remarked that "the principle that similarities in background are more likely to facilitate integration of the child into the family is accepted by most agencies." The Child Welfare League's "standards manual", though implying that "similarities of background or characteristics should not be a major consideration in the selection of a family", added "except when integration of the child into the family and his identification with them may be facilitated by likeness, as in the case of some older children or some children with distinctive physical traits such as skin-colour". In the 4th edition of the "standards manual" in 1965, the League changed its position considerably and simply recommended that "similarities of background or characteristics should not be a major consideration in the selection of a family". The emphasis now was on the ability of adoptive parents to accept the child as he is or may develop, regardless of how he may differ from them. It rightly pointed out that people vary in their capacity to accept difference.

It was Kirk who finally provided evidence to support the view that "acknowledgement of difference" by the adopters was conducive "to good communication and to order and dynamic stability in adoptive families". He also claimed that rejection of difference was conducive "to poor communication with subsequent disruptive results for the adoptive relationship". The conclusion from Kirk's findings was that adoption workers, by trying to produce, through adoption, the natural looking family, did not make it easy for adopters "to acknowledge the difference". On this point, Rowe, though supporting the general view that difference must be accepted, stresses that difference should not be accentuated or sought for its own sake.

In the postal questionnaire, agencies were asked to say which of ten factors they use when trying to match child and adoptive parents. Their answers are listed (table 68) in order of importance, but it is recognised that one should be cautious in drawing too many conclusions from them.

2. Ibid.
Table 68. Basis for Matching

<table>
<thead>
<tr>
<th>Matching factors considered important</th>
<th>Total Number of Responses</th>
<th>Yes</th>
<th>No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) Level of intelligence and intellectual potential ....</td>
<td>42</td>
<td>39</td>
<td>3</td>
</tr>
<tr>
<td>(b) Religious background .........</td>
<td>42</td>
<td>39</td>
<td>3</td>
</tr>
<tr>
<td>(c) Physical resemblance to child .................</td>
<td>42</td>
<td>33</td>
<td>9</td>
</tr>
<tr>
<td>(d) Cultural background ........</td>
<td>40</td>
<td>30</td>
<td>10</td>
</tr>
<tr>
<td>(e) Physical characteristics of child's family ..........</td>
<td>41</td>
<td>28</td>
<td>13</td>
</tr>
<tr>
<td>(f) Geographic separation from parents .................</td>
<td>39</td>
<td>27</td>
<td>12</td>
</tr>
<tr>
<td>(g) Racial background ...............</td>
<td>42</td>
<td>22</td>
<td>20</td>
</tr>
<tr>
<td>(h) Temperamental needs ............</td>
<td>42</td>
<td>22</td>
<td>20</td>
</tr>
<tr>
<td>(i) Educational background ......</td>
<td>42</td>
<td>21</td>
<td>21</td>
</tr>
<tr>
<td>(j) Nationality background .......</td>
<td>40</td>
<td>16</td>
<td>24</td>
</tr>
</tbody>
</table>
Though the majority of agencies claimed to use almost all ten factors listed, as a basis for matching, it is obvious that individual circumstances would greatly determine the extent of their occurrence. Some of the matching aspects that agencies claimed to carry out would be impossible, because of the lack of appropriate resources and professional expertise. What agencies possibly mean is that they make an effort to match parents and children on these characteristics, by using their personal judgement. Agencies, however, appear to attach great importance to intelligence and intellectual matching, followed by religion, physical resemblance to the child and cultural background. Least importance was attached to nationality, and educational background. This last aspect seems to contradict the importance given to intellectual matching, because, as the young infant cannot be tested, his parents' educational background would offer one possible indication. The three characteristics accorded most importance were also quoted in the same order by respondents to Schapiro's questionnaire. American agencies, however, attached greater importance to temperamental and educational factors than Scottish agencies did.

(a) Level of Intelligence and Intellectual Potential

With the exception of Independent society, no other agency had the facilities to give psychological tests to parents or children to establish their intelligence or their intellectual potential. As 95 per cent of the children, placed with non-relatives, were less than a year old at the time of placing, their intellectual assessment would have been almost impossible. Intelligence tests for infants have in the last decade or so been discredited, because of their low predictive value. It is now widely accepted that there is no satisfactory evidence that tests given to babies before the age of eighteen months to three years will predict later intelligence.

Wittenborn's study of adoptive children concluded that prediction was a somewhat fruitless activity and the efforts devoted to assessing the infant could be better used in studying the adoptive applicants. If 39 of the 42 agencies say that they use this factor as a basis for matching, they must mean that they use the natural parents' estimated intellectual capacity as a guide. It is assumed, for instance, that a child of superior parents is more likely to be superior than a child of dull parents. But again, most of the twelve agencies,

1. J.R. Wittenborn - "The Placement of Adoptive Children"
studied in depth, had only a superficial contact with the biological mother and almost none with the biological father. Most agencies, however, obtained information about the parent(s) occupation, and sometimes about his education, though these by themselves cannot always be an accurate guide to intelligence. One agency, Independent society, administered intelligence tests to biological mothers and when feasible to biological fathers. In fact this agency went to the other extreme of giving intelligence tests to university graduates!

Studies on the subject of intellectual matching have helped to dispel a number of misconceptions, though the final verdict is still to be decided. Skodak and Skeels, in a study of children with inferior histories, placed with adoptive parents, found that children, adopted into homes of higher socio-economic status than those into which they were born, tended to develop intellectual ability commensurate with their adoptive homes and in fact averaged 20 IQ points higher than their natural mothers. In 1965 Skeels and Skodak published some further preliminary findings on the matter, claiming that this favourable development was continued in adulthood. The findings appear to highlight the importance

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that environment must play in determining a child's eventual intellectual attainment, though it is acknowledged that it cannot create ability that is not there. This finding was also supported by Wittenborn and by Helen Witmer from her large study of independent adoptions. Humphrey and Ounsted confirmed from their own British study that the children's ability and achievement tended to be closely related to the adoptive parents' status. In contrast to these findings, however, some preliminary ones given by the National Bureau for Co-operation in Child Care, based on the 1958 cohort study, indicated that, when comparing the adopted children at the age of seven, they were better in reading than the rest of the group but not quite as good as might be expected from the

1. J.R.Wittenborn - "The Placement of Adoptive Children".


4. Paper given by Mrs. Seglow at the Annual Conference of the National Bureau for Co-operation in Child Care", held in Edinburgh in September (1968).
occupational status of their adoptive parents. In number work, the children's ability appeared nearer the average or very slightly below. Seglow, when giving these findings, wondered how far this meant that heredity has a greater effect on arithmetical achievement, and environment on verbal ability. She further reported that thirty per cent of adoptive parents in the group seemed to be either over-ambitious or disappointed at the lack of achievement. These findings raise a number of questions such as: how far adoptive parents have greater expectations of their adopted children than they would of their own. It is, for instance, much easier for adopters to put the blame for a child's backwardness on to its background than for parents to do so with an own child. A second question is how far agencies, by stressing intellectual matching, foster greater expectations in adopters, who later come to feel cheated, if expectations are not met by the child. A third question is how far over-ambition can be spotted at selection stage and such placements be avoided altogether.

Considerations about matching intelligence and intellectual potential cannot, as mentioned earlier, be divorced from the educational and occupational background of the parents, these being the only tangible guides by which to estimate intelligence. The first limitation is imposed, however, by the sheer fact that the number of professional and semi-professional people
wishing to adopt greatly exceeds the number of children available from a similar background. Agencies, in our sample, tried as far as possible, to match the socio-economic background of the two sides, but to obviate the difficulty mentioned, they tried to choose children from one stage below that of the adopters. For instance, the children of non-manual workers were generally considered as meeting matching requirements for semi- and professional couples. In the general matching process, it was also usual for some agencies to try and match similarities in interests or studies. For instance, the child of a student of music was placed with the family of a 'director of music'. Some other examples of similar and near similar attempts to match parents and child were the following:

<table>
<thead>
<tr>
<th>Occupation of biological mother</th>
<th>Occupation of adoptive father</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arts student</td>
<td>Baby placed with Solicitor</td>
</tr>
<tr>
<td>Maths student</td>
<td>&quot; &quot; Quantity Surveyor</td>
</tr>
<tr>
<td>Clerkess</td>
<td>&quot; &quot; Clerk in the civil service.</td>
</tr>
<tr>
<td>Nurse</td>
<td>&quot; &quot; G.P.</td>
</tr>
<tr>
<td>Science student</td>
<td>&quot; &quot; Science teacher</td>
</tr>
<tr>
<td>Shop-assistant</td>
<td>&quot; &quot; Joiner</td>
</tr>
<tr>
<td>Clerkess</td>
<td>&quot; &quot; Production clerk</td>
</tr>
</tbody>
</table>
Housemaid ................ Baby placed with .... Plumber
Clerkess-typist ...... " " " .... Bank clerk
Commercial artist .... " " " .... Company Director
Drama student ......... " " " .... Solicitor
Insurance clerkess ... " " " .... Railways clerk
Shorthand-typist ...... " " " .... Electrical engineer
Waitress ................ " " " .... Factory worker
Shop-assistant ......... " " " .... Packer
Factory worker ........ " " " .... Miner

The question, that arises from this type of matching practice, is how far the caseworkers themselves attach more importance to intellectual matching than adoptive parents. Do caseworkers, for instance, make assumptions about the kind of child the family would like, or do they respond to the couple's wishes? Some of the reports studied conveyed the former. One report concluded, following a single selection interview with a couple: "only a child of superior parents should be placed with this family". Another report said "only a child from a good middle-class background will do". There was no indication in either of the reports that the applicants had made such a request. In another case, a case committee was considering turning down the placement of a clerkess's child.
with a couple, where the man was a university lecturer, on the ground that the child's intellectual potential would not match up with that of the adopters. The occupation of the biological mother was considered to give a poor prognosis for the child's future intellectual development. At the next meeting of the case committee, the caseworker, in charge of the case, produced evidence to show that the biological mother's grand-mother was a graduate teacher, and so "good achievement could be expected from the child". On hearing this, the committee were satisfied and proceeded to approve the placement. The fact that the child had a father too was forgotten. Again, there was no indication that the adopters themselves specified any requirements regarding the child's intellectual potential. The fact, that the child had to wait in foster-care for another three weeks before it was finally placed, could itself have adverse effects on his intellectual development. The Child Welfare League stresses in its latest publication that "the educational achievement of the child's own family, whether limited or advanced, should not influence the selection of a family". When we discussed with some of the workers the fact that the adopters themselves were not making such

requirements, the explanation was that the agency had a responsibility to match parents to children for the future adjustment and happiness of the child.

Adoption practice does not appear to have been influenced by some of the findings of studies in child development which stress the beneficial effects of an enabling environment on the development of the personality. In actuality, the rather excessive zeal in matching intellectual potential to such a detailed degree - even if the criteria on which it was based were not necessarily accurate - implied a "biological determinism" on the part of agencies, rather than a belief in the beneficial effect of environmental influences. Such attitudes in adoption practice also appear to negate many of the concepts on which child welfare practice is based. For instance, that the effects of deprivation, where prevalent, are to a great extent reversible, if positive corrective experiences are provided. The very small number of older and handicapped children adopted each year may also be partly related to this deterministic approach in adoption practice. The practice at the moment is to place the children with the most favourable background history in the home with the best apparent potential, and to place the children with the poorest endowment in the more marginal homes.
(b) The social class background of the adopters compared to that of the biological parents: Children in general were adopted into homes of a higher socio-economic background than their own. Addis and her associates claim that, among the three factors contributing to success or failure, one, which reduced the chance of success, was a difference of more than one category between natural parents' and adopters' occupational status, even if the child had been adopted in infancy. The detailed study by Witmer and her associates, however, found that the adoption outcome was not influenced by the socio-economic characteristics of the adopting family, provided the home was economically stable.

One child in every six, in our court sample, was adopted into a family which had a difference of two or more classes from that of his natural mother. Only two per cent of the children, however, were adopted below their natural mother's occupational class, the remaining four fifths having been adopted either within their own social class or in one class

2. H.L. Witmer, E. Herzog, E.A. Weinstein and M.E. Sullivan "Independent Adoptions - a follow-up study".
above that of their natural mother. In areas where adoption was generally more popular, such as Edinburgh, more children were adopted in families above their mothers' social class background.

Though it is possible that some stress may be created by placing children, who are poorly endowed, with couples who are themselves too socially and intellectually orientated, the appropriate practical measure, to avoid this, would be to focus skilled attention at the selection stage on identifying such extreme attitudes and assessing how rigid they are. However, already high expectations in adopters are very often raised further by the agencies' unnecessary stress on social and intellectual matching, in spite of evidence which refutes its importance. This kind of commitment makes agency practice appear adoptive parent, rather than child, orientated. One caseworker, conscious of the policy of her agency, wrote in connection with the placing of the child of a hotel-maid with whom she was working: "The couple which have been chosen to adopt this child are near enough the parents' own background to satisfy the adoption worker and the agency policy on matching". The limitations imposed by this kind of matching were highlighted in the replies of two agencies - Independent society and St. Kilda - who said that they have no difficulty in recruiting adoptive parents, "except for applicants for
working-class children". Similarly the secretary of a society is reported to have told "The People" (11.5.69), "We are finding that babies from a middle-class background, which we usually place with good-class adoptive families, are not available in such numbers as before.....In our society we take great pains to match the baby precisely with the adopting parents, and it is getting increasingly difficult." That social class background should become a decisive factor in adoption placings, is contrary to the professed principles of social work philosophy.

(c) Religious Background

All the agencies, replying to our postal questionnaire, say that they try to match the religious background of the child to that of the adopters. Section 4 (2) of the Adoption Act gives the right to the natural parent to specify the religion in which he or she would like her child to be brought up. The agency, therefore, has an obligation to match the wishes of the parents with the religious persuasion of the adopters. The law, however, is entirely neutral about the adopters' religion, when the biological parent gives an unconditional consent. In spite of this, however, an agency's decision to place such a child with a couple professing no religious affiliation may sometimes be over-ruled by the Court.
In a recent case before an English County court, the Judge refused to grant an adoption order in favour of the applicants who professed to be atheists, in spite of the biological mother's statement that she did not mind her child being brought up within such a family. At a further hearing, both the adopters and the agency that arranged the placement were represented by counsel and eventually the court granted the order, but exacted a promise from the adopters that they would do nothing to influence the child towards their "irreligious habits". The legal adviser to "Child Adoption" journal maintains that the County court judge had the power neither to refuse an adoption order under s.7(1) (b) of the Act, nor to impose such a condition to the making of the order under s.7 (3). It may then be assumed that the Judge was expressing a personal preference, otherwise if he really believed that every child should be allowed to make up its own mind when it is of an age to understand, he would equally need to make a condition for other adopters that they should do nothing "to persuade the child of their religious habits".

Of the number of adoption orders granted to non-relatives in 1965, the natural parents specified a religion in three out

of every five cases. Though religion appears to be a straight forward matching operation, a pattern emerged from the practice of the twelve agencies, which suggested that the caseworkers' own preferences might be invoked during the process. Table 69 shows that for children surrendered through some agencies there was a hundred per cent preference expressed, whilst for children adopted through some other agencies, there was a hundred per cent "no preference". (Denominational societies are of course an exception). In some of the agencies where it was not a hundred or almost a hundred per cent 'preference' or 'no preference', it could be assumed that the caseworkers were recording the real wishes of the parents. In other words, the emerging pattern was that, though adoption workers in some agencies insisted that the mothers always specified a religious preference, in other agencies, they did not appear to draw the mother's attention to it; this was perhaps out of fear that a preference might lead to difficulties in finding adopters who could match with such a preference. In summary, the findings suggest that whilst some agencies over-emphasize the religious element, others avoid drawing the parents' attention to it. In spite of the fact that many mothers expressed no religious preference, all the adopters in the sample declared a Christian affiliation. The extent to which agencies weeded out agnostics or non-Christians at enquiry stage was difficult to assess, except for the one non-denominational society which
said that it rejected a number of applicants on "religious grounds".

Table 62. The religious preferences of biological parents. (N. 376)

<table>
<thead>
<tr>
<th>Religious preference</th>
<th>No.</th>
<th>%</th>
<th>No Religious preference</th>
<th>No.</th>
<th>%</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Eastern Borough I</td>
<td>6</td>
<td>54.5</td>
<td>5</td>
<td>45.5</td>
<td></td>
<td>11</td>
</tr>
<tr>
<td>Eastern Borough II</td>
<td>42</td>
<td>100</td>
<td>-</td>
<td>-</td>
<td></td>
<td>42</td>
</tr>
<tr>
<td>Eastern County</td>
<td>16</td>
<td>100</td>
<td>-</td>
<td>-</td>
<td></td>
<td>16</td>
</tr>
<tr>
<td>Highland Borough</td>
<td>9</td>
<td>100</td>
<td>-</td>
<td>-</td>
<td></td>
<td>9</td>
</tr>
<tr>
<td>Highland County</td>
<td>9</td>
<td>69.2</td>
<td>4</td>
<td>30.8</td>
<td></td>
<td>13</td>
</tr>
<tr>
<td>S.E. County</td>
<td>5</td>
<td>55.6</td>
<td>4</td>
<td>44.4</td>
<td></td>
<td>9</td>
</tr>
<tr>
<td>Western Borough</td>
<td>-</td>
<td>-</td>
<td>59</td>
<td>100</td>
<td></td>
<td>59</td>
</tr>
<tr>
<td>Western County</td>
<td>-</td>
<td>-</td>
<td>8</td>
<td>100</td>
<td></td>
<td>8</td>
</tr>
<tr>
<td>Independent society</td>
<td>40</td>
<td>83.3</td>
<td>8</td>
<td>16.7</td>
<td></td>
<td>48</td>
</tr>
<tr>
<td>National Society</td>
<td>-</td>
<td>-</td>
<td>71</td>
<td>100</td>
<td></td>
<td>71</td>
</tr>
<tr>
<td>St. Kilda Soc.</td>
<td>38</td>
<td>100</td>
<td>-</td>
<td>-</td>
<td></td>
<td>38</td>
</tr>
<tr>
<td>Moral Society</td>
<td>52</td>
<td>100</td>
<td>-</td>
<td>-</td>
<td></td>
<td>52</td>
</tr>
</tbody>
</table>

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217  159  376
(d) Racial background

Over half the agencies, that replied to our questionnaire, try to match the racial background of a child with that of the adopters. Such matching appears to be mainly focussed on children of non-white origin. It is recognised that racial characteristics, being genetic in origin, and not subject to change, cannot be sidestepped in adoption. However irrational colour preference may be, the placement agency needs to satisfy itself that no child will be placed in a home where it is likely to suffer because of this. What is less clear, however, is how far agencies, which use racial background as a basis for matching, consider this a good practice and how far they do so, because it is imposed on them by the adopters. If the agency does this as a matter of policy, it possibly does it for two reasons: either because it believes that non-white children are of inferior intellectual or psychological quality, or because it assumes that, in this way, it protects the child from problems likely to be created by the social environment within which it is going to find itself. Of the 12 agencies in the sample, only one flatly refused to accept a child for placement, if it was suspected of having "negroid" features or "coloured" blood. The society explained its policy on the ground that it had no applicants who were prepared to adopt such children, and the lack of fostering and residential
facilities prevented it from exercising flexibility on the matter.

Thirteen of the children in the court sample (or 1.7%) were of mixed or coloured blood. All thirteen were adopted by white families, five of the children having been placed by a single society. The small number of coloured immigrants living in Scotland has created no special problem of unadoptable coloured children unable to secure adoptive homes. Ten of these children were born to local girls following their association mainly with commonwealth students and with negro soldiers stationed at some of the American bases in Scotland.

Of the 376 applicants, who adopted through the 12 agencies studied, nine specified early on that they were unwilling to consider a child of 'mixed' or 'coloured' blood. Another seven said that they wouldn't mind and three specified that they were only interested in adopting a 'coloured' child. Two adopters wanted to return the children placed with them because they thought they 'spotted' negroid features. It looked, from the rest of the evidence, as if both these couples chose to focus their ambivalent feelings about the adoption situation on the child's assumed background. In both families, there were other features suggesting that the placements should not perhaps have been made at all. The background of the couples who adopted the 13 children of mixed or coloured blood is interesting. Eight of these were professional couples
including teachers, a chaplain and a doctor. The remaining five were craftsmen. Ordinary people, because of prejudices or real fears about public attitude, may be less prepared to take risks. In April, 1968, the Daily Mail printed a letter from an Essex reader who with her husband had adopted a coloured baby boy, the placement having been made by a local authority agency after many interviews, and the Guardian ad litem having also visited the home three times. The couple were later "most shocked" when a County court Judge informed them that "very unenthusiastically" he granted the adoption order and, if they contemplated any further adoptions of coloured children, he did not want the case brought before him. None of the Sheriffs who granted the adoption orders on behalf of the thirteen children made any observations on the matter. No white child in the sample was adopted by other than purely white couples; voluntary societies looked with disfavour on the suggestion of white children being adopted by couples where both partners were not of pure white origin.

Nordlie and Reed, in a follow-up study on adoption

counselling for children of possible racial admixture, found that racial background definitely affected both the search for homes and the outcome of the placements, but that most of them were successful. Nothing is known about the long term results of this method of achieving the adoption of such children in Britain, and a follow-up research in this particular aspect would be a worthwhile guide to future practice.

(e) Cultural and Nationality background

Three out of every four agencies say that they try to match the child's cultural background with that of the adopters, and two out of five try to match children and parents by nationality background. It is a matter of speculation how far agencies, that say they match children on the basis of cultural and nationality background, confuse culture and nationality with race and colour of skin. Schapiro in outlining the relative importance of genetic and acquired factors to the matching of adoptive parents and children remarked that none of us are born with cultural characteristics, we must learn them or be conditioned by them. This means that they are not inherent and that they are readily available for acquisition by individuals who join the group. Jehu also stresses that personality and behavioural differences between racial groups are due to cultural and historical influences. In matching, Jehu "Developmental Issues in Interracial Adoption" Standing Conference of Societies Registered for Adoption, 1968.
therefore, we may safely dismiss cultural differences as of little or no importance in this context. Many nationality differences are also cultural ones and can be dismissed with these. Nationality is in great measure the sharing of a common tradition, which consists of such things as language, literature, values, customs, political institutions etc. In so far as nationality differences are cultural, they can be ignored in adoption practice, since the differences are not inherited. As 90% of the children are usually placed when under six months old, and another 5% between seven and twelve months, cultural and nationality differences can have even less bearing on the adoption situation.

In spite of what agencies said in answer to the questionnaire, in actual practice they placed white children with adopters of different cultural and nationality background from that of the natural parents, as long as they were purely white. For example, children born to Irish girls were placed with Scottish and English families; children of Canadian, Australian, Dutch parentage were adopted by Scottish and English families. Families of American servicemen stationed in

Scotland, adopted Scottish and English children, and the agencies that placed them did not seem to be bothered by the different cultural and nationality backgrounds of the adopters. Perhaps, when we talk of different culture and nationality, we are really referring to people with negroid or dark features, in which case it is the colour of the child's skin that appears to highlight his different cultural and nationality background.

(f) Physical resemblance

Adoptive parents, who answered Kirk's mail questionnaire in 1965, showed themselves fairly detached about matching by appearance. Forty eight per cent of the husbands and 50 per cent. of the wives said that they thought it quite unimportant. Yet four out of every five agencies in our questionnaire said that they use physical resemblance as a basis for matching. Apart from the great difficulty in matching the physical characteristics of very young infants, the practice appears to meet the agency's need for a tangible form of matching, rather than its being a response to adopters' requirements. The pursuit of such a policy suggests that the majority of agencies again foster, through their matching practice, a

"rejection of difference" rather than its acknowledgement.

Eight of the 12 agencies (Agency Sample), gave in their selection reports some description of the physical characteristics of the biological and adoptive parents with, presumably, a view to future matching. How far these agencies managed to match these characteristics was difficult to assess, as no details were given about the physical characteristics of the babies themselves. By comparing, however, the characteristics of the biological parents and those of the adopters with whom the child was placed, such matching appeared very rare indeed. There were occasions when the baby boy of a "fair-haired, blue-eyed" mother was placed with a couple where the husband was "tall, fair-haired and blue-eyed", but these were very infrequent occasions. Kirk would possibly add that an agency that fosters, through its practice, "physical resemblance" may fail to bring out the applicants' attitudes on this aspect, and this may not help the agency to distinguish at selection stage the rigid preferences of this kind. The practice contradicts Kirk's findings, which suggest that "acknowledgement of difference" is the most effective method of stabilising the family and developing satisfactory environment for the adopted child.

1. H.D. Kirk "Shared Fate", p. 60.
Of the 376 adopters who adopted through the twelve agencies, only 9 (or 2.4%) made some specific requirement in their application about preference for such features as: colour of skin or hair, or general appearance. It is very possible that other requirements were made during the study process, but if so, they were not recorded. Like intellectual matching, matching by physical resemblance appears to represent the agencies' belief in what constitutes good adjustment rather than being a response to requirements by adopters.

(g) Geographic separation from parents

This factor may be important, especially in cases where both the biological parents and the adopters come from small towns or small rural communities, or where they are members of minority groups living very closely together. Over two thirds of the agencies try to ensure that biological and adoptive parents do not reside in proximity to each other. Equally, however, there are difficulties when children are placed at too great a distance from the agency's base, making selection studies and post placement supervision very difficult. The vast majority of mothers from small communities went for their confinement to cities or large boroughs and subsequently the children were surrendered to the nearest society or local authority department. County departments
could easily arrange for the placement of a child in a different part of the county. The general view was that, far from placements taking place at too much proximity, there was more concern about certain societies covering too big an area, with only limited resources at their disposal for effective selection and supervision.

(h) Temperamental needs

Twenty-two of the forty-two agencies answering the questionnaire and ten of the agencies (Agency Sample) said that they try to match the child's temperamental needs to those of the adopters. No evidence was found in the records of the agencies studied to show that any serious matching of this kind took place. Matching by temperament is obviously important when placing older children, but as 95 per cent of the children were placed when under twelve months old, it is doubtful how practicable this would have been for these infants. It is now widely agreed that it is extremely difficult to assess temperamental needs in very young infants, though some would say that it would be risky to place an irritable tense infant with an insecure and anxious mother. With the exception of Independent society, none of the remaining agencies had sufficient information about the infants they placed to lead to any recognition of temperamental needs such as irritability,
activity, response, eating and sleeping habits and therefore to be evaluated for matching purposes. The argument that such matching was based on the mother's temperament and personality could not be substantiated, as such information about the mothers was also strikingly absent. (See findings Chapter six). Even if temperamental needs could be accurately assessed at the child's birth, or before placement, there is no reason why these should be taken as immutable at such an early stage.

Summary

Irrespective of what agencies said in reply to our postal questionnaire, the only evidence of matching found, was that based on concrete, or what appeared to be apparent, characteristics. There was a general attempt to match socio-economic background, religion, race and, to a lesser extent, physical resemblance. Agencies also believed that matching by socio-economic background eventually brought about intellectual matching too. Studies in the intellectual development of adopted children have concluded, though, that prediction in this area is a somewhat fruitless activity, whilst others confirmed that the children's ability and development tend to be closely related to the socio-economic status of the adoptive parents. Current matching practices
in Scotland not only encourage a rejection of difference but are likely to reinforce dysfunction in children and adopters. There was little evidence to show that such matching was arranged in response to the adopters' wishes, and it appeared to represent the agencies' belief in what constitutes good future adjustment. American agencies, which originally introduced the concept of matching have, in the last ten years or so, changed their position considerably. Some of the characteristics, that agencies previously considered as necessary for matching purposes, came to be recognised as an extension of the community's prejudices. The claim of Scottish agencies about the amount of matching they attempt, based on such intangibles as temperament, personality and intellectual potential, appeared exaggerated and unrealistic, in the face of their very limited resources in specialised staff, and the limitations of present knowledge.

The current view appears to be that the emphasis should shift from stressing similarities, in the adoptive situation, to helping adopters to recognise inherent differences, without necessarily aiming at differences for their own sake.
CHAPTER TEN

POST-PLACEMENT SUPERVISION

Between placement and legal adoption, a responsibility is laid on the adoption agency and the local authority to pay what have come to be known as "supervision" visits. The adoption agency's responsibility for such visits stops when the prospective adopters notify the local authority of their intention to adopt. It then becomes the responsibility of the local authority to arrange for the family to be visited by a child care officer until the order is granted, or until the child attains the age of 18. In the case of independent placements, the whole responsibility for supervisory visits rests with the local authority. No such supervision is required in cases where one of the applicants to the adoption is a parent. In all other circumstances, no order can be granted unless the family has been under this form of probationary supervision for at least three months. In actual fact, adoption societies continued to supervise their placements even after the adopters had notified the local authority of their intention to adopt. This meant that some families were receiving visits both from the adoption worker, who made the original placing, and also from the local authority.
The Nature of Post-Placement Supervision

The Adoption Act generally recognises two major aspects in this matter: First, that a period of time must elapse between the placement of a child in an adoptive home and the granting of a final order, and second, that a series of statutory visits must be paid during this period. The Act requires the supervisor to satisfy himself "as to the well-being of the children and give such advice as to their care and maintenance as may appear to be needed". (Section 38). There are no other rules clarifying what is involved in supervision, nor any other classification about the role of the supervisor in such cases. British social work literature has also paid very little attention to the implications of this type of supervision and, for this reason, the role and function of the supervisor has remained rather vague and open to several interpretations. This neglect may reflect the lack of conviction about the importance of the social worker's role during the supervisory period. One comment that was made by the Burst committee, declared: "It is now generally recognised that a waiting period, during which it can be seen whether the child will settle with the adopters, and whether they will accept him wholeheartedly as they should if they are to assume permanent parental responsibility for him, is necessary in all ordinary adoption cases. Indeed the probationary period though
it may sometimes be irksome to the adopters; is as much a protection to them as it is to the child". Though the committee's view appears to cast the supervisor as an observer of the reactions of the child and applicants, the Act itself goes further to see the supervisor as an adviser on matters of "care and maintenance". The phrase "care and maintenance" is open to more than one interpretation, but it is surprising that child care officers, talking to Goodacre, explained it mainly in terms of health and material needs. According to other interpretations, the Adoption Act appears to cast the supervisor in the role of an observer and over-seer, as well as that of a problem-solver. As an observer, the supervisor will be expected to appraise the development of the child and his reactions to his new environment; as an over-seer, he will be expected to report his findings to the court and express his views about the family's suitability to adopt. The Act, however, also assumes that the supervisor will be of some help to the child and the family, and, in this respect, it casts him into the role of a "problem-solver", specifically related to


the adoption situation. As a problem-solver, the caseworker will be expected, in this period of important new emotional experiences in the family's life, to give attention and help with some of the normally expressed early difficulties between parents and child, lest they become more serious later on.

Brown, writing on the importance of post-placement supervision, pointed out that even the most careful study of adopters by the most skilful caseworker cannot foresee all that may develop in the future. She claims that the adoptive parents and the child need the caseworker's help to grow into a family unit.

It is recognised that, though there may be various aspects of adoption that give rise to problems, none are necessarily present in all cases, and there may be couples who can successfully resolve these, with no more outside intervention than would be needed by normal families.

To carry out any of these functions implied by the Act or social work literature, the supervisor needs to develop a relationship of trust with the family, if the latter are to share with him possible difficulties or anxieties about the adoption situation. Two immediate difficulties, however,

arise out of this: First, the family is expected to suddenly develop a relationship of trust with a new caseworker, at the same time that the agency caseworker may be visiting too, and to be able to differentiate between their respective roles and still later on between their roles and that of the curator; and second, during statutory supervision, the fact cannot be sidestepped that the family is on probation and therefore the visits are likely to be seen as a threat, rather than as a help. The supervisor may see himself as a helper and problem-solver but, for the family, he may still be the inspector with considerable authority, and, consequently, they may be reluctant to share difficulties. During the probationary period, the petitioners in many ways are not yet parents and their role is a preparatory and transitional one, which is likely to make the relationship with the supervisor fraught with fears and anxieties.

Child care workers, with whom we discussed their supervisory function, said that they found it very unclear and one that lacked focus and purpose. They did not appear very happy with this type of work and saw it more as a necessary obligation to perform. They further indicated its futility, by remarking on the fact that courts did not ask for any reports about the families they supervised. The supervisors involved appeared to feel very uncomfortable, when visiting
families where the child was placed by another agency, and found it difficult to establish a relationship, especially as they seemed to find no focus for this. Their feelings of uncertainty and discomfort appeared to be communicated to the families and added to the latter's confusion about the real purpose of the visits. The visits were generally very infrequent and of short duration. Most applicants, we were told, recognised the necessity of some kind of official supervision but did not seem to see this period as an opportunity to discuss problems. This is a period during which, according to Kirk, the petitioners are themselves quite vague about their own role. It is supposedly part of the supervisor's function to help clarify the parents' roles, but he may be himself very vague about the rights and obligations of the adoptive parents with regard to the child and to the agency during this transitional period. One other basic contradiction is that petitioners are expected to feel and act toward the child as if it were their own, and to convey this attitude to the supervisor, whilst the natural mother still has a right to reclaim the child or, if it is prior to court notification, the agency itself may decide to remove it.

Adopters told Goodacre that their relationship with the child care officer was almost always warm and friendly. They acknowledged that supervision was "only right and proper" and "fair" and that agencies had to be certain that they had placed their children in good hands. Though they appreciated the need for supervision, they also made it clear that it had created much anxiety and even resentment. It was the inspectorial aspect of supervision that remained uppermost in their minds. Many saw it as a trial period, in every sense, and had felt reluctant to reveal their feelings to supervisors. Few adopters could recall having received an explanation of the local authority's supervisory aims and duties. These comments highlight the ambivalent and conflict-ridden role that the supervisor is expected to carry. Obviously the families did not see this period as an opportunity to discuss feelings or difficulties. If the aim of supervision during the period between placement and legal adoption is to facilitate the process of developing a sense of belonging in the child, it does not appear to be achieved under the current practice. Though the law assumes that these visits will be useful to the child and the adopters, the latter do not appear to experience them as such, but rather to see them as necessary. Surprisingly

enough, the supervisors, we spoke to, also saw their function in the same light.

(i) Post-Placement Visits by the Placing Agency.

As stated earlier, placing agencies have a responsibility to visit the children they place until the adopters notify the local authority of their intention to adopt. In actual practice, all the agencies in our sample continued visiting after notification, except in those cases where the child had been placed at some distance from the agency's offices. Where the placing agency was a local authority one, the worker that placed the child also acted as a supervisor. Social work literature stresses the importance of early visits to help the adopters with possible initial difficulties of integration, or with other anxieties arising from the adoption situation. It is claimed that the worker, who has known the family before placement, is also in the best position to help in the post-placement period. The regulations provide that every agency must arrange that every infant is visited within one month after being placed, and that, after each visit, the caseworker visiting should make a report to the case committee "as to the welfare of the infant". (The welfare of the child has been interpreted in several court decisions as going beyond the consideration of material circumstances only).
The Timing and Number of Visits

Five, of the 12 agencies in the sample, usually visited their placements within the first fortnight after placement. Another five agencies visited between four and six weeks after placement, but one of them paid no visits to at least one third of its 71 placements. The remaining two agencies did not indicate in their records whether any visits had been paid at all. None of the agencies appeared to submit any kind of written report to its case-committee.

The average number of visits paid by the placing agencies was two. This varied again widely between those agencies that paid no visits at all and some agencies that paid at least three and occasionally four. These visits were paid within a period of approximately six months, which was the average time between placement and legal adoption. The farther the placement was from the agency's base, the fewer were the visits. The visits themselves did not appear to be determined by the individual needs of the families or children but rather reflected the practices of the agency concerned. No increased number of visits were paid, for instance, in cases where the selection study had shown areas of possible difficulties. Some cases of older children, children of mixed blood or handicapped children could come under this category, as well as a number of families where there was
evidence of previous emotional difficulties, or where there were young children in the adoptive family.

Planning of the Visits.

The agency records did not suggest that any advance planning had been done before the visits were paid. This was in spite of the fact that the agency had some background information on the adopters and the child. In none of the 376 cases did any of the caseworkers prepare an assessment of the placement, based on the selection study, or outline their goals as a guide for these post-placement visits. No effort appeared to be made to assess the timing and amount of visits necessary in each case, or the probable form that these should take.

The Content of the Visits.

Apart from the two agencies that had no record of any post-placement visits, the remaining ten kept very little information about these contacts. What records existed barely went beyond two lines and, after each subsequent visit, the same notes appeared in a re-worded form. In almost four fifths of the cases, the adoptive father was not contacted. The visits were paid, often unexpectedly, during working hours and adoptive fathers were not present.
The records generally comprised repetitive observations about the child's health and his progress. Only in exceptional cases was some reference made to the child's interaction within the family. The records did not suggest that the caseworker was involved in any problem-solving activity with the adopters, or that significant anxieties were shared. Of the 338 families visited during this period, difficulties were revealed only in three instances. In one case, the child had developed a rash and the caseworker advised the couple to get in touch with their doctor. The remaining two cases reflected considerable ambivalence towards the adoption situation, but the caseworker did not appear to see them in this way. The first case was that of a couple where the adoptive father had had psychiatric treatment for a period of five years. Though his family doctor did not recommend him to adopt, the consultant psychiatrist, who was treating him, maintained that the adoptive father's psychiatric condition would not affect the adoption situation. Soon after the placement of the child, the couple started raising considerable doubts about the child's future potential and about the quality of his background. The visiting caseworker remarked, after one of her visits: "I rather felt that a baby from a better sort of background might have been placed here." She then told the family that a child from a better quality background would be placed when
they asked for another one. The second case was one in which the adopting couple focussed their doubts on the child's possible racial background. They were not convinced that it was a purely white child. There was evidence in this case suggesting that the adoptive father was an unwilling partner in the adoption venture. In none of the remaining 335 cases were any difficulties, anxieties or worries raised by the adopters. Or, if they were, the caseworkers did not record them, though they usually recorded some observations about the child. It is difficult to say how far the caseworkers by choosing to focus on the child, rather than on the whole family, discouraged discussion around wider issues. Certainly little evidence was found to support the view expressed by social work literature that adoptive parents will want to talk about such topics as their inability to have children, anxieties about heredity and illegitimacy, doubts about their capacity for parenthood etc. Neither were any difficulties with the child shared with the caseworker. It is very possible that adoptive parents do not feel secure enough to share difficulties or anxieties with a visitor who has the power to remove the child or at least to refuse the placement of a further child in future. The question could also be posed of how far the caseworkers showed by their attitude and handling of situations that they were able and prepared to help
with possible difficulties. It is suggested that people do not usually reveal their needs unless they have some hopes that these will be met. A further complication is that in relationships pursued during the post-placement period, it is unlikely that memories of the selection process and of being investigated would not carry over to this new type of contact.

(ii) Statutory Supervision

The local authority is expected to supervise the placement from the date notification is received until the making of the order, or until the child reaches the age of 18. This includes third party and direct placements, in which no agency takes part in the placing. The average period, between notification and legal adoption for cases in the sample, was six months. This period could almost be halved, if petitions were to be submitted earlier to the courts.

In the course of this study, we looked at the statutory supervisory function of the eight local authority departments that were in our sample of twelve agencies. At the same time that we looked at their adoption work, we also looked at the way that they were carrying out the statutory obligation to supervise adoption placements. The eight authorities between them had received notification for 242 children, which were
originally placed by a voluntary society, or by another local authority department. (All 242 children featured both in our agency as well as in our court sample. This part of the study, therefore, was necessary to establish a vital link in the adoption process of what happened to the children before they were finally adopted).

**The Number of Visits**

The number and frequency of visits is not laid down in the adoption regulations but it is assumed that the local authority will exercise its discretion according to individual need. Table 70 shows the number of visits that each supervising authority paid during the probationary period, which, as stated earlier, lasted for approximately six months. As two of the biggest authorities in the sample - Eastern Borough II and Western Borough - both acted as supervising authorities and were also appointed as curators-ad-litem, it was difficult to decide which visits were paid for each separate duty. For this reason, all the visits were included under "statutory supervision". Because of this, the findings tend to exaggerate the actual number of supervisory visits paid.
Table 70. Number of statutory visits paid by local authorities (8 agencies. N.242).

<table>
<thead>
<tr>
<th></th>
<th>Total No. supervised</th>
<th>Number of visits</th>
</tr>
</thead>
<tbody>
<tr>
<td>Eastern Borough I</td>
<td>4</td>
<td>1 2 1</td>
</tr>
<tr>
<td>Eastern Borough II</td>
<td>110</td>
<td>15 93 1</td>
</tr>
<tr>
<td>Eastern County</td>
<td>5</td>
<td>4</td>
</tr>
<tr>
<td>Highland Borough</td>
<td>4</td>
<td></td>
</tr>
<tr>
<td>Highland County</td>
<td>5</td>
<td></td>
</tr>
<tr>
<td>S. Eastern County</td>
<td>16</td>
<td>11 5</td>
</tr>
<tr>
<td>Western Borough</td>
<td>94</td>
<td>4 31 57 2</td>
</tr>
<tr>
<td>Western County</td>
<td>4</td>
<td></td>
</tr>
</tbody>
</table>

| Total N.              | 242                  | 26 56 152 8     |
|                       | (100)                | (10.8) (23.1) (62.8) (3.3) |

The average number of visits paid to each case during the average six months probationary period was 1.6, but one in every ten cases was not visited at all, and only 3.3 per cent of the cases received three or more visits. The majority of families were visited twice, but this included, in most cases,
one visit that customarily is paid by the curator-ad-litem. Two authorities did not arrange for any supervisory visits to be paid at all, whilst two others - Highland county and Western county - delegated this responsibility to the district nurse. The district nurse became another person to be added to the multiplicity of persons and agencies involved in the adoption situation.

Though the number of visits cannot by itself be an accurate reflection of the quality of the work done, social work literature would disclaim that this number, within six months, was sufficient for the development of a relationship of trust that would encourage the adopters to reveal difficulties and accept help from the visiting caseworker. A study by Gohros, on the caseworker-adoptive parents relationship in pre-adoption supervision, showed that a significantly higher number of those parents, who had four or more post-placement interviews, reported being substantially helped than those parents, who had three or less interviews.

Among the 242 cases supervised, there were 33 cases where the children had been placed either by a third party or directly by the parent. (This figure includes adoptions by relatives). There was no difference in the number of visits paid to these children, compared with agency placements. The total pattern that emerged was one of visits being paid in a routine way, because of the agency's duty, rather than being dictated by the needs of each case. There was no significant variation in the supervision of cases within the same agency.

Planning of the Visits

There was no evidence of any advance planning of statutory supervision. Apart from those cases where no records were kept at all, the majority of available records consisted of two or three sentences about the child, with no other identifying or background information. The paucity of records, as well as the absence of any register or card-index to show the number of such children supervised at any particular time, reflected the general neglect of, and low priority accorded to adoption supervision within the local authority departments in our sample. Assessment and planning could not be formulated, because of the absence of any advance background information and the failure to build it up retrospectively. One great gap, which contributed to the lack of advance
background information, was the lack of co-operation between the placing agency and the supervising authority. Apart from a stereotyped form, that is sent out by the placing agency to the supervising authority notifying the latter that the child has been placed, no other exchange of information takes place between the two sides. An absolute dichotomy appears to exist between the work of the placing agency and that of the supervising local authority. Though the placing agency has at its disposal significant information about the adopters and the child, none of this is shared with the local authority. No social reports, for instance, accompanied the notification, and no effort was made to make the local authority aware of any particular circumstances or difficulties that might arise and with which the adopters might need help.

The lack of contact and co-operation between these two types of bodies appears to be related to an existing rivalry, mainly between adoption societies and local authorities. Voluntary societies appear to resent the statutory intervention of the local authority, and maintain that there is no need for a second caseworker to be visiting and that supervision should have been left exclusively to them. They maintain that the interests of the child are adequately safeguarded by the subsequent investigations of the curator-ad-litem. A further reason is the mistrust that exists between some adoption societies
and local authority children's departments. Adoption societies feel very precious about the information they collect and do not want to share it for fear, as they say, that the supervising authority may not use it wisely. Though both the adoption societies and the local authority children's departments that carry out supervision are staffed by social workers, there appears to be some mistrust about each other's work.

Though adoption societies maintain that there is no reason to share information with the local authority, because they carry on supervising the placement until the order is granted, the lack of sharing was also found to exist in cases where some adoption societies placed children at some distance from their base whom they could not and did not supervise. The failure to co-operate and share, however, was not confined between adoption societies and local authority departments, but existed between different local authority departments. This was especially so when one authority placed a child in another authority's area. The general lack of co-operation and reluctance to share cannot be explained as being necessary either in the interests of the adopters or those of the children. It leads to general inability to plan visits in advance and also to clarify objectives for each particular case. It also does not alert the supervising
officer to possible areas that adopters find it particularly difficult to talk about, and to areas that have been exhaustively gone through.

The Content of the Visits

For reasons outlined above, the supervising officer starts his visits in a vacuum and is faced with the task of developing a totally new relationship with the family, in most cases at the same time that the adoption caseworker is also visiting. Starting with such a disadvantage, it would have been thought that the supervising officer would, following his first visit, try to build up a picture of the child and the family. This was far from so. In none of the cases studied in the sample did any of the supervisors try to record background information obtained retrospectively. The fact that the first visit was often the only one did not appear to motivate a different approach. Even where a second and, exceptionally, a third visit followed, the same pattern was observed as during the first one. Again no planning, no goals outlined and no diagnostic statement about the situation the supervisor was dealing with. It is assumed that the main reason why statutory supervision was placed in the hands of a social work agency, like the children's department, was to ensure that the work was carried out on the basis of certain
principles, in this case, social work principles. Social
work literature stresses that in every case the social
worker should try and collect information, study it,
formulate a diagnostic statement about the situation he is
dealing with and outline his goals. No evidence of such an
approach was found in any of the records. Neither was there
any final assessment, when supervision came to an end, nor
indication of how the probationary period worked out. The
fact that in Scotland the supervising worker is not asked to
submit a social report to the court on the nature and outcome
of his supervision contributes towards the general apathy and
lack of interest in this type of case, and to the lack of
recorded information on which to base any reports, where needed.
In fairness to the workers, the general acknowledgement that
they are over-worked in understaffed departments tends to make
them pay less attention to what they consider to be peripheral
work. However, even in agencies where the staff was neither
overworked, nor was the department under-staffed, the same
approach to this type of work was observed. It appears,
therefore, that attitudes to certain types of work transcend
agency boundaries and become traditional patterns for the
whole country.

A sample of case-records, re-produced below, show how
the visits were mostly child-focused, with little or no
reference to the adopters, and how the supervisors saw themselves
mainly as observers, rather than as catalysts for difficulties.
The child-centred approach negates the possibility that the
adopters may have doubts, fears or anxieties which they may
want to talk about. The supervisors certainly did not
appear to see themselves as problem-solvers. Of the 242
families they supervised, there was no indication, from the
records, that any single family raised any difficulties or
doubts connected with the adoption situation, and none asked
for advice about developmental difficulties. In five cases,
however, adopters mentioned some difficulty connected with a
physical ailment such as skin-rash, eczema and digestive
conditions. This could have been an opening for a more
general discussion going beyond the physical symptoms, but the
supervisors did not appear to connect it with any possible
underlying emotional difficulties. If the adopters had doubts
and anxieties about adoption they certainly did not seem to
share these with the supervisors. Rowe, commenting on the
nature of the supervision, writes: "Good adoption supervision
...is more than a perfunctory checking-up on the welfare and
development of the child... Most adoptive parents think that
the worker comes on behalf of the child and often do not see
her as a source of help for themselves". It is difficult

to say how far the adopters' reluctance to share problems with the supervisors was because the latter represented a threat to them or whether it was because of the supervisors' failure to visit more frequently and establish a relationship that would have encouraged discussion and sharing. Because this is a period when the adopters are chiefly anxious to see the adoption through, it may be too much to expect them to share doubts and difficulties with an authority figure, who could prevent them from achieving the long-cherished hope of becoming parents.

The following examples are broadly representative of the kind of information recorded by different supervisors employed by different departments.

**Case No. 1** (Sole comment) - "John is progressing very well and is very contented. Mr. and Mrs. G...delighted about the baby". (No other information in the records except for certain data).

**Case No. 2**: (Single entry) "Mrs. D...reports that the baby is progressing very well and is very contented. Both adopters delighted". (No other information in the case papers).

**Case No. 3**: (The first of two almost identical entries) "A
very happy visit; fine infant doing well. Very satisfactory". (No background information).

Case No.4: (Single entry) information "Baby is settling in very well".

Case No.5: First visit: "Mrs. F. reports that child has developed eczema. The child is taken to their doctor for treatment".
Second visit: "The child seems satisfactory. Happy placement".

Case No.6: "Baby is making excellent progress". (No other background information).

Case No.7: (Single entry and background information) - "A very happy baby. A very nice couple."

In almost 85% of the visits, only the adoptive mother and the child were seen, the adoptive father being at work. (In the whole adoption process, the adoptive father was usually seen once during the selection process, and, in most of the cases, he was interviewed once by the curator-ad-litem). The practice of unannounced day-time visits contributed to the general exclusion of the adoptive father, though it would be difficult to argue for the necessity of his presence under the
present form of supervision. To insist on adoptive fathers being present, when the supervisor acts as an observer, might be thought superfluous or lead to resentment in cases where the man had to take time from his work. If the supervisors act mainly as observers either of the child's behaviour or of the environmental conditions, it is doubtful how far they are able to recognise and assess symptomatic behaviour, because almost 80 per cent of them were untrained. In one instance, for example, the adoptive mother revealed to the supervisor that the child had developed a skin-rash which was persisting, and that treatment was proving ineffective. The supervisor, after recording this fact, added "the adoptive mother is a nervous woman but this has no effect on the baby". One can only speculate how far the child's skin-rash was a reaction to the care of a nervous anxious woman, or whether the adoptive mother, by revealing this to the supervisor, was hoping for an opportunity to talk about possible doubts, fears or anxieties connected with the adoption situation.

The stereotyped form that supervisory visits took did not alter when the placement was an independent one, without the participation of an adoption agency. Some supervisors told us that one of the reasons for their visits being rather superficial was that the adoption worker was also visiting. This, however, is a doubtful explanation because the pattern of
supervision was not different when the placing was arranged either directly by the mother or by a third party; it was a characteristic of the superficial nature of these visits that in a number of direct placements, mainly involving adoption by grand-parents, the supervisors did not come to know that some of the older children were ignorant of the fact that they were about to be adopted, or that they were not the natural children of their grand-parents. This important fact was later revealed to curators. In one particular case, where the child had been placed by the mother directly, the supervisor recorded: "A very happy child. Healthy and well cared for". The curator later reported to the court that the child was having treatment for eczema, which was persisting over a long period.

Conclusions and Discussion

The purpose of statutory supervision is undefined and vague. No clarified objectives and procedures have been worked out, neither has any consideration been given as to whether supervision is really helpful and for whom. The law assumes that it is necessary to secure the well-being of the child, but its effectiveness has not been tested. British social work literature has given only scanty attention to this important matter and has not, in effect, helped to identify the
practical implications of the provisions, nor the conflicts within the supervisor's role. Supervisors appear very uncertain of what their role is in this situation. According to what some of them said to us, their role lacks definition, purpose and focus. No one appears to know what is expected of them and especially whether they are merely official observers or whether they should use the opportunity for problem-solving. Their lack of understanding of their function makes it difficult for them to explain it to the adoptive couples, and the latter feel equally confused about the supervisor's presence. No evidence was found, from the records, to suggest that supervisors made significant efforts to clarify to the adopters the purpose of the visits and how they could be used. This possibly contributed to the fact that none of the adopters used the opportunity of contact as one for discussion of doubts, difficulties or anxieties. The supervisors themselves used the few visits they paid as an opportunity to observe outward behaviour and conditions, rather than to help in the resolution or discussion of difficulties. The records suggested superficial visits with child-centred comments, repeated in other similar cases. No supervisor attempted a plan or diagnosis to guide him in working with the adoptive family during the probationary period. Two other factors contributed to make the value of supervision
doubtful: The lack of co-operation between the placement and supervising agency and the supervising agency and the Court.

The number of visits (an average of 1.4 per family within a six month period) was determined mainly by agency practice rather than by the family's individual needs. This was especially demonstrated in the case of third party and direct placements, where the supervisor did not depart from the traditional visits to give more time and to pay extra attention to this type of adoption. Both the visits and the records reflected traditional agency practice necessary to meet the legal requirements rather than programmes aimed at meeting personal needs. This pattern appeared to transcend agency boundaries and be true of all supervising agencies in the sample.
Adoption orders in Scotland may be granted by three different courts: (i) The High court, (ii) the Sheriff court and (iii) the Juvenile court. In 1965 only four orders were granted by the High court and none by the Juvenile court. As there are only four properly constituted Juvenile courts in the country, the tradition of submitting petitions to them has not been established. This leaves the Sheriff court as the main court handling adoption applications. In 1965, Sheriff courts granted 2014 orders out of a total of 2018. Our "court sample" covered 1030 of these.

The function of the Sheriff court in matters of adoption is laid down in the 1958 Adoption Act and in the Act of Sederunt (Adoption of Children regulations), 1959. Amendments to the regulations were introduced in January, 1967, after the commencement of this study.

The Sheriff Court

The Sheriff court has extensive jurisdiction in both civil and criminal cases, and the Sheriff, who presides over it, is a legally qualified professional judge. The twenty courts surveyed were presided over by anything from one to five Sheriffs or Sheriff-substitutes, depending on the size of the areas served. In courts where there was only one Sheriff, adoption work formed only a minor part of the Sheriff's total work. In bigger courts such as Glasgow, Edinburgh and

1. Act of Sederunt (Adoption of Children Amendment) 1966 No. 1621.
Aberdeen, adoption applications were usually, but not always, delegated to one of the Sheriffs, who had a particular interest in the subject.

The Process

The court process usually starts with a request by the adoption agency for a serial number to be allocated to the prospective adopters. The serial number will subsequently appear on the consent form which the natural parent is asked to sign. The regulations make suitable provision for preventing the disclosure of the adopters' identity to the natural parent of the child. The applicants or their agent, therefore, can ask the Clerk to the court to assign them a serial number. The name of the petitioners must be given to the court at the same time that the serial number is obtained, otherwise the procedure would be tantamount to a free hand being given to the agency to obtain the mother's consent before adopters were chosen. The Act provides that the mother's surrender of her child is to the adopters and not to the agency. This provision often causes the agencies considerable anxiety, because some natural parents are likely to disappear before suitable adopters have been found. In some of the American States, the natural parent surrenders the child to the agency and not to a specific applicant. This
procedure, however, deprives the mother of the opportunity of knowing exactly the kind of people who are adopting her child. From the writer's personal experience of adoption work, it appears that most mothers find it easier to accept separation from their child when they know something about the people who are going to adopt it. A descriptive picture of the adopters, as people, appears to lessen the mother's feelings of guilt and anxiety. Kirk, who would like to inject the adoption situation with more reality has suggested that the natural parent and the adopters should meet each other. This suggestion has not met with any enthusiasm among adoption workers in Britain.

A request to the court for a serial number may also come retrospectively if the child was originally placed on a fostering basis until it reached the age of six weeks. It is not unusual for adoption agencies to ask the court for a serial number and later on to cancel it. From the Registers of the surveyed courts it was found that 30 such serial numbers were cancelled, eight of these having been cancelled

by a single agency - Moral society -. The number of cancellations amounted to 2.6 per cent of agency placements handled through the surveyed courts. Such cancellations may be made provided that the petitioners have not lodged a formal application to adopt the child. The cancellations may happen for three main reasons: First, if the natural mother changes her mind before she signs her consent (in chapter seven it was pointed out that most mothers who change their minds tend to do so when they are asked to give their consent and a minority when they are asked to confirm it). Second, if the adopters change their mind before they lodge a petition and decide to return the child. Third, when the agency itself decides to remove the child, provided again that no petition has been lodged with the court. Considering the large number of adoptions arranged each year, the number of breakdowns may not seem excessive, except for the fact that a majority occurred to the placements of Moral society and Western borough, which suggests some hurrying of the process.

Prospective adopters petition the court by completing a set form which asks for a fair amount of factual information.

1. Act of Sederunt (Adoption of Children) 1959 No.763.
such information as names, address, occupation, names of other people living in the same household, the date upon which the child was placed with the petitioners, the dates of various notifications to the local authority, whether they received or paid any money in relation to the adoption arrangements, the name and address of any body or person who took part in the arrangements, the child's status, date of birth, name and nationality, whether the applicants are related to the child and finally information about the name and address of the biological parent, the date she/he surrendered the child and to whom. To avoid revealing to the adopters the name and address of the biological parent, the petition is usually handled and completed by the agency, and later lodged with the court by the agency itself. In the case of third party arrangements, this is usually done by the third party or the solicitor acting for the family. In agency placements, the completion and retention of the application by the agency gives the latter considerable control over the timing of lodging it with the court. An application can be lodged with the court at any time after the child has been placed with the adopters, provided it has reached the age of six weeks, and the adopters have notified the local authority of their intention to adopt. It is thus possible, under the current legislation, for an adoption order to be made within three to four months after the child's placement. In actual fact, the average
period found in the study was six and a half months — excluding those cases where there were good reasons for the delays. The reason for the delays was twofold: First, the agency's considerable delay in lodging the application with the court and second, the time taken for the completion of the investigations by the curator-ad-litem. Some material has been written about delays by the courts, but there is nothing about delays by the agencies. Earlier on, we remarked how agencies, by being the ones that complete the application forms, are also in a unique position for exercising control over the timing of lodging it with the court. Under the Act, a petition may be lodged at any time after the child's placement, with the provisos mentioned earlier. Yet, from the study, it was found that, in 90 per cent of the cases, the agencies waited for three or more months, after placement, before doing so. The agencies' delay was found to be connected with two reasons. First, some agency workers misunderstood the legal requirements about when a petition could be lodged, and second, by delaying the lodging of the petition, the agency was still exercising control over the placement, until it was certain that it was going to work. As already stated, once the application is lodged the agency cannot remove the child. The Hurst committee, after hearing evidence on the question of the timing of the lodging of the petition,
declared that "the idea of lodging an application the day after receiving the child has little to commend it, because it allows no time for the child and the adopters to get used to each other and for possible difficulties to be adjusted". The committee's recommendation, that no application should be lodged until after the child had been for two months with the adopters, was not legislated upon. It appears, however, that, what the legislators refused to do, the agencies are doing themselves, through their practice.

THE CURATOR AD LITEM

Soon after the petition is lodged with the court, the latter appoints what is known as a Curator-ad-litem to the infant. The curator-ad-litem is a representative of the court, responsible for carrying out this particular function, though he is not an employee of the court. In 53 per cent of the cases studied, the curator was appointed within a week after the submission of the petition, in another 16% between one and two weeks, in a further 13% between three and four

weeks, and in the remaining 13% of the cases, it took the courts five or more weeks to do so.

The function and role of the curator-ad-litem has been outlined in the successive adoption acts and regulations from 1930 onwards. Specific areas of enquiries are outlined under the Scottish Act of Sederunt (Adoption of Children) 1959 and 1966. (See Appendix E). The regulations, however, are somewhat unclear and "circumscribed" when compared to those of the English guardian-ad-litem. It was the need for more clarity and better direction that resulted in the amended regulations of 1966. (See Appendix E - II).

The curator-ad-litem is a court official, for the purposes of this part of the act, and his main responsibility is to safeguard the interests of the infant before the court, and to satisfy the court that an adoption order, if made, will be for the welfare of the child. For this reason he is expected to carry out certain investigations and prepare a report for the direction of the court. He is requested to report on the circumstances of the natural parents, those of the child and those of the adopters. He also has a duty to discover whether everyone who has the right, has also the opportunity to be heard. Whether an application is granted, or not, largely depends upon his report. The curator proposes but it is the Sheriff who finally disposes the case.
Rowe, commenting on the important function of the curator writes "the guardian has some unique opportunities to safeguard the rights and promote the welfare of everyone involved in the adoption, but a thoughtless, uninformed or biased guardian can do considerable harm". The adoption regulations require of him to confirm certain facts - already contained in the petition - but beyond this he is expected to interview the various parties involved, assess relationships and express an opinion about the petitioners' personality and their suitability to adopt. The importance of his role is summarised in the Home Office's report on the work of the children's department for 1964-1966, which says: "The adoption law insists upon a full, expert investigation on behalf of the court before an adoption order is made, and requires the court to be satisfied that adoption will be for the welfare of the child".

Unlike England, the court in Scotland is not required to fix a hearing at the time the petition is lodged and it is

entirely at the discretion of the Sheriff whether to make any person respondent to the application. The curator, therefore, undertakes his investigations without undue pressure. Again, unlike England, the curator is not expected to investigate and report on the health of the applicant and the infant, though occasionally they do. Any pressure he experiences comes mainly from the applicants and the agency who, once the application is lodged, want to see the process through as soon as possible. The curator's visits to the petitioners give rise to certain anxieties, as they are aware that this is the stage at which the mother of the child will again be asked to confirm her consent. Some anxiety and confusion, we were told, is experienced because adopters find it difficult to distinguish between the role of the supervising local authority officer and that of the curator. This becomes even more confusing when the two functions are carried out by the same person. Explaining one's function, at the time of interviewing, in a way that can be easily understood is crucial when visiting and interviewing people. The confusion and difficulty is understandable when it is realised that curators with whom we discussed their role showed themselves to be uncertain.

The Importance of the Curators' report

The Adoption Act, the Home Office and writers like Rowe
recognise the importance of the curators' role and the significance of his reports. For a number of other reasons, some peculiar to Scotland, the curators' reports assume even greater importance in influencing the outcome of the adoption petition:

(i) The curator is the only representative of the court who has an opportunity to interview all parties and assess the situation. Unlike England, the Scottish Act of Sederunt (Adoption of Children) 1959, leaves it to the discretion of the court whether to fix a hearing or not. It was only exceptionally that Sheriffs did so. The absence of a hearing deprives the court of a first-hand view of the applicants to enable it to exercise its own judgement, in addition to considering the views and recommendations contained in the curator's report.

(ii) The curator is not present when the Sheriff considers the application. Decisions are taken by him in the privacy of his Chambers when he can fit this duty in. This system deprives the curator of an opportunity to give additional verbal explanation, if required. It further deprives him of

the opportunity to understand the kind of report and information that the Sheriff finds helpful in reaching his decision.

(iii) By the time the curator is appointed, there have been at least two other 'official' persons in the picture: the placing agency's worker who often carries on supervision until the order is granted and the local authority supervising officer, who is fulfilling a statutory obligation. In chapter ten it was pointed out that there was virtually no co-operation and co-ordination between the adoption agency and the supervising agency, and that each worker was acting in isolation and to the exclusion of the other. It was also found, (see chapters seven and eight,) that the work of many placing agencies was hasty and superficial and well below the standards prescribed by the professional bodies and social work literature. Both the adoption agency and the supervising agency assume that the curator is a safeguard for their practices and, because of this, the onus is finally placed on him to carry out his responsibilities thoroughly, if the welfare of the child is to be ensured.

The idea of a completely independent investigation is basic to the present role of the curator. He is not expected to repeat work already done, or work that should have
been done with natural and adoptive parents, or to offer counselling. His job is to ascertain the facts, assess the whole situation and give his opinion about the placement to the court. If the obligation was simply to ascertain the facts, then this could have been a less controversial role and one that could easily be fulfilled by any court clerk, who could go over the application papers and make sure that they were in order. However, the regulations, as well as the Home Office, see this role as going well beyond an ascertainment of facts. The question that arises, therefore, is what kind of person would be most suitably equipped to carry out this function effectively. The Hurst committee said that only a trained social worker could be expected to make valid assessment of the all-important emotional factors, such as the relationship between the adopters and the child, and their reasons for wishing to adopt him. Those who support this view add that solicitors, who are still being appointed as curators by some Scottish courts, are qualified neither by training nor by experience to carry out this important function. The Hurst committee expressed

uneasiness about these appointments and commented that "however admirable as individuals they may be, (they) are neither by training or even by experience really competent to do work of this specialised nature, on the efficiency of which the future happiness of the child must very largely depend". The committee criticised the general tendency of curators to lay too much emphasis on material conditions, overlooking the far more important factor of the emotional relationship between the child and the adopters. The Home Office, subscribing to the same views, recommends that the children's officer, or a member of his staff, be asked to serve as curator in all adoption cases, except those in which the child concerned has been placed by the children's officer.

In contrast to this view, which sees the curator as a trained caseworker, there is also the view put to us by some courts that the ability to evaluate personality and human


2. Memorandum issued jointly by the Lord Chancellor and the Home Secretary to County Courts, Magistrates Courts and Local Authorities" (1949).
relationships arises out of a common sense approach. These courts stressed mainly the legal and factual side of the curator's work, and did not consider that any special skills were necessary to carry out this function. These views came mainly, but not exclusively, from smaller courts that appeared isolated from present day advances in the behavioural sciences. Courts, that took this line, appointed mainly solicitors to act as curators. Clerks and Sheriffs, with whom this was discussed, expressed general satisfaction with the service they were getting from their solicitor curators. The clerk of one court, in justifying the retention of solicitors for this role, went so far as to say that "it would be a pity to deprive Mr. X... (X = the solicitor) of the fee that goes with each appointment".

Courts, that saw the role of the curator as involving certain skills compatible with social work, mainly appointed social workers. Some of these courts, however, though prepared to appoint social workers, were prevented from doing so either because the children's department in their area was too busy and often understaffed, or did not do so because it failed to put its work across to the court.

A third group of courts, which were concerned less about the issues involved and were more interested in speeding up the work, appointed both social workers and solicitors to act as...
curators. Some, with this mixed approach, were gradually moving to appointing social workers exclusively.

Seven of the 20 courts surveyed appointed social workers, nine appointed solicitors and the remaining four both solicitors and social workers. Of the 1030 adoption orders studied, the reports for almost half of them - 505 - (or 49%) were prepared by 25 solicitors and the remainder by 35 social workers, nine of whom were professionally trained.

Table 71 shows the appointment of curators as reflected in the attitudes expressed to us by the Sheriffs and clerks to the court. Table 71(a) shows that courts, which saw the curator as being more of a social worker, changed over from appointing solicitors to appointing social workers, but in some areas, though they would have liked to do so, for reasons explained earlier, they could not. Those courts (table 71(b)) that still saw the curator's role as one of ascertaining the facts and with a legal component, continued with their traditional appointments. A mixed approach was followed by the remaining three courts (table 71(c)) which were more interested in seeing the work done speedily than in any of the issues involved.

The practice of appointing solicitors to act as curators was traced back to 1930 when the first adoption law came into force. Unlike England, the Scottish Adoption Act of 1930
Table 71. The courts' concept of the curator's role as reflected in the appointments. (Court sample) - 20 courts.

<table>
<thead>
<tr>
<th>Appointed Curator</th>
<th>S/Worker</th>
<th>Solicitor</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) Social Work Concept</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Aberdeen</td>
<td>S/W</td>
<td>-</td>
</tr>
<tr>
<td>Airdrie</td>
<td>S/W</td>
<td>-</td>
</tr>
<tr>
<td>Edinburgh</td>
<td>S/W</td>
<td>-</td>
</tr>
<tr>
<td>Elgin</td>
<td>-</td>
<td>Sol.</td>
</tr>
<tr>
<td>Glasgow</td>
<td>S/W</td>
<td>-</td>
</tr>
<tr>
<td>Hamilton</td>
<td>S/W</td>
<td>-</td>
</tr>
<tr>
<td>Paisley</td>
<td>S/W</td>
<td>Sol.</td>
</tr>
<tr>
<td>Perth</td>
<td>-</td>
<td>Sol.</td>
</tr>
</tbody>
</table>

| (b) Legal and Factual Concept |          |           |
| Cupar                 | -        | Sol.      |
| Dumbarton            | -        | Sol.      |
| Dumfries             | -        | Sol.      |
| Dundee               | -        | Sol.      |
| Dunfermline          | -        | Sol.      |
| Falkirk              | -        | Sol.      |
| Hawick               | -        | Sol.      |
| Inverness            | -        | Sol.      |
| Selkirk              | -        | Sol.      |

| (c) Interested in work being done expeditiously: |          |           |
| Ayr                   | S/W      | Sol.      |
| Duns                  | S/W      | Sol.      |
| Jedburgh              | S/W      | Sol.      |
provided for a person, not a body, to be appointed. It was then the practice of the big city courts to appoint Public Assistance Officers to act as curators for children who were in the care of the poor law authorities, but to appoint solicitors for all other cases. With the coming into force of the 1948 Children's Act and the setting up of children's departments, the latter took over from the Public Assistance Officers. In the 1950's, however, as the work of the children's department became better known, there was a gradual devolution towards the appointment of child care officers to act as curators for children who were not necessarily in care. The procedure gained momentum in the late fifties and early sixties.

The Evaluation of the Curators' Reports.

In summary, the role of the curator, as seen through the regulations, official publications and social work literature, appears to be twofold: First, to make sure that all the statements made in the adoption petition are true and correct. This involves the checking of facts, seeing birth and marriage certificates, notification letters, enquiring about health and finances and inspecting accommodation. Second, to assess the placement in the context of personal relationships. To do this, the curator will need to interview all the parties
involved and observe behaviour and interaction, where appropriate. The two aspects of his work usually go together but, for purposes of evaluation, it was decided to concentrate on the second aspect of his function. This was because, with very few exceptions, the factual aspect of the work appeared to be very satisfactory and there was nothing to evaluate. Facts and dates were all properly checked, apart from a few exceptions. Our task was to evaluate the less tangible aspects of the curator's work and the extent to which these were covered during the investigations and subsequently reported to the court. The "intangibles" - as some Sheriffs call them - were elicited from provisions of the regulations and from official reports such as the Hurst report. They were grouped under the following five topics:

i) The natural parent(s)

ii) The child

iii) The petitioners and their family, where appropriate

iv) Consultation with the supervising authority (This topic was included not so much for its being an intangible factor but because of its importance)

v) A final assessment of the situation followed by the appropriate recommendation.

The 1030 reports were prepared by 60 curators and, for

1. "Report of the Departmental Committee on the Adoption of Children".
purposes of this part of the study, it was decided to study and evaluate three reports submitted by each curator. The decision to evaluate only three reports was based on the observation during the pilot study that there was virtual uniformity in the various reports submitted by the same curator. By randomly studying three of each, it is unlikely that any more or less comprehensive reports were left out. Because of the argument as to whether the curator should be a social worker or a solicitor, the evaluation of the reports was classified by type of curator. The final numbers were:

a) Trained S/workers 9 Reports evaluated 27
b) Untrained S/workers 26 " " 78
c) Solicitors 25 " " 75

Total 60 180

TOPIC NO.1
THE CURATOR'S CONTACT WITH THE BIOLOGICAL PARENT(S) AND
KNOWLEDGE OF THE CIRCUMSTANCES OF SURRENDER

Under the regulations, the curator has a two-fold responsibility in relation to the biological parent(s). He must ascertain whether the parent, in giving his consent, understood the full implications and effect of the adoption
order, and he must also give particulars to the court about the time and circumstances under which the mother surrendered her child.

The consent of the natural mother cannot be given until six weeks after the child's birth. The law assumes that the mother is not in a position to make a rational decision about the child's future, during the first few weeks after confinement. A parent, having given consent to the adoption of the child, may still have a change of mind and withdraw the consent at any time before the adoption order is granted. However, once the adopters have lodged an application with the court, the child cannot be removed from their care, except with the permission of the court. At this eleventh hour in the proceedings, the parent has a right to object to the granting of the order, and it is the curator's responsibility to ascertain this and bring any objection to the notice of the court. Several witnesses to the Hurst committee suggested that the parent's consent, once given, should become irrevocable at some point. Such a provision would make unnecessary, it is argued, the subsequent contact between the curator and the parent. Many fears have been expressed, especially by

adoption workers, about the dangers involved in this contact. It is argued that, depending on the way the curator interviews the parent, he may influence his/her decision or occasionally create a real dilemma about the wisdom of his action. It is possible that some mothers, who have been too ambivalent about their action, may now try to elicit support from the curator for a different course of action. An untrained or inexperienced worker acting as curator, is therefore more likely to increase such mixed feelings. It is further argued that the danger of this happening is greater if the mother had no casework help at the time she made her original decision, and was not supported in working through her feelings. (In chapter six it was noted that few mothers, who surrendered their children through the agencies in the sample, had any casework help in this matter). This delicate aspect of the contact between curator and biological parent strengthens the argument of those who would like to see the curator being a trained caseworker, who should be able to avoid playing into the parent's guilt or mixed feelings about his/her decision. A trained social worker, it is maintained, will recognise a mother's feelings in the circumstances, without trying to make up her mind one way or the other. The report of the Standing Conference of Societies Registered for Adoption claims that

the interview between the curator and the biological mother is often an ordeal for the latter. The evidence further claims that curators have occasionally encouraged natural parent(s) to reclaim the child. Many curators, however, told Goodacre that they often had reason to doubt the extent to which the mother's consent was given freely and without pressure from other persons. They were also very concerned that mothers had not always had enough help or opportunity to consider fully the alternatives to adoption, and that the mothers were often ignorant of the services that did exist to help them. No evidence was found from our study of the 1030 petitions and reports to indicate that the curators' contact influenced any mothers to change their mind. In the whole of the sample only 7 mothers (or 0.7%) did so and in none of the cases could the change of mind be attributed to the curator's intervention. Their importance, in this respect, appears to have been exaggerated.

Whatever the arguments for and against offering the parent a second opportunity, the Act provides that the parent may still re-affirm or withdraw the consent. It is the

curator's responsibility to ascertain this and report to the court. Of the total 1030 adoption orders studied, the curators should have interviewed, either personally or through their agents, 990 mothers. (The remaining forty had either disappeared or were dead.) In actual practice, curators interviewed personally only 282 (or 27.5%). The curator's effort to interview the biological parent highlighted the solicitors' great disadvantage in not having the facilities of a social agency and the co-operation of similar departments in other parts of the country. Of 505 cases in which social workers acted as curators, they had personal interviews with just over half the mothers and, in another 40 per cent of cases, they had the co-operation of other local authority departments which interviewed the parent on their behalf. In another seven per cent of the cases they wrote to the mother's last known address, mostly without success in eliciting a reply. (Proof of posting was used as evidence for delivery when the case came before the Sheriff.) In the remaining three per cent of the cases, there was no indication that any effort was made to interview the parent.

In contrast to this, solicitors interviewed only 35 mothers (or 7%) of the 525 mothers of adopted children for whom they were acting as curators. They tried to correspond with 82 per cent, and with the remaining eleven per cent, no attempt
to communicate was made. The great percentage of mothers with whom solicitors tried to correspond showed the extent to which they were office-bound and therefore unable to carry out investigations properly. Even where the mothers lived in the same small town, where the solicitors practised, no attempt was made at personal interviews. Only a fraction of the mothers replied to letters, but lack of response was accepted by the court as signifying no objection. It is very possible that the mothers' failure to reply to letters, asking them to confirm their consents, signified a definite decision on their part not to consider the matter again. It is assumed that those, who wanted to signify a change of mind, would have done so, without necessarily waiting for the curator to call. Others would argue, however, that many mothers are not aware that the law gives them such an opportunity. One Sheriff described to us a case which featured in the sample, where the mother managed to get in touch with him about a week after the order was granted. She maintained that the adoption society, which placed the child, told her that, once she gave her consent, there was no question of changing her mind. She went back to the society a short time after the child was placed and the society representative told her that the order had already been granted (which was not true). The mother heard nothing from
the curator and in fact there was nothing in the curator's report to indicate whether he tried to get in touch with her. Though this mother's change of mind might have been found unreasonable by the court, nevertheless she was not given the opportunity to be heard. When she called at the court, it was already too late. She maintained to the Sheriff that she had not known which court was dealing with her child's case, and that it was only in the last few days that she had extracted it from the adoption worker.

Curators often assumed that, if a placement was arranged by a particular society or agency, then there was no need to interview the mother. The agency's professed placing practices were accepted by the curator as a guarantee that the mother had reached a definite decision and that there was no need for further contacts. Earlier on it was pointed out how placing agencies and supervising agencies assume that there is still the curator in the proceedings, who can act as a safeguard to their practices. The following extract from a curator's report illustrates how each agent assumes or accepts that the previous agent, or the one to come, deals adequately with certain matters: "As the whole arrangement in connection with the placement of the child was in the hands of X....society, it appeared to the curator unnecessary to take any steps to ascertain as to whether or not the mother of the child in
giving her consent to the proposed adoption understood that the effect of the order will be to deprive her permanently of her parental rights". This placement was arranged by the same society about which the mother, quoted earlier, approached the court saying that she had been misled. A further example from another curator's report shows how confirmation of consent was assumed rather than ascertained: The curator in this case telephoned the society that arranged the placing to ask if the mother had confirmed her consent to them. The adoption worker replied "I am satisfied that the mother understood this though I did not see her myself after the birth of the baby, but Miss C...the Almoner at the Infirmary did and she was quite satisfied that the mother understood". The curator was satisfied and did not pursue his enquiries any further, and subsequently the court granted the order. The court relied on the curator, who relied on the adoption worker, who relied on the almoner. (In a previous chapter (chapter six) it was pointed out that almoners, in their professional literature, insist that this kind of work does not fall within their function).

In summary, when the curators took the trouble to make personal contact with the mothers, the latter usually responded. Only in three cases were the mothers too upset to want to see the curator at all. Their parents explained that they were
so distressed by the whole matter that they wanted to forget about the whole experience. Where curators tried to correspond with the mothers, there was usually no response. In the majority of cases, however, the mother's consent was taken for granted, though there was evidence that some agencies did not always explain to the parents what their obligations and rights were.

Content of the reports on topic I

Of the 180 curators' reports studied in depth and evaluated, (see table 72), 20 reports (or 11%) did not mention the biological parent at all. In another 98 reports (or 55%), only the minimum of factual information was provided, and this was simply extracted from the petitioners' application, without any new facts or information. The usual information about the mother was such comments as "the mother of the child has given her consent to the proposed adoption" or "I wrote to the mother of the child and she has confirmed her consent" or simply "I have written to the mother of the infant asking her to confirm her consent". No other details were offered, in spite of the rules providing for details about the circumstances under which the child was surrendered. The same comments were used repeatedly by the same curator in a number of reports. There was no additional information when
the placement was an independent one, when it would have been thought that, as no recognised agency took part in the arrangements, a more elaborate investigation would have been necessary. The indication was that most of the curators could not distinguish the likely differences between agency and independent placements.

The remaining 62 reports (or 34%) contained a fair amount of information on the natural parent(s). The content reflected the requirements of the rules and gave the Sheriff information that could have helped him to understand the situation better. An extract from a report that was classified under this category was the following:

"The curator has interviewed both the mother and the father of the child and he is satisfied that they both understand the nature and effect of the adoption order. The mother in particular understands that the effect will be to deprive her permanently of her parental rights, but she confirms her original consent though somewhat distressed. The mother said that she was unable to make arrangements for the direct care of the child as she needs to go out to work to earn her living. She was separated from her husband and there was no hope of reconciliation. She was in touch with the children's department and when she came out of hospital the child
went into care. It was placed in a nursery for about two months before suitable adopters were found. The alleged father of the child also gave his consent as he cannot provide a home for the child either.

(Other reports classified under "fair to considerable" were of a similar content).

It will be seen, from the following table, that there was no significant difference between the reports of trained and untrained workers on this topic, but solicitors' reports tended to be far more factual than those of the social workers. Individual information about the mother was very much lacking from their reports.

Table 72. Curators' Reports: Topic No. 1 - Amount of Information on nat/mothers. (Court Sample, Number of reports: 180).

<table>
<thead>
<tr>
<th></th>
<th>No mention</th>
<th>Factual or repetitive</th>
<th>Fair to considerable</th>
</tr>
</thead>
<tbody>
<tr>
<td>S/Worker (trained)</td>
<td>8</td>
<td>43</td>
<td>49</td>
</tr>
<tr>
<td>S/Worker (untrained)</td>
<td>11</td>
<td>37</td>
<td>52</td>
</tr>
<tr>
<td>Solicitors</td>
<td>12</td>
<td>76</td>
<td>12</td>
</tr>
<tr>
<td>N</td>
<td>(20)</td>
<td>(98)</td>
<td>(62)</td>
</tr>
</tbody>
</table>

*The percentage is based on the number of reports presented by each group of curators.
The Putative Father

Before 1958, the consent of the child's natural father was required if he was liable, by virtue of an order or agreement, to contribute to the maintenance of the child. The 1958 Adoption Act provides that the putative father may be made a party to adoption proceedings, but his consent is not necessary. If he objects, his views should be heard and the court may grant the order or not, according to what the welfare of the child demands. The putative father can of course take action for custody under the legitimacy Act of 1959, which gives him more rights than does the Adoption Act. The Hurst committee did not think it right that the father of an illegitimate child should have the same powers about consents as the mother. It suggested that it should be left to the curator to ascertain and report to the court whether the father had taken sufficient interest in the child to warrant his being made a respondent to the application. The 1959 Court regulations put the onus on the curator to inform the court if there is any person, claiming to be the father of

the child, who wishes to be heard. This requirement was taken at one time to mean that the curator should actively search for the natural father in order to determine his wishes. Clear guidance on the matter was given by Mr. Justice Wilberforce in a judgement in 1963. He said, on this requirement, "The provision" (Enabling the putative father to be heard) "does not place upon the guardian ad litem the duty to seek out the putative father of any illegitimate child in respect of whom adoption proceedings are pending, or indeed (in the absence of special circumstances) to make any enquiries into the existence, whereabouts or attitude of a putative father. It merely provides that, if it comes to his notice that a putative father wishes to be heard by the court on the question whether an adoption order should be made, he is to inform the court so that the court may consider whether notice of the hearing should be served under rule 16".

Of 926 illegitimate children in the sample, the fathers of 34 (or 3.7%) were interviewed by the curators and, of these, only one refused to give his consent and wanted to be heard. Whatever the argument for and against may be, curators do not appear to put themselves out to see putative fathers. Following Mr. Justice Wilberforce's judgement quoted above,

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the 'Justice of the Peace', in its issue for October 1963 wrote: "We still think that it is the duty of the guardian ad litem to make enquiries about a putative father, but we should agree that he has fulfilled his duty if his enquiries show, for instance, that the father had left the address given, and that it is not part of his duty to track him down from address to address over a matter of months". The curators in our sample tried to obtain consents mainly from putative fathers in whose case there was an affiliation order (11 cases), and in cases where the child had been jointly registered (23 cases).

A policy urging curators to make every effort to contact all putative fathers could have serious repercussions, unless it was preceded by contact at agency level. An initial need would be to urge casework agencies to widen their programmes to include the natural father, otherwise the situation could be reached where the curator would be the first ever person to see the father about the future of his child. This sudden contact could easily unleash feelings that, to a great extent, should have been dealt with earlier. One curator described to us how, on one occasion, when he contacted the father of an illegitimate child, the latter

insisted that he was not aware that the child had been surrendered. He appeared very distressed and wanted to apply for a custody order under the 1959 Legitimacy Act. This could have held back the adoption proceedings considerably. It was later established that, though the child's mother had revealed to the adoption agency the putative father's name and address, the latter had made no effort to get in touch with him before the child's placement. The curator, in this case a social worker, found that, after discussing the matter with the putative father, the latter was able to recognise the importance of the child having a settled way of life, and to decide not to try to uproot it after being with the adopters for six months. In this case, what appeared to matter most to this father was the fact that he had not been consulted about the future of his child, not necessarily that he had anything better or different to offer it. The curator in this particular case went outside his function and offered a casework service.

Summary: Curators interviewed personally 28.5 per cent of the biological mothers and another 20 per cent. through their agents. Only 3.7 per cent. of putative fathers were interviewed. Curators representing social work departments interviewed personally, or through their agents, a far greater number of mothers than solicitors did. The latter were
office-bound and relied mostly on correspondence. In the reports supplied to the courts, as far as topic No. 1 (i.e. contact with the biological parent and ascertainment of the consent and the circumstances of the child's surrender) was concerned, eleven per cent. of the reports did not even mention the subject, and another 55 per cent ascertained the facts already contained in the petition. Only just over a third of the reports contained some individual information on this topic.

Each successive report prepared by the same curator followed exactly the same lines and the same pattern as the previous one. When there was more than one social worker acting as curator from the same agency, all the reports, irrespective of who prepared them, followed an agency pattern, without any individual characteristic. Both trained and untrained workers followed the same lines, if they happened to come from the same agency. For this reason, there was almost no difference between the content of the reports submitted by trained and the content of those submitted by untrained workers, on this topic. Solicitors' reports were however less informative. There was a general tendency on the part of curators to avoid ascertaining the facts for themselves and to rely instead on what the placing agencies told them, which did not always appear to be an accurate guide. This reliance on other agents has led to some unfortunate and distressing situations.
TOPIC NO. 2.

THE CURATORS' CONTACT WITH AND OBSERVATIONS ABOUT THE CHILD

The 1959 Act of Sederunt (Adoption of Children) provides that the curator will report to the court "on all the circumstances of the infant", whilst the 1966 amendment requires that the curator includes an assessment of the child's personality. The Scottish Adoption Act of 1950 also required the written consent of a child who was a minor (a minor being defined as a boy of fourteen or over or a girl of twelve or over). This provision was repealed by the 1958 Adoption Act, which simply requires that "in determining whether an adoption order, if made, will be for the welfare of the infant, the court shall give consideration to the wishes of the infant, having regard to his age and understanding".

The responsibility is laid on the curator to interview the child and satisfy himself about his wishes. If the child is not aware that he is being adopted, it is not envisaged that the curator should tell him. It is seen, however, as his responsibility to persuade the prospective adopters to tell the child themselves. The Hurst committee believed that most children would understand a simple explanation at the age of four or five.

The curator's responsibility to report to the court "on all the circumstances of the infant" has been interpreted as covering the following three main areas, which have been identified as items of Topic No. 2:

i) The child's history and his movements from the time his mother surrendered him to his present placement;

ii) observations about his interaction within the adoptive family and, where appropriate, an assessment of his personality and generally of how he/she is growing up;

iii) to ascertain the child's wishes (where appropriate).

Item (i): The Child's History and his Movements from the Time that his Mother surrendered him to his present placement: Two fifths of the reports (table 73.1) ignored this aspect altogether, though it is explicitly required under section 6(g). Under a third of the reports ascertained the date on which the child was placed, without any reference to intermediary or other movements, and the remaining 28 percent of the reports gave some individual information about the child.

Reports, which simply confirmed the facts, contained such comments as: "The mother approached the children's department of B.....county, who made arrangements for it to be
placed for adoption"; from another report: "The child Paul has been living with the applicants since 2.1.1965. They notified the local authority of their intention to adopt him on 3.2.1965". This and other similar comments were confirming the facts already contained in the petition. Reports, which went beyond the mere ascertainment of facts and which were classified under "fair or considerable", included such comments as the following:

"The mother ceased to have care and possession of the child when she was discharged from hospital. The child was then taken to the Tor Nursing Home and from there Miss W....of Independent society placed it with foster-parents in Edinburgh. His placement with adopters was somewhat delayed because it developed a rash and was treated by the foster-parents' doctor. The child was finally placed with adopters on 25.11.64. The mother used to visit her child occasionally whilst it lived with the foster-parents. As far as I know the child's rash did not reappear after his placement".

It may be questioned how far comments like the above aid the decision making process, on the other hand the child comes through more as a person and certain experiences are indicated.
Table 73.1. Curators’ Reports: Topic No. 2 Item (i): Information on the child’s history and movements.

<table>
<thead>
<tr>
<th></th>
<th>No mention</th>
<th>Factual and repetitive</th>
<th>Fair to considerable</th>
</tr>
</thead>
<tbody>
<tr>
<td>S/Workers (trained)</td>
<td>42</td>
<td>24</td>
<td>34</td>
</tr>
<tr>
<td>S/Workers (untrained)</td>
<td>48</td>
<td>22</td>
<td>30</td>
</tr>
<tr>
<td>Solicitors</td>
<td>36</td>
<td>44</td>
<td>20</td>
</tr>
<tr>
<td>(N)</td>
<td>(75)</td>
<td>(57)</td>
<td>(48)</td>
</tr>
</tbody>
</table>

**Topic No. 2, Item (ii).** Observations about the child’s interaction with the adoptive family, including an assessment of his personality (if appropriate).

Accurate observations about children’s behaviour and their interaction with other children or adults are seen as a highly skilled job. Such expertise is seen as being dependent on knowledge about child development and on experience in handling and observing children. Of the group of 60 curators in our sample, only the trained social workers could claim such
expertise, but the untrained ones could claim skills based on experience. Nothing in the solicitors' training or practice, however, brings them in touch with either the required body of knowledge or what is seen as necessary experience. Their observations would therefore be expected to be those of the 'informed' layman.

Table 73.11, which examines the amount of coverage given to this item by the curators, shows that over half of the reports did not include any observations of this kind, whilst another quarter were very limited. The last group of reports usually confirmed the child's presence in the household and added "the child is well cared for", or "the child is loved", or "the child is growing up healthily". There was no attempt to elaborate on the comment and as the same comment appeared in all the reports prepared by the same curator its value was very doubtful. The following comment on first reading appeared to be more individual and interesting: "The child is well cared for by the petitioners, and appears to be a happy child"; the comment, however, lost its value, when it appeared repeatedly in ten reports prepared by the same curator, and in 110 reports prepared by several curators from the same agency. Another typical repetitive comment was "the child P. . . . is well cared for". No information was given to substantiate the statement.
the case of three siblings who were adopted in the same household, the same comment was made for each one of them separately, i.e. "he is well cared for and always appears to be happy and secure". This was said irrespective of the fact that the three children were adopted by a single, frail woman living on National Assistance and having no other financial and emotional support outside herself. This serious complication did not seem to merit any special mention or any special observations by the curator, who was an untrained social worker. Neither did he express any doubts about the suitability of the placement.

The remaining 42 reports (or 23%) contained more extensive information ranging from "fair to considerable". Some of the comments referred to the child's adaptation within the adoptive family and to the way it was growing up. Some assessment of the child's personality (especially with older children) was also attempted. One such comment was on a ten months old baby and read as follows:

"The baby has fair hair and blue eyes. He appears to have an equable temperament, is well nourished and is under medical supervision. He appears to be making for himself a secure position with this family and shows considerable attachment to his adoptive mother".
Another curator writes about an eight month old baby:

"This child is a healthy, well cared-for little boy who is obviously very much the centre of this household. Both applicants are devoted to him and at the same time are very sensible in their method of bringing him up. He and the older adopted child of the family appear to get on well together and he is generally growing into a confident little youngster".

From these kind of comments the children appeared to emerge somewhat more clearly as individuals. Observations of this kind indicated too the curator's ability to individualise even very young children and to understand their interaction with adults. A repetition of the same comment was an indication either of difficulty in differentiating between children, or simply of a tendency to follow a stereotyped pattern. In one case in the sample, the curator, who happened to be a solicitor, reported to the court that "the child is doing very well, is well cared for and the petitioners are very attached to him". Ten days later, and just before the order was granted, the local authority had to intervene and receive the child into its care, because it was "grossly rejected" by the petitioners.
Table 73.11. Curators' Reports: Topic No. 2, Item 11: Observations about the child's interaction with the adoptive family, including an assessment of his personality (where relevant)

<table>
<thead>
<tr>
<th></th>
<th>No comment</th>
<th>Factual or repetitive</th>
<th>Fair to considerable</th>
</tr>
</thead>
<tbody>
<tr>
<td>S/Workers (trained)</td>
<td>50</td>
<td>27</td>
<td>23</td>
</tr>
<tr>
<td>S/Workers (untrained)</td>
<td>59</td>
<td>22</td>
<td>19</td>
</tr>
<tr>
<td>Solicitors</td>
<td>44</td>
<td>28</td>
<td>28</td>
</tr>
<tr>
<td>(N)</td>
<td>(93)</td>
<td>(45)</td>
<td>(42)</td>
</tr>
</tbody>
</table>

Solicitors' reports appeared slightly better on this item, compared to social workers' reports, but not much significance can be read into these figures. The argument that there is very little to report on very young infants may be partly true, especially when it is realised that the report is mostly prepared after a single visit to the adoptive family. In cases, however, where the child was over five or ten years old, it was the curators who had made observations about the young infants who, here again, tended to make observations, or tried to interview the older child. A further surprising
finding was that, in cases where the curator had previously been acting as supervising officer and therefore had known the adoptive family for longer, such knowledge did not seem to improve, or increase, the amount of information or observation included in the reports. Again the form of his report followed the stereotyped or pro-forma reports that his agency had traditionally been preparing for the courts.

**Topic No.2, Item (iii): Ascertaining the child’s wishes**

(Where applicable)

Among the 180 reports analysed there were only nine children who were five years old or over. Because this number was small, it was decided, for purposes of this item, to study the process followed in respect of 72 children out of the whole sample of 1030, who were at the time ten years or older. (Because of the small number the classification in Table 73.iii was not based on type of curator as it would have been meaningless).
Table 73.iii. Curators' Reports: Topic No.2, Item (iii): 
Ascertaining the child's wishes (N.72)

<table>
<thead>
<tr>
<th>No reference</th>
<th>Discussion with the adopters</th>
<th>Discussion with the child</th>
</tr>
</thead>
<tbody>
<tr>
<td>N.</td>
<td>%</td>
<td>N.</td>
</tr>
<tr>
<td>22</td>
<td>(30.6)</td>
<td>29</td>
</tr>
<tr>
<td></td>
<td></td>
<td>21</td>
</tr>
</tbody>
</table>

In 22 cases, the curators did not even indicate whether they either saw the child or discussed with the adopters whether it knew about his coming adoption. In another 29 cases (or 40.3%), the curators discussed this issue with the adopters and in the remaining 21 cases they saw the child personally. The interview with the child followed after ascertaining from the adoptive parents that the child knew about his adoption. Curators indicated that 7 children (or 9.7%) of those ten years and over had not been told that they were not the natural children of the petitioners. All seven children were about to be adopted by relations. The prospective adopters promised the curators that they would tell the child, but the orders were granted without any further enquiry to ascertain this. No suggestion was made for an interim order.
to be made, in order to give time to the supervising authority to help the adopters to cope with their feelings about telling the child. Whether the supervising officer knew that these children were unaware of their situation was unclear, because of the lack of co-operation between curators and supervising officers. In two of the seven cases, however, the curator was formerly the supervising officer too.

Two main patterns emerged regarding the curator's handling of this question. For children older than five, curators generally, but not always, asked the petitioners whether they had told him about his adoption. If not, they encouraged them to do so. When young infants or toddlers were concerned, it was usual for the curator to ask the prospective adopters if they planned to tell the child about his adoption and to urge them to do so. An explanatory memorandum, circulated by the Home Office in March, 1959 (HO 53/59) and meant to be given to applicants, gives the following advice: "When the court considers your application for an adoption order, it will want to know whether the child is old enough to understand about adoption and, if so, whether you have told him about your application...If the child is still too young, it is best to decide to tell him as soon as he begins to ask questions, which is usually at the age of four or five". McWhinnie's recent study has shown how difficult it is for adopters to tell
their adopted children about this, even though they would like to do so. She suggests that adopters need considerable help to enable them to accept the fact emotionally, if they are to be able to tell the child without embarrassment, and not in a defensive way. Official and agency policy is towards encouraging parents to tell the child as soon as it is of an age to understand. Recently, however, doubts have been cast on the wisdom of such a practice. The reservations were expressed by two psychoanalytically orientated therapists, who claimed that adopted children are more prone to emotional disturbances than other children, that their emotional problems relate directly to adoption, and consequently, that agency policy concerned with telling the child of his adoption should be modified.


Summary: A combined classification of items (i) and (ii) of topic No. 2 shows that 46.7% of the reports made no comment on these two items, another 28.3% made only very limited and repetitive observations and only a quarter of the reports contained "fair to considerable" information. (Item (iii) was not included in this combined classification because of the different type of sample used). There was a general failure on the part of most curators to see older children or comment about the children's current progress, adaptation within the family, and interests. Interaction with the petitioners' other children was rarely commented upon.

There was again little difference in content between the reports submitted by trained or untrained social workers and those submitted by solicitors. The same comments made, when discussing the coverage of topic No. 1, apply to the coverage of this topic. The social workers' knowledge and/or experience did not appear to have been discriminately used in the preparation of the reports and the children concerned did not emerge as individuals. The only meaningful observations came from curators whose reports had not been stylised by agency practice to follow one particular form.
THE CURATOR'S REPORT ON THE PETITIONERS

The function of the curator-ad-litem in relation to the prospective adopters has always been an ambiguous one. It is expected that, as a result of thorough investigations, the curator will be able to advise the court about the applicants' suitability, and about whether the contemplated adoption is "consistent with the welfare of the infant". The ascertainment of facts by themselves would not be sufficient to provide the court with information that could help it to reach a discriminating and informed decision. It is obvious that the "welfare of the infant" is dependent not only on the material circumstances of the applicants but as much or more on their psychological suitability. The 1959 Act of Sederunt (Adoption of Children) sec.6(e) requires the curator to report on "all the circumstances of the petitioners and whether they are suitable to bring up the child". Because of the dangers that curators might interpret their function too narrowly, the amended regulations of 1966 specifically require the curator to include in his report an assessment of the petitioners' personality. The petition form includes already substantial factual information about the applicants' age, marriage date, occupation and other children, and what the court requires is
information on the intangibles that would help build up a picture of them as people and future parents to the child. Many Sheriffs we saw during the study stressed the importance of such intangible material, and one of them added "I can sort out the facts for myself".

Many reservations have been expressed in the last few years about the value of the curator's contact with the adopters. The main argument is that these investigations come too late in the proceedings to be of any value. If the work of the placing agency, goes the argument, is good, then the curator is an unnecessary duplication; even if the agency's work is poor, the curator is usually powerless to effect more than minor improvements. By the time he comes on the scene, the child has already been with the applicants for some time, and the court is very reluctant to ask for his removal, unless the situation is very serious. The important decisions about the child's welfare are taken by the time the curator is appointed. This dilemma was again placed before us by a number of Sheriffs who remarked that, even if the curator's report is unfavourable, the alternatives are not usually attractive. They rightly argued that removal of the child, after a period of stay with the applicants, would be very undesirable. Added to this is the fact that, if the court refuses to make an order, it has no power to ask for the
removal of the child, unless it is proved to be "in need of care or protection". So tangible a situation is unlikely to be found in adoption cases. Care proceedings are very difficult to prove on intangible facts and to-day's adoptive parents are more likely to have psychological deficiencies than material ones. The view that curators and the courts come too late into the adoption situation appears to have resulted in feelings of impotency among them. This may partly account for the very stereotyped and poor in content reports that we have noted. It implies a resignation of the responsibility, because of the lack of conviction that the situation can be influenced or altered at this stage of the proceedings.

Three important items have been deduced from the regulations to make topic No.1. Each item has been evaluated separately and the findings combined to give a picture of the content of the reports on this topic. The three items are:

1) Observations about the prospective adoptive father, including an assessment of his personality;

2) observations on the adoptive mother, including an assessment of her personality; and

3) observations, where applicable, of the petitioners' other children and the general interaction within the family.
Item (i): Observations on the Adoptive Father, Including an Assessment of his Personality.

More than half of the reports (table 71.1), made no observations and did not attempt any assessment of the adoptive father's personality, beyond confirming factual information. In seven cases (or 4.0%), the curators did not interview the adoptive fathers at all, but had either communicated with him by letter, by phone or through the adoptive mother. Five of these seven reports were submitted by solicitors, which again indicated that they were more office-bound than social workers. Some of the following extracts are from reports that have been rated as including no observations or personality assessment of the adoptive father:

"The male petitioner is employed as an Insurance agent earning £1500 p.a." This was the sort of personal observation on the male petitioner that appeared in at least 10 per cent of the reports. From another series of reports: "The male petitioner is now employed as a labourer with K....firm. He has a basic wage of £13.10 a week and this is usually increased by overtime".

Another extract from the report of a trained social worker, who submitted at least forty such reports to one court, read:

"The male petitioner who is 35 years old, is employed as a Bank employee. He and his wife were married on ...." There was no deviation from this pattern in all the subsequent reports.
A fifth of the reports went a little beyond simply confirming the facts, and these were classified as "limited". An extract from such a report read: "The male petitioner is employed as a joiner, his wages being £15.0 per week. He impressed me as being a respectable and conscientious person". The last sentence earned this report the higher classification "limited" instead of "no observations or assessment".

The remaining 48 reports (or 27%) could be described as more informative on this item, and the curators appeared to have made a conscious effort to supply information that varied with each case. In this respect, when a trained social worker did deviate from the traditional presentation of reports, his comments, observations and assessments were more interesting than those of untrained workers or those of most of the solicitors. Some solicitors, too, presented some interesting assessments, in spite of their lack of suitable qualifications. A minority appeared to make a great effort to present a thought-out assessment. Below we give extracts from reports that were classified under "fair to comprehensive".

From a trained social worker's report: "The petitioner is 33 years old and is occupied as a painter with B...firm. His income is £14.0 per week. He is a practising confirmed member of the Church of Scotland. He is a hard-working man with a stable working record. He is home-loving and his main
interest is in reading. He appears to be a sensible, quiet person of stable personality. He is very interested in the child and is very supportive to his wife. There is no history of nervous, physical or mental illness in himself or his family."

From the report of an untrained social worker: "Mr. S...is a quiet type of man who does not have much to say about his feelings, but it is clear that he has a deep affection for his other adopted child and for this one. He is a responsible person who appreciates his responsibilities and has a good work record".

From the report of a solicitor: "Mr. M....is a teacher employed by A...county council. He is a warm-hearted, patient and mature person, tolerant in outlook and able to give this child the security and affection he needs."

It will be seen from the three extracts that there is little difference between the content of the three reports. They give, however, some indication about the petitioner's personality and though some of it may appear subjective and not necessarily accurate, at least it gives the court a better picture of the applicants as seen through the eyes of the curator. A usual conflict in preparing such reports, which was put over to us by some curators, is to strive between
giving no information at all, beyond confirming facts, and giving so many details that the court will not bother to read them. (It appears to us that the selection of what is relevant material for court presentation should form part of introductory courses to help curators select and summarise at the same time. This, however, should not be seen as a substitute for the impersonal character of present-day court proceedings).

Table 74.1. Curators' Reports: Topic No. 3, item (i).
Observations on the adoptive father, including an assessment of his personality.

<table>
<thead>
<tr>
<th></th>
<th>No assessment or observations</th>
<th>Factual or repetitive</th>
<th>Fair to considerable</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>%</td>
<td>%</td>
<td>%</td>
</tr>
<tr>
<td>SOL/Workers(trained)</td>
<td>58</td>
<td>12</td>
<td>30</td>
</tr>
<tr>
<td>SOL/Workers(untrained)</td>
<td>50</td>
<td>24</td>
<td>26</td>
</tr>
<tr>
<td>Solicitors</td>
<td>55</td>
<td>18</td>
<td>27</td>
</tr>
<tr>
<td>(N)</td>
<td>(96)</td>
<td>(36)</td>
<td>(48)</td>
</tr>
</tbody>
</table>

Item (ii): Observations on the Adoptive Mother Including an Assessment of her Personality.

There was no appreciable difference between the amount of information supplied in respect of the adoptive father's
personality and that of the adoptive mother. (table 74.11). Curators, who failed to report meaningfully on the one, failed to do so in the other too. Similarly, those curators, that gave an assessment of the father, did the same with the mother. Again the reports submitted by trained or untrained social workers and solicitors did not differ greatly. Trained workers were slightly more informative on this topic.

Table 74.11. Curators' Reports: Topic No.3, Item(ii)

Observations on the adoptive mother including an assessment of her personality

<table>
<thead>
<tr>
<th></th>
<th>No observations or assessment</th>
<th>Factual or repetitive</th>
<th>Fair to considerable</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>%</td>
<td>%</td>
<td>%</td>
</tr>
<tr>
<td>S/Worker (trained)</td>
<td>52</td>
<td>13</td>
<td>35</td>
</tr>
<tr>
<td>S/Worker (untrained)</td>
<td>46</td>
<td>25</td>
<td>29</td>
</tr>
<tr>
<td>Solicitors</td>
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<tr>
<td>(N)</td>
<td>(87)</td>
<td>(41)</td>
<td>(52)</td>
</tr>
</tbody>
</table>

Item (iii): Observations of the Petitioners' other Children and the general interaction within the family

It is generally agreed that it is almost impossible to judge a couple's capacity for parenthood from a single
interview. It is accepted, however, that one of the best
guides is to observe and assess how the family's other children
are doing, and how they are being brought up. In 85 of the
180 reports studied, the applicants had either other adopted
or own children living with them. The children ranged in age
from one year to sixteen. Some of the children were old
enough to participate in the interview and express some view
about the contemplated adoption.

In the petition submitted to the court, the applicants
are expected to give the names and status of other people sharing
the same household, and this includes the family's other
children. Curators, in the great majority, simply confirmed
in their reports that these other people did share the same
household. In 82 of the reports no further information was
given beyond confirming the fact that a particular person lived
there. Some of the sole comments on this item read: "The
petitioners have resident with them John, aged 4, their own
son"; or "the petitioners have resident with them their three
children", or "the petitioners already have an adopted child".
No effort was made to say how any of these children were doing
and how they were growing up. In seven per cent of the
cases only very limited information was supplied, but 12 per
cent of the reports contained information ranging from "fair
to considerable". An extract from one of the latter reports,
which was characteristic of other similar ones, read: "Apart from the petitioners, the only person living in the home is a son by the marriage aged seven years. It is quite obvious that both children receive excellent care and attention. The child in question is healthy, well-cared for and is attached to the petitioners. The boy of the family has been consulted about the proposal and is very much in favour of this. He appears very attached to the child".

Table 74.iii. Curators' Reports: Topic No. 3, item (iii)

Observations of the petitioners' other children and of the general interaction within the family

<table>
<thead>
<tr>
<th></th>
<th>No observation or assessment</th>
<th>Factual or repetitive</th>
<th>Fair to considerable</th>
</tr>
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<tbody>
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<td></td>
<td>%</td>
<td>%</td>
<td>%</td>
</tr>
<tr>
<td>S/Worker(trained)</td>
<td>86</td>
<td>8</td>
<td>6</td>
</tr>
<tr>
<td>S/Worker(untrained)</td>
<td>82</td>
<td>4</td>
<td>14</td>
</tr>
<tr>
<td>Solicitors</td>
<td>78</td>
<td>11</td>
<td>11</td>
</tr>
<tr>
<td>(N)</td>
<td>(69)</td>
<td>(6)</td>
<td>(10)</td>
</tr>
</tbody>
</table>

In cases where there were foster-children within the same household, only sporadically did curators see it as their duty
to comment on how these children were doing. In five instances, the child about to be adopted was one of several foster-children within the same household but no explanation was offered of how this one from all the other children, came to be adopted. Where the curator was a solicitor the report was not preceded by consultation with the local authority in whose care these children were, to find out more about the placement and its suitability. Various types of in-laws were residing in 5.0% of the non-related adoptive households, but curators did not comment about their attitude to the adoption or their interaction with the rest of the family.

Summary: A combined classification, of all the three items in topic 3, shows that 56.6% of the reports made no reference to, or observations on the various items on which they were expected to report, under a fifth gave some limited information and only just under a quarter gave information that ranged from "fair to considerable". It was generally unusual for curators to comment on intangibles; instead they concentrated on such concrete aspects as occupation and earnings of the adoptive applicants. No personality assessment was attempted in three quarters of the reports and the adopters did not emerge as people from reading the report. There was an even greater failure to make observations on other children in the same
household or to comment about the interaction between the children, and between the children and the parents.

In the overall classification of topic No. 3, there was again no significant difference between the reports submitted by the different types of curators. It was of interest to observe that even Probation Officers, who are used to preparing and submitting reports to the courts, failed to present more individual and less stereotyped reports when acting as curators. Similarly, though some child care officers were supervising the adopters for over three months, when reporting as curators on the same families, they failed to bring any fresh approach, or to give a more detailed assessment of the applicants than those curators who prepared their reports after a single visit to the family. Having regard to the evaluation of the workers' supervisory function outlined in chapter ten, the conclusion reached was that the stereotyped reporting to the courts also reflected the routine way in which statutory supervision was being carried out.

**TOPIC No. 4**

**CONSULTATION WITH THE SUPERVISING AUTHORITY**

Only two, of the twenty Sheriff courts surveyed, made the supervising authority respondent to the application. By
being made respondent to the application, the local authority had a responsibility to provide a report, in addition to that of the curator, giving particulars from their supervisory visits and stating their views about the placement. The courts, that failed to ask for such reports, were depriving themselves of an opportunity to increase their knowledge of the applicants. The Hurst committee strongly recommended that the courts should ask for such reports, but obviously this tradition had not developed with most courts.

Though most of the courts failed to make the supervising authority respondent to the application, they expected the curator to consult the local authority. It was then up to the curator to suggest to the court whether the supervising authority should be made a respondent. In no case did any of the curators make such a suggestion to the court. In 77 (or 43%) of the reports studied, there was no contact between the curator and the supervising authority. No indication was given in the reports of the views of the local authority on the proposed adoption. In this respect, the solicitors' failure

to consult the local authority was considerably greater, compared to social workers. This again highlighted the circumscribed nature of the solicitors' enquiries, when they involved contact with outside bodies. It was not, however, unusual for a social worker from the County Borough, appointed as curator for a placement arranged and supervised by the County Children's Department, to fail to consult the supervising officer, when preparing his report to the court. In 30% of the reports, there was contact between the curator and the local authority supervising the child, but the curator's only additional comment was that 'the local authority did not object to the granting of the order'. In the remaining 27% of the cases, either the court directly or the curator asked the supervising authority for a written report.

Table 75. Curators' Reports: Topic No. 4.

<table>
<thead>
<tr>
<th>Consultation with the supervising authority</th>
<th>No contact</th>
<th>Verbal contact</th>
<th>Written report</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>%</td>
<td>%</td>
<td>%</td>
</tr>
<tr>
<td>S/Workers (trained)</td>
<td>39</td>
<td>28</td>
<td>33</td>
</tr>
<tr>
<td>S/Workers (untrained)</td>
<td>36</td>
<td>26</td>
<td>38</td>
</tr>
<tr>
<td>Solicitors</td>
<td>53</td>
<td>36</td>
<td>11</td>
</tr>
<tr>
<td>(N)</td>
<td>(78)</td>
<td>(55)</td>
<td>(47)</td>
</tr>
</tbody>
</table>
Written reports were supplied to the courts either directly or through the curator, by five out of 19 supervising authorities in the area covered by the survey. Four of these authorities would send a cyclostyled letter saying: "The child T...........was supervised with effect from 13.4.65 and part IV of the Adoption Act, 1958 has been complied with and this authority has no objection to the granting of an adoption order in this case".

Reports of this kind did not seem to be of much value to the court, as they failed to give any additional information. More important still, these agencies failed to put their work across to the courts for possible future use i.e. as curators or supervisors. In fact, by simply saying that they did not object to the granting of the order, they were taking the decision out of the hands of the court, as the latter had no information on which to base a different decision. In none of the reports supplied by these agencies was any doubt expressed about any of the placements. The same cyclostyled "report" was also used in the case of third party and direct placements. Thus both the curator and the local authority, by not supplying any additional information on the circumstances of third party placements, failed to recognise their importance and the fact that they were depriving the child of possibly needed protection of its interests.
The fifth department that supplied reports to one court, though staffed with workers having only basic social study qualifications, nevertheless supplied reports which included interesting comments and assessments of the adopters and gave information about the circumstances of the placement. The first four authorities that supplied cyclostyled reports simply saw their role as one of satisfying legal and administrative requirements. The fifth agency saw this role in the much broader sense of having a part to play in aiding the court in its decision making task.

**TOPIC No. 5.**

**THE CURATOR'S FINAL ASSESSMENT OF THE SITUATION AND HIS OPINION TO THE COURT**

Two main arguments have dominated the discussion regarding the inclusion or otherwise of opinion in reports submitted to the courts. One view is that the social worker preparing the report should present facts, and an assessment of the psycho-social situation together with his opinion. The opposing view is that the social worker should refrain from expressing any opinion or recommendation that might be seen to diminish the courts' independent action. Most of the arguments developed mainly in relation to reports prepared by
Probation Officers on the social background of offenders. In the case of curators' reports, however, the regulations expressly ask him to give his opinion. Unlike criminal cases in which Probation Officers submit reports, in adoption proceedings the court rarely has the opportunity to evaluate the situation for itself, because it has no contact with the adopters.

The rules require the curator to express an opinion on several matters, such as whether the petitioners are suitable people to bring up the child, whether the contemplated adoption is consistent with the child's welfare, and finally whether it is desirable for the welfare of the child that the court should be asked to make an interim order or to impose particular terms or conditions. An opinion, of course, can only be as good as the facts on which it is based. This in turn depends on the curator's interviewing skills and his ability to elicit significant information and observe relevant behaviour, including marital and family interaction. It was no surprise, therefore, to find that the reports, which simply confirmed facts, ended with a repetitive and stereotyped recommendation, and with no assessment of the total situation.

Three types of reports were identified in connection with this topic. First, reports that ended with no final assessment but expressed the same opinion as in all subsequent
697.

reports. The opinion could not be deduced from the content of the report. The following final recommendation appeared in at least ten per cent of the reports and they were all prepared by different curators from within the same agency. All subsequent reports repeated the same recommendation word for word:

"That it is not desirable for the welfare of the child that the court should be asked to make an interim order, particular terms or conditions or require the petitioners to make particular provision for the child other than to bring him up as a protestant".

The curators' tendency to copy word for word a pro-forma report often resulted in their asking the court to make a condition that a child be brought up as a protestant though the mother had either never expressed such a wish, or her wish had been explicitly otherwise. Other similar repetitive comments appeared in a total of 105 reports (or 58.0%), and, in another 11 per cent of the reports, no recommendation was attempted at all.

Just under a third of the reports made some attempt to produce a final assessment, together with a recommendation deduced from the assessment. There was more individuality and each report differed from the others submitted by the same curator. An extract from one such report read:
"The petitioners are of a suitable age to adopt and are both of a very pleasing and easy personality and I am satisfied that they will make excellent adopters for this child. They have given considerable thought to the matter and also on how to explain to the child that he is adopted. The way they have managed their lives previously is a pointer to future stability. As they have a sensible approach to things they should prove good parents to Jimmy".

From another report:
"The petitioners are a warm-hearted and intelligent couple who are devoted to the child. He is making excellent progress in their home and is being brought up in an atmosphere of love and security. In my opinion the adoption is consistent with the welfare of the infant".

Table 76. Curators' Reports: Topic No. 5.
Final assessment and recommendation to the court

<table>
<thead>
<tr>
<th></th>
<th>No assessment</th>
<th>Factual or repetitive</th>
<th>Fair to considerable</th>
</tr>
</thead>
<tbody>
<tr>
<td>S/Workers(trained)</td>
<td>16</td>
<td>52</td>
<td>32</td>
</tr>
<tr>
<td>S/Worker(untrained)</td>
<td>8</td>
<td>54</td>
<td>38</td>
</tr>
<tr>
<td>Solicitors</td>
<td>12</td>
<td>65</td>
<td>23</td>
</tr>
<tr>
<td>(N)</td>
<td>(19)</td>
<td>(105)</td>
<td>(56)</td>
</tr>
</tbody>
</table>
SUMMARY TABLE

Table 77 summarizes, by topic and type of curator, all the previous tables, analysing and rating the content of the 180 reports submitted by the sixty curators to the 20 courts. This table shows that none of the five topics was covered adequately in more than 24 per cent of the reports. The best covered topic (24.0%) was the one referring to the child. The topics least covered were the ones referring to the biological parents and to obtaining reports from the supervising local authority. The general conclusion from this table is that curators were efficient in checking concrete facts but only exceptionally did they attempt assessments of persons or situations. Some comments, which originally appeared to be more individual, lost their value by re-appearing in the same form in each successive report. For reasons explained earlier, there was little difference between the reports submitted by trained and untrained social workers. The content and form of their reports reflected the practices of the agency that employed them rather than their respective training or experience. Solicitors were generally better at meeting the legal requirements and at confirming the facts, but they generally failed to establish contacts or consult with the local authority. Though fewer of their reports were rated as containing "fair to considerable" information, some of these
<table>
<thead>
<tr>
<th></th>
<th>Solicitors</th>
<th>(Untrained)</th>
<th>(Trained)</th>
<th>Supervisor</th>
<th>Solicitors</th>
<th>(Untrained)</th>
<th>(Trained)</th>
<th>Supervisor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fair to considerable</td>
<td>20 73.57%</td>
<td>77 72.73%</td>
<td>60 75.27%</td>
<td>11 63.64%</td>
<td>20 73.57%</td>
<td>77 72.73%</td>
<td>60 75.27%</td>
<td>11 63.64%</td>
</tr>
<tr>
<td>Factual or repetitive</td>
<td>11 26.43%</td>
<td>11 27.27%</td>
<td>17 24.73%</td>
<td>5 36.36%</td>
<td>11 26.43%</td>
<td>11 27.27%</td>
<td>17 24.73%</td>
<td>5 36.36%</td>
</tr>
<tr>
<td>No observations</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

Table 77: Percentage Summary Content of Reports (N=130)
were as perceptive and informative as some of the best submitted by social workers.

The rating of the reports by topic does not tell us much about the whole report, as one report may cover one or two topics fairly well and simply confirm the facts for the remaining ones. To get a total picture of the reports, these were divided into three groups. Reports, which covered four or five topics from "fair to considerable", were classified as "Informative"; reports which covered only two or three topics from "fair to considerable" were classified as "fairly informative"; those that covered only one or less topics from "fair to considerable", were classified as "Poor". The results are shown below:

Table 78. Classification of the Curators' 180 reports

<table>
<thead>
<tr>
<th>Class</th>
<th>N.</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Informative</td>
<td>28</td>
<td>(15.6)</td>
</tr>
<tr>
<td>Fairly informative</td>
<td>45</td>
<td>(25.0)</td>
</tr>
<tr>
<td>Poor</td>
<td>107</td>
<td>(52.4)</td>
</tr>
<tr>
<td>Total</td>
<td>180</td>
<td>(100)</td>
</tr>
</tbody>
</table>

As a final conclusion, just under three fifths of the reports were rated as "poor", and the remainder as "fairly informative to informative". There was a general tendency
amongst most curators to cover one topic fairly well and simply confirm the facts for the remaining ones. For instance, some curators would give an assessment of the petitioners but simply confirm the facts relating to all the other topics. Subsequent reports by the same curator or the same agency continued to cover each topic in exactly the same way. Three copies of curators' reports, each report classified in one of the three categories in table 73, appear in Appendix G, and they give an idea of the overall content of the reports. Appendix G.i is a report that in the overall classification was graded as 'Informative', Appendix G.ii is a report graded as 'Fairly Informative', and Appendix G.iii, is a report that has been graded as 'Poor'.

**COURTS RE-VISITED**

As a result of the amendments introduced by the Act of Sederunt (Adoption of Children) 1966, it was decided to re-visit some of the courts in the original sample to establish how far the curators' reports reflected the new requirements. Our original study covered the year 1965 and the new regulations were introduced in January, 1967. Their main objective was to clarify the curator's role and bring it more into line with that of the English guardian-ad-litem. The regulations now specifically require the curator to report on:
(i) Why the petitioners wish to adopt the child;
(ii) Include in his report an assessment of the petitioner's personality and, where appropriate that of the infant, as they are both relevant to the adoption situation;
(iii) Report on the considerations arising from the difference in age between the applicants and the child, if the difference is unusual.

The new regulations definitely support, by implication of their requirements, the view that the curator should be a social worker. For instance the explicit requirements of item (ii) above, which were only assumed in the previous regulations, demand from the curator considerable skill, knowledge and experience of human behaviour and human relationships.

On our re-visit we chose eight out of the 20 original courts, to represent various parts of the country. Four of the courts, Cupar (Fife), Dumfries, Perth and Selkirk used to appoint solicitors as curators, whilst Aberdeen, Glasgow, Edinburgh and Inverness appointed social workers. The courts were re-visited in September 1968, approximately eighteen months after the introduction of the new regulations. This was considered to be a long enough period for the curators to incorporate the new requirements in their reports.
occasion, the latest three reports submitted by each of the 27 curators were studied. This totalled 81 reports which were prepared and submitted in the months of July, August and September, 1983. On our re-visit, one of the courts, that was formerly appointing solicitors only as curators, was now appointing social workers too. The 81 reports were submitted by 27 curators, ten of whom were solicitors and the rest social workers - mainly child care officers, with a few probation officers. Because of the small number of the reports and the small number of trained social workers involved (only 5), it would not be meaningful to separate the reports of the trained and untrained social workers. The solicitors who submitted reports in 1968 were the same ones who submitted them in 1965, but only eight of the social workers were the same.

The 81 reports were analysed and classified (table 79) only in respect of Topic No.3 i.e. "the petitioners' personality" where the rules were made very explicit. The findings were compared with those found from the 1965 reports on the same topic.
Table 79. Courts Re-visited: The Curators' Reports:

Information supplied on the petitioners' personality

(No. 81)

<table>
<thead>
<tr>
<th></th>
<th>No observations or assessment</th>
<th>Factual or repetitive</th>
<th>Fair to considerable</th>
</tr>
</thead>
<tbody>
<tr>
<td>S/Workers</td>
<td>62</td>
<td>18</td>
<td>14</td>
</tr>
<tr>
<td>Solicitors</td>
<td>61</td>
<td>41</td>
<td>18</td>
</tr>
</tbody>
</table>

Following the introduction of the new rules which clarified the position in relation to the petitioners' personality, there was a general improvement in the content of the reports. The "no observations or assessment" percentage was reduced dramatically compared to 1965, but the main improvement was in the "factual and repetitive" category. A fair percentage of the reports, however, improved sufficiently to be classified as "fair to considerable". The increase in this column mainly came from improved reporting at one court where the Sheriff took particular interest in the matter. Solicitors' reports fared rather badly in this re-assessment. Though social workers re-arranged their reports to incorporate
some of the new provisions, none of the solicitors appeared to have done so. Though a fair number of reports submitted by social workers appeared to have improved, this was slightly deceptive as at least two agencies incorporated the new provisions again in a pro-forma type of reporting. This gave the impression of containing interesting individual assessments, but the same assessment would re-appear in subsequent reports submitted by the same worker, or by another worker from within the same agency. The following comment, for instance, which on the surface appears to be more individual and personal, appeared in 9 reports submitted by three different curators from the same children's department:

"Consideration has been given to an assessment of the petitioners' personality and that of the infant and there appears to be mutual suitability of the petitioners and infant and the age difference is not outwith the normal age difference between parents and their children".

It may be argued that the requirements of the law were met by the above comment, but it is doubtful whether the court's knowledge about the applicants was increased. An interesting observation was that the agencies or curators, which submitted fairly comprehensive reports in 1965, were, with one exception, the ones that improved even further their reports to reflect
the new requirements.

The conclusion reached from these re-visits was that new legal provisions help to improve practice to some extent. New provisions, however, appear to be more appropriately used by agencies already observing good practices. Agencies, that have been stereotyping their work before, find ways of doing the same with any new requirements. It appears, therefore, that a change of law by itself, without parallel change of agency practices, can achieve only limited improvements. The re-visit study also highlighted the failure of solicitors to alter their reporting in any significant way. This may be due to two reasons: either because they were not yet aware of the new provisions, which is unlikely considering their legal background, or that there is a limit to how much people, with no experience or training in such work, can improve the personal and social content of their reports.

GENERAL OBSERVATIONS ON CURATORS' REPORTS

Apart from the 180 reports studied in depth, all the 1030 reports were studied for general observations and the following findings recorded:

(i) On no occasion did any of the curators suggest to the court the making of an interim order, though it will be seen, from later findings, that there were
appropriate situations for doing so.

(ii) In no case did any of the curators express any doubt about the personal suitability of any of the petitioners.

(iii) There was only one case in which a curator suggested to the court not to grant the order because the natural parents, who were daughter and son-in-law of the applicants, disagreed. In another case the curator recommended postponement of the decision until the applicants improved their accommodation.

(iv) In over two fifths of the cases there was no consultation between the curator and the supervising authority and in some of the cases there was no consultation between the curator and the placing agency. Thus, very vital links were not established between various individuals and bodies charged with safeguarding the interests of the child.

(v) In cases where the children were placed independently the curators' investigations and reports did not differ from those submitted about agency placements. In some reports, this important aspect was not even recorded.

CONCLUSIONS AND DISCUSSION

Curators-ad-litem are appointed by the courts and charged with the responsibility of carrying out independent investigations aimed at safeguarding the interests of the child. The
purpose of their reports is to place the court in a better position to decide the child's ultimate future. Curators' reports form the only basis on which decisions can be made and their importance cannot be over-estimated, as the amount and quality of the information will affect the decision. The reports assume even greater importance when it is realised that, in more than 90 per cent of the cases, there is no hearing and moreover there is no personal contact between the curator and the Sheriff who makes the decision. Because of the varied practices of placing agencies, ranging from good to mostly poor (See earlier chapters), those, who support the view that the curator should be a trained social worker, see him as being the one and sometimes only person who can safeguard the child's interests. It is suggested that, if and when agency placing practices improve, the curators' function may become unnecessary.

In spite of the importance attached to the curators' investigations, the latter appear to be very uncertain about the nature of their role and to lack conviction about its importance. The vagueness of the 1959 Act of Sederunt (Adoption of Children) did not help to clarify the matter. The conclusion from the study of the curators' reports is that most curators failed to realise the serious nature of their enquiries and saw themselves mainly as court officials responsible for
ascertaining the facts of the situation, that is information which was already known to the courts. Only a minority saw their role as extending beyond this to include an investigation and assessment of the psycho-social circumstances of those involved. Though half of the reports were prepared by solicitors and the remaining ones by social workers, the two types of attitudes transcended the two types of curators. The majority of solicitors' reports were found to be factual and uniformative but no were most of those prepared by both trained and untrained social workers. A greater improvement in social workers' reports was noted following certain changes made to the regulations in 1966.

When discussing the content of the reports with a number of curators, the view was expressed that their present form of reporting is 'safe' — and avoids possible legal and other complications. It also appeared that they were unaware of the type of information that the courts generally found useful. An important question arising out of this is how far the courts encourage such reports by not making different demands. Demands for increased information would put the onus on the courts for more deliberation on each case. A further explanation offered, about the 'poor' content of the reports, was the impotence felt by many curators because of the very late stage in the proceedings at which they are called in.
Some others explained the nature of their reports as being due to the fact that they 'trust' the placing agencies. However, not only did we see in an earlier chapter that the practice of the different agencies vary considerably in their quality, but also that curators' reports on independent placements did not differ from reports about agency ones. In discussing the various issues involved in this matter, two additional and more individual problems seemed to be involved, reflecting personal conflicts for the curator. The first problem is that, though the curator supplies the court with a confidential report, it is entirely up to the Sheriff's discretion to decide how to use it in the case if and when there is a hearing. Some courts favour making the report available to solicitors acting for any party. Although much of the information contained in the report will be confirmation and verification of facts, the curator cannot escape some responsibility for influencing, through his assessment, matters relating to the natural parents, the child and the adopters, including his prognosis about the outcome. If the report contains only favourable remarks about either the prospective adopters or the natural parents there is no trouble. But if the report speaks unfavourably of either party, its non-disclosure by the Court is likely to be seen as running counter to our notions of justice. Once adoptions are operated
through the Courts, the concept of justice cannot be sidestepped. If a natural parent's consent is being withheld and the court is determining whether it should, under its statutory powers, dispense with that consent, what is said in the report is vital. No parent should be deprived permanently of his parental rights without being able to argue fully why he should not be so deprived. The same could arise with the prospective adopters. An unfavourable report on their home life could mean the court's refusal to grant an order. On the other hand, the curator is appointed by the court as its investigator to guide it in the best interests of the child. The report therefore is necessarily confidential and may contain a great deal of matter which would be damaging or acutely embarrassing to the parties. Disclosure of every report can inhibit the curator and so provide less assistance to the court. The report may sometimes have to be based partly on hearsay evidence or confidential information given by the child (if old enough) or by others. Admission of hearsay evidence could be disallowed unless the third parties come to give evidence. The law has unfortunately failed to make it clear what is the precise status of the confidential report of the curator.

The second point is a more personal one for the curator but related also to the first. In preparing his report he may feel the conflict between his duty to give the court a full
picture of the adoptive applicants and his feelings about the effect on the adopters of an unfavourable report. The curator may be aware that, for some Sheriffs, particular features in the situation are more likely than others to lead to an order not being granted. He himself may either disagree about the importance of these features or feel that every couple should be allowed to adopt. The process is likely to challenge the curator's personal views about the rights of parents and those of children. If he has mixed feelings about the authority vested in him by the court and has not reached some personal conclusions on these issues, he may feel very uncomfortable when faced with the task of formulating assessments and putting his views on paper. The fact that only in approximately 23 per cent of the reports curators risked an assessment may be partly due to this, as well as to the fact that such assessments involve a personal commitment on paper and can only arise out of some certainty. Such certainty again can be dependent both on experience and on a body of relevant knowledge, which many curators did not have. Social workers, however, who possessed both experience and a relevant body of knowledge, appeared to copy slavishly forms of reports used by their agency. An agency is mostly interested to see that a task is performed and, in the process, it develops formalised ways of ensuring this. The trained social workers fell
victims to this practice and were unable to introduce any freshness or depart from the traditional methods. Most of the trained social workers were known to the writer as having both the skills and knowledge to prepare better reports. What appeared to be happening was that, overwhelmed by their other responsibilities, they tended to look upon adoption work and the preparation of such reports as chores or only as a fringe activity to be disposed of quickly. The impression was formed that, in each social service department dealing with a variety of problems, certain jobs are likely to be delegated as of lesser importance and consequently fail to receive more than minimum attention. This was further shown by the fact that some children's departments had delegated this serious responsibility to trainee workers. When the worker is faced with heavy responsibilities in some areas of his work, he is likely to resort to stereotyped methods of carrying out those types of work seen as peripheral. Formalised work does not tax the worker's resources and capacity for assessment expected in the form of personal opinions. Another observation, arising out of this, was the great pull of the agency, which appeared to be stronger than the individuals who worked in it - especially where a fair number of the staff were untrained and drew their security and role from the explicit rules of the organisation they belonged to. It should be noted, however, that the clarification of the regulations in 1966 resulted in
some improvement in the quality of the reports and, in this respect, the law can contribute towards the improvement of agency practices, but it cannot compensate for poor agency programmes.

On the basis of our findings, the value of the curator's function, in its present form, is highly questionable. The optimism expressed in the Home Office report, that the curator prepares "expert investigations" is not supported by these findings. Therefore many doubts can be expressed as to whether the present practice does really safeguard the interests of the child, this being the whole rationale on which the Adoption Act is based. Under the present practice, the curator comes too late and too little into the picture to be of real value either to the child or to the court. His present function may be seen as a method for rubber-stamping the placing practices of adoption agencies. Three main suggestions arise out of the current practice:

(i) The first arises out of the failure of the present law to recognise sufficiently the importance of the agency placing practices. It is because of this that it is felt that it would be more appropriate for the curator to be appointed at the stage when the adoption agency or any third party is contemplating placement. The curator could then carry out pre-placement investigations and report to the

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court - or some other similar body -. If the court
is not satisfied, the placement should not be
allowed to go through. The curator should be a
properly qualified and experienced social worker
who would not be the employee of any one agency
but should be appointed with a view to servicing
the court. He could be based at one of the social
work departments to be in touch with practice but
also in order to provide the missing links between
agencies, supervisors and the courts. Provision
for pre-placement investigations would necessitate
very quick action on the part of the agencies, the
curator and the court, as adoption is a race
against time. The longer the delay, the less
likely it is that another home will be found for
the child. Such a process is also very likely going
to make the placing agencies and the third parties
more careful about their placements.

(ii) An alternative suggestion would be to abolish the
curator's role and to strengthen the function of
the agency carrying out statutory supervision. If
the role of the supervisor is clarified and properly
carried out, there is no reason why such a person
could not supply the court with a full social report
about the circumstances of the contemplated adoption, and leave the legal aspects to be ascertained by the Clerk to the Court. The drawback of this provision would again be its post-placement nature with little opportunity to prevent an unsatisfactory placement.

(iii) Finally, it would seem to be beneficial, as long as the current system is retained, for the curator and the Sheriff to have the opportunity to meet to discuss cases together. This would give the curator the opportunity to understand the kind of information that the court finds helpful in its decision making role, and the court, in return, would have the chance to obtain additional verbal information and have a feedback about how earlier adoptions are working. If the curator is a social worker, he should have more opportunities for knowing how individual adoptions are working out. He could also base his assessments and his opinion on a body of knowledge and experience, instead of relying entirely on intuition and common sense.
THE DECISION OF THE COURT

The function of the Sheriff in adoption cases is to consider the application, along with the curator's report, and make his decision. Apart from judicial supervision at the moment of making the order, there is no other judicial control over the various stages of the adoption process. The court has no control over whether the child should have been placed in the first instance. The question often asked in connection with the court's adoption work is how far its function is a legal one, a social one or a mixture of both. Blom-Cooper, writing in "Child Adoption" recently, made the point that the process of adoption is not essentially justiciable. He added "The issues in adoption are hardly susceptible of solution by the application of legal concepts and rules of law". In having to determine whether the order, if made, will be for "the welfare of the child", the

court is expected to go beyond the legal into the psycho-social implications too. The Sheriffs, who decide adoption applications, have a legal training but no training in any of the social and behavioural sciences. The training and career of the average Sheriff equips him to conduct a criminal trial but it does not necessarily make him competent to decide in complex matters of human relationships. To quote Barbara Wootton, "nor is there anything in their training which might widen their social horizons or enlarge their social observations". Furthermore, as adoption work is only peripheral to the function of the Sheriff Court, it rarely receives much attention. A recent committee which reported on the work of the Sheriff court\(^1\) devoted only seven lines to the courts' adoption work, out of a volume of three hundred and twenty three pages. Not only does adoption work appear isolated within the quasi-criminal function of the Sheriff court, but Sheriffs themselves are isolated from, and unfamiliar with developments in this field. How adoption eventually works out is still an open question but the Sheriff's isolation from adoption workers, curators and from research findings deprives

him of important information and feedback that could influence his thinking and decision-making. The impersonal way in which petitions are now granted does not stimulate curiosity about their eventual outcome. If it is agreed that Sheriffs are not qualified by training or experience to consider all aspects of adoption, then in their decision-making they are likely to follow either of two procedures:

(a) Grant or reject the petition on the basis of whether tangible requirements such as age, consents, notifications etc. are met;

or (b) consider both the general requirements and also 'intangible' aspects regarding the personal suitability of the applicants and the child's special circumstances. These intangibles operate within the general rules, particularising the decisions. As the Sheriff rarely takes the opportunity of seeing the parties for himself, he is heavily dependent on the curator to supply the intangibles. Earlier on, however, it was pointed out from the findings that almost three fifths of the reports did not go beyond an ascertainment of the facts. If the intangibles are supplied only in a minority of reports, then it can be assumed
that approximately six out of every ten orders were granted under procedure (a) described above.

The Procedure

Unless the curator indicates otherwise, Scottish courts generally dispense with the necessity of making any of the parties involved in the adoption situation respondents to the application. This procedure makes it possible for the court to avoid fixing a hearing. In such instances, the petitions are considered in a routine way by the Sheriff alone in the privacy of his chambers. In only 66 cases (or 6.4%) was a hearing arranged by the courts. In all other cases, the Sheriffs granted the orders without seeing or hearing any of the parties involved. This was an impersonal, almost mechanical process and the decision was exclusively based on the amount of information contained in the curators' reports.

It is recognised that, in situations where the Sheriff is in doubt about the wisdom of granting the order, he will either ask for supplementary investigations or will arrange to see the parties for himself. There was only one instance in which a Sheriff asked the curator for a fresh report because he found the original one very inadequate. Though some Sheriffs were satisfied with the factual reports they were getting, others expressed to us considerable dissatisfaction.
Sheriff Kermack made the same point when writing in 'Child Adoption' and remarked: "The report of the curator-ad-litem usually carries little weight. The bulk of the report is generally taken up with a rehearsal of the general rules and a statement that they appear to have been observed, which I can see for myself". We asked a number of Sheriffs why they did not discuss with their curators the sort of information they would like to have to aid them in their decision making process. They gave almost similar replies to those given by some of the curators earlier, that "at this stage in the proceedings there is very little that can be done anyway". The comments implied a lack of conviction about the importance of their function at this stage in the proceedings.

The 66 instances, in which different courts arranged for a hearing, fell into the following four categories:

(i) Two of the courts tried to see all the grand-parents who were applying to adopt their daughters' illegitimate children. This practice was followed especially if the child's mother continued to live within the same household.

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(ii) A hearing would usually, but not always, be fixed if the curators were to inform the court that either of the biological parents was withholding his consent or had changed his mind.

(iii) When serious doubts were raised either about the child's or the applicants' health.

(iv) One Sheriff insisted on seeing all first adopters before granting the order.

In spite of the Hurst committee's strong recommendation, none of the third parties involved were made respondent to the application. The committee heard several witnesses on the question of court attendance by the applicants and the curator and there was general agreement among the witnesses that adopters like to attend the court, bringing with them the child "of whom they are proud". The committee thought that there was considerable "psychological value in the practice of the adopters and the child attending the hearing, particularly where the child is old enough to understand the proceedings".

Goodacre claims that practically all the adopters she spoke to were critical of courts, chiefly because the setting seemed so completely out of keeping with their mission. Most of them had looked forward to the hearing as being the ceremony which symbolised fulfilment. It was the ardently awaited day when the child would be theirs. They all found the experience, however, an anti-climax, and disappointment coloured their accounts. "They seemed to feel cheated of a long awaited moment of joy and recognition". The Scottish practice, of holding a hearing when there is usually an impediment, was unknown to most adoption agencies and adoption caseworkers. This showed how little contact agencies maintained with their placements as well as a failure to reflect on the adoption procedure with the consumers of the service.

It was difficult not to conclude, from the way that well over 90 per cent of the orders were granted, that the courts merely acted as rubber-stamps for the views of the curators and the placing practices of the adoption agencies. The Hurst committee expressed concern at the fact that the courts were satisfied by reports "containing little information in

2. Ibid, p.102.
support of the recommendation of the guardian at litem" and it ended by stressing that "no colour should be given to the impression that the court acts as a mere rubber-stamp for giving effect to the views of the guardian ad litem". Sheriff Kermack expressed the view that "the facade of the court's decision screens the social workers from facing their own responsibility for the intangibles". Though this may be true, it is the courts that are entrusted with the final responsibility for making the right decision. It does not absolve them of the responsibility of requesting better reports, arranging for hearings and giving more deliberation to each case. In none of the independent placements, for instance, in which no social agency was involved, did the courts see fit to arrange to see the petitioners or ask for additional information from the curators. Both the busy city courts and the small county ones generally followed similar procedures as regards deliberating on each case.


2. S.O. Kermack "Thoughts on Adoption Procedures".
Methods of Disposal

When disposing adoption applications, the court has the following options before it:

(a) To make a straight-forward adoption order: Such orders are granted on the assumption that they are in the best interests of the child. Of the 1030 applications studied, 1009 were straight-forward adoption orders. No conditions were imposed except, where appropriate, a condition about the religion in which the parents specified that they would like the child to be brought up. Because of the routine way in which the orders were granted, in at least 55 cases (or 5.3%) the religious requirement was omitted from the order.

(b) To make a provisional order: Fourteen such orders were granted, mainly to U.S.A. service families temporarily stationed here. Provisional orders can be granted to persons who are not domiciled in Scotland, provided the court is satisfied that the applicants intend to adopt the child under the laws of the country in which they are domiciled. The provisional order gives custody of the child to the applicants and authorises them to remove it outside
Britain. In none of the fourteen provisional orders granted did the curator or the placing agency obtain background reports on the applicants, from social agencies in the applicants' home countries. In one case, however, a placing agency asked for a report from the British High Commissioner's Office in an African country. As the various applicants were living here temporarily, background social reports would have been thought necessary, if the interests of the child were to be fully safeguarded. The writer witnessed two cases in 1958 when Cyprus courts granted provisional orders in favour of British service families living temporarily on the Island, without background reports having been obtained. Soon after the families arrived in Britain, the children were received into care, because the adopters had nowhere to live, and eventually both marriages broke down. Since then, Cyprus courts have insisted on background reports being obtained from the country of the applicants' domicile. The report of the seminar on Inter-Country Adoptions also stresses the need for such reports and under principle 7, it adds "...it is recognised that a home study of the adoptive parents may have limited value when the parents are living
in a temporary setting."

(c) To make an interim order: The provision which allows the court to make an interim order was not used for any of the cases in the sample. Interim orders can be made in cases where the court is doubtful whether an adoption order should be made. In such cases the local authority is instructed to continue its supervision. The Scottish rules are unclear, however, as to what happens when the interim order expires. Unlike the English provision, there is no requirement to ensure that the applicants will come back to the court.

In our view, interim orders could have been appropriate in the following situations: First, where grand-parents wished to adopt their daughter's child but the case was complicated by the fact that the natural mother continued to live there and the child did not know that his "parents" were his grand-parents and his "sister" was his mother. The following is an example copied from a curator's report: "I gathered that since returning from the Maternity hospital the mother has informally regarded the child as her sister and her parents as parents of the child. The child regards

his mother as his sister and his grand-parents as his parents". The curator then went on to recommend the granting of the order "as the circumstances of the home lead me to consider that the proposed adoption is consistent with the child's welfare". Neither the curator nor the court could see the inconsistency between the two comments and an adoption order was granted without hesitation. There were twenty similar cases in the whole of the sample, but it did not dawn on the curators or the court to suggest help to these families to sort out the difficult situation in which they were landing themselves. Second, interim orders might again be appropriate in the cases of older children who did not know that they were about to be adopted. In such cases an interim order would have given time to the local authority to help the petitioners deal with their feelings about telling the child. It is possible that the failure of the courts to make any such order reflected either their ignorance about available help or their lack of trust in the work of the supervising agency. When some of these cases were pursued with the supervising authorities, no clues were found in the scanty records to suggest that the supervising officer was aware that the child
did not know about his coming adoption. The officer had never met the child during his visits. In all, there were seven cases involving older children who did not know that they were not the children of their adoptive parents. Two of these were about to be adopted by their grand-parents, and the remaining five by their mothers and step-fathers. (Children that are to be adopted by a parent are not subject to statutory supervision and an interim order in their case could have helped to introduce a caseworker who might be able to help the family over this difficulty). Third, interim orders could have been appropriate in cases where doubts existed about the capacity of single applicants to cope on a long term basis with the demands of the adoption situation. Fourth, in the case of more marginal applicants.

(d) To refuse to make an order: The court may reach such a decision if it is not satisfied about the applicants' suitability or if it finds the biological mother's objection reasonable. There was only one case in which the court refused to grant an order. This was an application by grand-parents to adopt the legitimate child of their daughter because the marriage was not working well. As both parents
refused to give their consent, the court dismissed the petition.

No order was refused because of the applicants' personal unsuitability.

(e) **To postpone the granting of the order:** There were three such instances: One, in order to give time to the applicants to improve their accommodation, in the remaining two, the court was awaiting for additional medical reports.

Table 80 shows how the 1030 petitions were dealt with by the twenty courts.

<table>
<thead>
<tr>
<th>Disposal of adoption petitions (court sample N.1030)</th>
<th>N.</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Straight forward order .....</td>
<td>1009</td>
<td>(97.9)</td>
</tr>
<tr>
<td>Provisional order ............</td>
<td>14</td>
<td>(1.4)</td>
</tr>
<tr>
<td>Order postponed but granted later</td>
<td>3</td>
<td>(0.3)</td>
</tr>
<tr>
<td>Order refused because of parental objection ..........</td>
<td>4</td>
<td>(0.4)</td>
</tr>
<tr>
<td>Refused because of personal unsuitability of applicants ..</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Interim order .................</td>
<td>-</td>
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<td></td>
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<tr>
<td>1030</td>
<td>(100)</td>
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</table>
VARIED DECISION MAKING

Two types of adoption petitions appeared to cause considerable difficulties to the surveyed courts. These were petitions by grand-parents to adopt their daughter's child, and reclaim by the natural mothers.

(a) Petitions by grand-parents

It is quite clear that an application to adopt a grand-child or a related child is within the scope of the Adoption Act and that such an application may be granted even when one of the child's natural parents is living within the same household as the adopters. Of the 1030 petitions studied \( \frac{4}{13} \) (or 4.7%) were granted to grand-parents. In thirty-four cases the children were illegitimate. The legitimate children were adopted because their own parents were divorced or separated. In twenty of the 34 cases of illegitimate children, the child's mother was still resident in the same household. Two-fifths of these mothers were under eighteen years old and appeared to be very dependent on their parents.

The Hurst committee, commenting on such adoptions, stressed that "where an adoption order is granted in such circumstances, extra importance is to be attached to ensuring that the child is brought up in full knowledge of the truth; but in some cases the balance of advantage lies in the direction of refusing
such applications". The twenty courts in the study took very varied attitudes to the matter:

(i) Two courts refused even to accept petitions from grand-parents, one court even going so far as to refuse petitions by other close relatives such as aunts and uncles.

(ii) Three courts granted such petitions but made a strong recommendation that the child's mother should move away from the same household and the child be told about his adoption. The court has no power, of course, to enforce such recommendations.

(iii) Two courts insisted on seeing the grand-parents before granting the petition and tried to impress on them the nature of adoption and the need to tell the child the truth about its parentage.

(iv) The remaining thirteen courts had no hesitation at all in granting such applications.

Whether a grand-parent, and occasionally an aunt, can adopt a grand-child or a sister's child, depends to a great extent in which court's area they happen to live. The courts appear to have no clear direction on the matter and so the practice varies from one area to another. In the case of re D.X. (1949) Ch. D. 320, Vaisey J. while urging caution in dealing with an

application of this kind, pointed out that "every case must be judged on its own facts, dealt with on its own merits, and decided upon a balance of considerations", and he granted the order asked for, although the child's youthful mother was to remain under the same roof. This judgement implies that the courts, which refuse even to consider the petition, not only fail to acquaint themselves with the particular circumstances of each case, but also deprive the applicants of the opportunity of a fair hearing. To grant an order, especially in circumstances where the natural mother lives under the same roof, may, it is argued, involve a risk of possible psychological danger to the child, especially in view of the retrospective findings referred to earlier on, which show that some grandparents do not tell the child the truth about his parentage. Others would argue, however, that the granting of the order in such cases merely sets a seal on a de facto adoption which would have continued in any event and which would have involved precisely the same risk. Some Sheriffs who follow this line tend to believe that the risks are outweighed by the positive advantages of the child living with 'blood' relatives. These advantages can be dubious, however, as seen from the following example: One case, reported by a curator, was that of a seven year old boy who was about to be adopted by his grandparents. The child was not aware of the true circumstances
of his birth. The grand-parents, the only professional people in this group of adoptions, were reticent about telling the child the truth. They told the curator that the boy was subject to asthma and liable to suffer an attack when under strain or emotionally upset. After the grand-parents promised the curator they would tell the child the truth, the court proceeded to grant the order. The impression could not be avoided that, in this case, by ignoring the possibility of an interim order, an unwitting collusion by the curators, the court and the adopters possibly deprived the child of learning the truth.

It is difficult to understand the complex motives that induce a minority of grand-parents to adopt their grandchildren, but the pattern that emerged here offers two probable explanations: First, half the children were adopted when under two years old and three quarters of the grand-parents had no other children below the age of ten. There appeared at the time of the adoption to be no particular reason for the adoption, except for the natural mother's youth. This seemed to fit with Young's observation that some young unmarried mothers appear to fulfill, through their pregnancy, a need of their mothers who long to look after a young baby. Through the adoption

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order, the grand-parents were ensuring that the child would be theirs, and the early stage at which this went through, made it easier to bring up the child under the false pretence that they were his natural parents. These were some of the cases in which the curators reported that the natural mother was seeing herself as the child's sister and the grand-parents were projecting themselves as parents.

A similar observation, to that of Young, was made to the writer by a psychotherapist who at one time was holding treatment groups of teenage girls in Glasgow. One interesting point, that emerged from some of the discussions, was a feeling on the part of most girls that their mothers would be disappointed if by the age of 21 or so they had not married and favoured them with a grand-child. It is difficult to determine how widespread this feeling is and whether this pressure is felt more by some girls than others, who may subsequently try to satisfy the parental expectation with an out-of-wedlock pregnancy. Aldrich's theory of expectation would fit with this type of behaviour. Aldrich maintains

that individuals are subject to the pressures of their families, groups or cultural environment and that often they may give expression, through their behaviour, to the needs of these others. The behaviour may take the form of deviant acting-out. If we accept the theory of expectation, then, in the present situation, this must be a working-class characteristic, as adoptions by grand-parents, in contrast to adoptions by non-relatives, are mostly confined to the working classes. Though, in adoptions by non-relatives, almost two out of every five adoptions were by people in social class I and II and only one in every seven was in social class IV and V, in adoptions by grand-parents only one every twelve such petitions was by couples in social class I and II but almost two out of every five were in social class IV and V. The question posed is why the psychological need to mother a further baby is predominantly found among the working classes. The possible explanation is that working class girls are more dependent on their parents, live in closer proximity to them and are more subject to parental pressures. Also, as pointed out in chapter four, illegitimacy among the semi-skilled and unskilled workers appears to be more tolerated and this includes a long tradition of grand-parents bringing up their daughters' illegitimate children. In contrast, upper class couples usually find fulfilment in other interests which are accessible to them. Again it was pointed out in chapter four how children
born to mothers of higher socio-economic background were surrendered for adoption at a much higher rate than children born to girls from lower socio-economic backgrounds.

The second explanation, for adoptions by grand-parents, appears to be a more practical one. Three quarters of the children were adopted before they reached the age of five, which suggested some wish on the part of the grandparents to regulate the child's circumstances before it came into contact with the outside world, such as school.

A third explanation which suggested itself from some of the more informative reports - and is therefore not reliable for any statistical purposes - was that in a few cases the grandparents initiated adoption proceedings at a time when the child's mother was either about to marry someone who was not the father of the child, or was about to move away from the parental home. In both cases the mother's action appeared to trigger a fear of loss in the grandparents.

Like adoptions by mothers and their husbands, the value of adoptions by grand-parents is questionable, whereas the substitute of a form of guardianship should encourage more honesty all round.

(b) Reclains by Biological Parents

This is the second group of cases that appears to cause
courts considerable difficulty before reaching a decision. Reclaims by parents come under two categories: i) situations in which the parent withholds the original consent and (ii) situations in which the parent changes her/his mind after having signified an original consent.

(i) Withholding of consent: Situations of withholding original consents mostly arise in cases where the parent has disappeared and cannot be found. Out of the sample of 1030 adoptions, original consents were withheld by 21 parents (or 2.0%), eleven being mothers and 10 "husbands of mothers". Of the 11 mothers that withheld their consent, 10 had disappeared and could not be found. In the remaining case, the mother's consent was dispensed with, after a hearing.

In cases where the parent withholds consent, the court has power to dispense with it, if it is satisfied that the parent whose consent is necessary has:

a) abandoned, neglected or persistently ill-treated the child;

b) cannot be found or is incapable of giving consent or is withholding his consent unreasonably;

c) has "persistently failed without reasonable cause to discharge the obligations of a parent or guardian of the infant", whether or not the court is satisfied.
regarding the matters mentioned in a) and b) above. This new provision was introduced by the 1953 Adoption Act and it was hoped that it would be used, especially by local authorities, for cases where there is no total "abandonment" of the child. This, it was thought, would facilitate the adoption of children who are likely to stay in long term care and whose parents are only intermittently interested in them.

In the case of the ten mothers and nine "husbands of mothers" who could not be found, the court had no difficulty in dispensing with their consents on the ground that they "could not be found". Six of the 10 mothers had placed the child directly and then disappeared. The consent of the eleventh mother was dispensed with for "persistently failing without reasonable cause to discharge the obligation of a parent or guardian of the infant". This was the only case in the sample in which a Sheriff court was asked to dispense with a consent according to the new provisions of the 1958 Adoption Act. The child in question was born on 22.3.1963, being the illegitimate child of a Miss C. Soon after it was born, the mother handed it over to the care of a local authority, who in turn placed it with a foster-mother. The mother never had the child in her custody and visited him only once in the
first six months of his placement. In March, 1964 the foster-parents intimated to the local authority that they would like to adopt the child, as his mother did not seem to be interested in him. The mother was seen by a social worker in Liverpool, where she was living, and agreed to give her consent to the adoption. Two months later, she informed the local authority that she had changed her mind. A month later, she again told the local authority that she could not have the child herself and she agreed to let it be adopted by the foster-parents. In August, 1964 the foster-parents petitioned the court for an adoption order, but the mother refused to sign her consent. She intimated to the curator that she would like to have the child. As the foster-parents persisted in their application a hearing was fixed. At the hearing, the court had before it the curator's report which was favourable to the petitioners and, after listening to the mother's objection, it found against her on the grounds stated earlier. A similar decision was delivered in the Edinburgh Sheriff court on 21.10.60 in the case of D. v C.M.M., where the circumstances of the case appeared to be the same.

In spite of these two precedents, local authority children's departments appear to be reluctant to place children where there is a possibility that parents, who have hitherto abandoned their children, may turn up and reclaim them.
7^1.

One Scottish authority, for instance, had in 1964-65 almost a thousand illegitimate children in its care (44.0% of the total number in the authority's care), but no evidence was found to suggest that any special effort was being made to use section 5 of the 1958 Adoption Act to place children whose parents had "persistently failed without reasonable cause to discharge the obligations of a parent or guardian of the infant". At least 81 of the children in the care of this authority were described as "abandoned". One possible explanation for this is that when the children are taken into care as infants, they are mostly placed in residential nurseries, which are readily available, but, because of the shortage of field-workers and the pressure of work, the children's cases are not reviewed until after one or two years, when it is already too late to place them for adoption. Mr. Hannan M.P. speaking in the House of Commons on 27.3.68 maintained that, because of the heavy case-loads of child care officers in the city of Glasgow, many children remained in residential homes because there was inadequate staff to find foster homes or help parents. It should be recognised, however, that some authorities do place such children with foster-parents in the hope that they may later decide to adopt them. (We referred to some of these cases in chapter seven, but remarked that their number seemed small compared to the total number in care). In
the case of children whose parents have not officially surrendered them for adoption, but simply failed to carry out their parental obligations, both local authorities and would-be adopters are cautious. It needs great conviction by the local authority, that it can present a good case to the court, before it can persuade applicants to take the risks involved. Even allowing for the new clause introduced into the 1958 Adoption Act, the court must still find that the parents are unreasonable in not giving their consent. Unreasonableness has to be determined, however, at the date of the hearing and not at any other point of time. (See re L (an infant) 1962, 106. S.J. 611 and reported in the Times on the 19th July, 1962). In yet another case, the Judge ruled that, if it is established that the mother wants the child, that she is fit to be a mother, and that she can support the child, it is prima facie impossible to say a decision not to have the child adopted is unreasonable. (Ormerod L.J. In re G. (an infant) (1963) 2 Q.B. 73; at p.91).

The Consent of the Mother's Husband

The consent of the mother's husband to the adoption of her extra-marital child is considered to be necessary. Ten per cent of the children adopted were born to women whose husbands were not the fathers of the children. Of 98 such cases, the husbands gave their consents in 88 instances (or
743.

90%, and, at the suggestion of the curator, the courts dispensed with the consent of the remaining ten, who could not be found. In nineteen instances, husband and wife were living together at the time of the child's adoption.

Considerable material has been written on the subject of whether the mother's husband should be required on such occasions to give his consent or not. There appear to be two distinct schools of judicial thought on this matter. One school of thought is concerned with the proof of illegitimacy and whether the husband is or is not a parent within the terms of §4 (1) of the 1958 Adoption Act. The other school of thought bases its reasoning on the presumption of legitimacy of any child conceived during the marriage. From this arises a belief in the necessity for the husband's formal consent, or at least for a notice to him informing him of the adoption application. It is argued that this insistence, even in cases where the couple have been separated for years, can lead to anxiety and unhappiness on the part of the mother, who may not want her "husband" to know. Some courts in England maintain that a husband has a right to be notified, because he will then have grounds for divorce. No suggestion has been made, however, that a man's wife should always be informed about her husband's illegitimate children that are about to be adopted. The Scottish courts generally expect
that the husband of a woman will be notified, but wide discretion
is left to the curator as to how he does this, and the courts
are generally prepared to accept his recommendation. The
curators in the sample always tried to obtain the husband's
consent after consultation with the wife. Only one of the
mothers, among the 98 in the sample, raised an objection
to her husband being seen or asked for his consent. This
was a married woman from abroad who conceived the child whilst
staying in Britain. As she was going back to her husband she
did not want him to know about the matter. The curator, on
being satisfied about the timing of her departure from her
country and the birth of the child, suggested that the court
dispense with the husband's consent. The court accepted this
recommendation. The remaining 97 mothers raised no objection
to an approach to their husbands, and this was mainly for two
reasons: First, those who were still living with their
husbands had already told them about the matter and second, in
the remaining cases, the marriage had irretrievably broken
down and neither of the spouses appeared to care what happened
to the other. Of the 88 husbands who voluntarily signed their
consent, 82 did so to facilitate the proceedings, whilst the
rest did so after the curator promised to stress in his report
that they were signing as "husband of the wife" and not as
"father to the child". The remaining nine husbands could not
be found or failed to respond to the curators' letters. The latter, on being satisfied that there was no contact between the mother and her husband, advised the respective courts to dispense with consents, which they eventually did. Only one court expected the mother to sign an affidavit swearing to non-access. In all other cases, the courts appeared to show considerable flexibility. The extent to which the curator pursued his enquiries depended on how well he was satisfied that there was no contact between the mother and her husband during the period. We came across no case where unnecessary anxiety or suffering was created as a result of the Act's requirement. Apart from the case of the Commonwealth mother quoted above, no other mother expressed any fears about the effect this would have on the relationship with her husband. It can be further argued that, in cases of contemplated reconciliation, it will be a very precarious arrangement if it is based on continuous fear of what the other spouse is likely to find out. If occasionally a few curators, mainly solicitors, pursued their enquiries, it was because of their belief that a child should not be branded as illegitimate when there was still a possibility that it might be the child of his mother's husband. These solicitors generally saw the adoption of legitimate children as a "down-grading" process. One of them said in his report: "The illegitimate child benefits
through adoption but the legitimate one has nothing to gain in status. For this reason I tried to make sure that the child in question was illegitimate". The fact that legitimate children too may be rejected and subsequently benefit through adoption did not appear to enter the deliberations of some solicitors, who appeared to be concerned more about status than about the psychological atmosphere in which a particular child would grow up.

(11) CHANGE OF MIND BY THE PARENT

The group of mothers who vacillate or who change their mind after signing their original consent, usually confronts the court with a serious decision involving parental rights. The conflict at issue is the rights of the parent to bring up his own child and the interests of the child to have an uninterrupted relationship with people it has already got to know and got attached to. A few mothers change their mind and ask for their child, though they have originally consented to its adoption. Once a petition has been filed at the court, however, the child cannot be removed without licence from the court. The court, in considering whether the mother is unreasonable in withdrawing her consent, shall have regard to "the welfare of the child". The fact, however, that a mother at first gives and subsequently withdraws consent is not
per se evidence of unreasonableness, for this is a right granted by statute, and its exercise is accordingly irrelevant to the question of unreasonableness. (see Jenkins L.J. in re K (an infant) 1953, 1 Q.B. p. 117). Lord Denning, however, in re L. (an infant) 1962, 106 S.J. 611, added that "nevertheless, it is becoming increasingly clear that it may well be unreasonable for the parent to vacillate and so disregard the effect of her conduct upon the child and the adopters".

In the whole of our court sample, we came across only seven cases (or 0.7 per cent) in which the mother of a child changed her mind and asked for the child to be returned to her. Though this is a very tiny proportion compared to the total number of adoptions completed each year, such cases can cause considerable misery and distress for everybody concerned. (In the first part of this chapter it was also noted that 30 serial numbers (or 2.6%) were cancelled either because of the mother's, the agency's or the adopter's change of mind before notification was given to the court). It is cases of this type that have led, over the last twenty years, to increased pressures to have the mother's consent made irrevocable. Such proposals stem mainly from the wish to save the child from liability to the upsetting experiences of being moved, after he has been in the prospective adopter's home for some months, or years, and partly to save the adopters from the distress of
having to part with the child to whom they have become attached.

Dr. Soddy, a psychiatrist, giving evidence in two cases where there was a possibility of transferring young infants under the age of eighteen months from one mother to another, summed up the views of child development experts by saying, "the effect of any change upon a child of his age (18 months) must be problematical, and I would say as a doctor that to move him would be to take an unjustifiable risk with his future". This view, widely held by other experts in the field, has come under attack on the ground: (a) that it is based on the clinical experience of persons who much later in life go to psychiatrists for some trouble for which they hoped he might provide a solution, and that it would be advisable to take into account those who suffered parental deprivation and were normal and would not, therefore, go to a psychiatrist; and that the number of such normal persons who suffered parental deprivations is completely unknown. One possible answer to this is that, though only a small number of people get malaria, yet every effort is made to eradicate it and not expose everybody to it. (b) that the relationship between a child and his mother is only one of many factors which affect the child's development, and (c) that more important for the child is the temperament and character of the substitute mother to whom he is to be transferred, than the fact that he will be

1. In the matter of C(an infant) in the High Court of Justice 15.12.65 (From the Shorthand notes of the Association of Official Shorthand-writers Ltd, Room 392, Royal Courts of Justice, and 2 New Square, Lincoln's Inn, London, W.C.2.)
transferred. In other words, that upset caused to a child by a change of custody is transient and a matter of small importance, if the substitute parent is suitable.

The Standing Conference of Societies Registered for Adoption in a memorandum to the Home Office stressed that help should be concentrated on helping the mothers to make up their minds, but that, once the consent is given, it should be final. While it recognises that the law must protect mothers from being hurried or pressed, it argues that such mothers would benefit from being able to make an early final decision. The Hurst committee heard evidence from various witnesses making a similar proposition but, in its final report, it made no such recommendation. In Chapter six it was noted, however, that most adoption agencies in Scotland lack the necessary resources to offer an adequate casework service to unmarried mothers and that the present social work services offered to them are negligible. No planned help is currently


2. "Report of the Departmental Committee on the Adoption of Children".
offered to the mothers and a change in the law, before agency practices improve considerably, might be considered premature. The small number of mothers who waver indicates that the present system of re-affirmation of consent is not wholly bad, though certain changes may have to be made. Unless the law is changed to provide for the abrupt termination of parental rights, it looks as if any other alteration will still find the courts having to adjudicate in issues involving the rights of parents and the needs of children. As far as the working of the current system is concerned, what appears to increase anxiety is the different ways in which the courts disposed of reclaims by mothers. The varied decisions often appeared to reflect personal beliefs or prejudices rather than the legal and psycho-social implications of each case. This divergency of attitudes was demonstrated by the varied practices and decisions reached by the four courts that dealt with the cases of the seven mothers who reclaimed their children.

**COURT NO. 1:** Two cases came before this court of mothers who withheld confirmation of their consent and asked for their babies back. In both cases the court arranged for a full hearing at which all parties involved were separately heard. The first mother maintained that when she signed her consent she was not aware that it was irrevocable. Her caseworker,
whom she visited on the morning of the date she signed, gave her the consent form and asked her to go to the court and have it attested. She argued that no one took the trouble to explain to her the full implications of her act. The Sheriff, after hearing the remaining parties, found against the mother for (a) having not been and still not being able to make proper arrangements for the child, and (b) because the adopters were found to be suitable.

In the second case, the child had been with the adopters for eight months and was by now ten months old. The mother had twice changed her mind before but each time she would notify the adoption agency to say that she had finally resolved to surrender it. When the curator approached her for confirmation of her consent, she again changed her mind and wanted her child back. At the court hearing, she told the Sheriff that she wanted to make a home for her child. The Sheriff, however, granted the order in favour of the applicants. He commented that he took all circumstances into account, including "the welfare of the child" and found: (a) that the mother had no definite plans for the child, was immature, insecure, undecided and unhappy, and (b) that the petitioners were suitable people to adopt.

**COURT NO. 2:** One mother, who had placed her child directly with adopters, refused to confirm her original consent. The
child had already been with the adopters for two and a half years. The mother subsequently notified the court that she objected to an order being made in favour of the adopters because she was now in a position to take care of her child. The court arranged to hear the mother only and after doing so, it was satisfied that she was not unreasonable in withholding her consent. Subsequently it informed the applicants that they must return the child. No other reasons were given for the decision. Though this child had been with the petitioners for a long period, this court took a very different decision and followed a different process from the previous one. There are reasonable doubts as to whether "the welfare of the child" was considered, especially as neither the adopters nor the supervising authority were seen or heard, by the court. The effect of the move on the child was not considered, apparently the court believing that the "blood-tie" was stronger than any emotional attachment. Dr. Soddy again, giving evidence in the case of "C" (an infant) in the High Court of Justice, when asked about the "instinctual relationship" between a child and his biological parent, agreed that this was important but that it was quite immaterial, for the formation of this relationship, that the other party should be the biological parent. He further explained that there is an instinctual tie between parent and child, but not between the child and the
parent. He went on to say that a child's tie with his parents depends as much on access, on exposure to contact, as on any other factor. This would mean that the blood tie is of relatively little importance.

COURT NO. 3: This court received notification from the solicitors of two mothers intimating the withdrawal of their clients' consent and asking to have the babies back. The children were six and four months old respectively and had been with the prospective adopters almost since birth. The court, without holding any kind of hearing, directed the petitioners to return the children. The issue appeared to be decided in an administrative way, by seeing or hearing none of the parties involved, or obtaining reports from the supervising authority or the curator. No recognition was given to the fact that the children might have formed vital attachments to their adoptive parents. The "welfare of the child" was not therefore considered and it appeared that this particular court chose an easy way of dealing with disputes involving complex human relationships.

COURT NO. 4: This court dispensed with the consents of two mothers who refused to confirm their original consents and wanted their children back. Again, no hearing of any sort was held. One mother insisted that, when signing her consent, she was unaware that it was irrevocable, whilst the

1. In the matter of C (an infant) in the High Court of Justice 15.12.65).
other told the curator that the adoption society, which arranged the placement, had pointed out to her the possibility of court action by the petitioners for compensation, if she refused to confirm her consent. The court based its decision on the curators' reports which indicated that both mothers had changed their minds several times before. The Sheriff further intimated that neither of the mothers had a settled way of life and that the children, who were now eight and six months old respectively, were attached to their adoptive parents. The court eventually found both mothers as being "unreasonable in withholding their consents". In both cases, however, the court failed to arrange for a hearing and make the mothers a party to the proceedings. In re B (an Infant), 1957, All E.R. 193, C.A. 28 Digest (Repl.) 633, 1329, the mother's consent was dispensed with in the County Court, and she was not made a party, though her address in Australia was known. The Court of Appeal held that she should have been made a party and that, in those circumstances, she had a right of appeal.

The four courts which considered the seven cases, followed widely different procedures and reached equally varying decisions on matters involving similar issues. Apart from Court No. 1, it is difficult to conclude that the other three courts gave enough consideration either to the welfare
of the child or to the wishes of the various parties affected by the situation.

Though all mothers, who surrender through an agency, are furnished with an explanatory memorandum setting out the implications of their act, this point seems to merit further consideration. Three, of the seven mothers who reclaimed their children, insisted that, at the time they signed their consents, they were unaware of the exact implications of their act. This could have been, of course, a simple excuse, but there appears to be a strong case for more reality to be injected into the whole process of signing away one's child. The mothers are given the memorandum, mentioned earlier, at a time when they are in considerable distress and confusion and it is arguable how much of its contents they take in, or whether they even care to read it. Furthermore, the actual consent is usually given a few days or weeks afterwards and there appears to be quite a dichotomy between the time the memorandum is given to them and the stage at which the consent is signed. In only a minority of cases were any of the mothers accompanied to the court by their caseworker at the

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time of signing. The usual practice was for the consent form to be sent to the mother who was then asked to go to the local court and sign it before a Sheriff. The Sheriff, who is usually a very busy person, is responsible only for attesting the mother's signature and not for discussing with her the implications of her act. Many clerks to the courts indicated to us the desirability of caseworkers accompanying the mothers to the court and explaining to them yet again what the signature involves. This, they argued, should bring more reality into the whole surrendering procedure and possibly could be used as a basis for considering amendments to the law, to make the mother's consent final at a certain stage. Many of them were surprised at the number of mothers turning up at the court with the consent form in hand and with little idea of what this involved. Very often some of these mothers had had only very tentative discussion with their caseworkers a few days or weeks earlier and had by now forgotten the details. Stressing reality, possibly for a second or third time, may be painful to many mothers, but it can also help those who find it difficult to come to terms with the fact that they will permanently lose the child.

THE DILEMMA OF THE COURT

In cases where either of the parents withholds his consent or changes his mind, the court has to adjudicate on the
issue of parental rights, in the light of the child's welfare. As the welfare of the child is such an intangible quality, it is not surprising that, over the years, courts have reached diverse decisions.

As a concept "the welfare of the child" first appeared in the Guardianship Act of 1886, which stated that, in cases of divorce and where there was a dispute about the custody of the child, regard was to be paid to "the welfare of the child" and also to the conduct of both parents. The 1925 Guardianship of Infants Act gave a clearer directive to the courts. Under this Act, in deciding custody-cases the courts "shall regard the welfare of the infant as the first and paramount consideration". However, in the English cases Re Thain, Thain v Taylor, (1926) Ch. 676; 15 L.J. Ch. 292, C.A.; 28 Digest (Repl) G 14, 1212, it was pointed out that the welfare of the infant, though the first and paramount consideration, is only one amongst several other considerations. The parent, unless he has shown himself unfit to have custody, has generally a right to the custody of his own child.

There is no neatly packaged, exhaustive judicial statement of the meaning of the child's welfare. Principles of material, physical and psychological, as well as spiritual welfare have all emerged from Scottish cases in the last twenty years. In Nicol v Nicol, 1953 S.L.T. (Notes) 67, the court
took into account the living and other material conditions. In Barr v Barr, 1950 S.L.T. (notes) 15, the court took into account such psychological factors as fear of living with a father. Some judges have also regarded it as undesirable to separate brothers and sisters: (Nicol v Nicol, supra). The most notorious case in matters of spiritual welfare is Mackay v Mackay, 1957 S.L.T. (Notes) 17 in which Lord President Clyde said, "Atheism and the child's welfare are almost necessarily mutually exclusive". In the same case Lord Carmont emphasised in somewhat broader terms that materialistic considerations are not the only ones.

In cases under the Guardianship Act, the courts are mostly asked to adjudicate between parent and parent, whereas in adoption proceedings the decision to be made is between parent and applicant. Furthermore, in guardianship proceedings the court may, on the application of the parent, vary or discharge the order, which is not possible with adoption orders and for this reason greater scrutiny may be necessary in the latter cases.

The 1930 Adoption (Scotland) Act, declared with regard to adoption applications that "the order if made will be made for the welfare of the infant", but the subsequent Acts of 1950 and 1958, unlike the guardianship Act, by strong implication declared that the child's interests were not
paramount. It has now been established beyond doubt that the
test of reasonableness is not to be ascertained by reference
to the interests of the child as the paramount consideration,
as in custody cases, but by reference to the attitude of the
mother. The welfare of the child is still subordinate to the
legal rights of parents and it is the enforcement of these
rights that often frustrates the adoption of a child. This
conflict was demonstrated in the cases described earlier when
the mother either refused her consent or changed her mind after
originally signing her consent. In three cases where the
children had settled down and formed attachments to their
prospective adoptive parents, the courts, not withstanding
evidence from studies in child development about the possible
risks of removal and separation, nevertheless decided that the
parents' rights should be upheld. In 1952 Mr. Justice

1. Devline, as he then was, is quoted as having said the
following on the 1926 Adoption Act: "That gives an absolute
discretion and, in exercising their powers under a section so

1. Reported in "Child Adoption" No. 53
worded, the justices would no doubt be right in regarding as the matter of paramount importance the welfare of the child. He then went on to refer to the 1950 Adoption Act, and said: "However that may be, it is plain that the test is no longer the welfare of the child". Mr. Jennings (Burton), who raised in Parliament the subject of the present position regarding the withdrawal of the natural mother's consent in adoption proceedings, remarked that the way the 1953 Act was working out in practice meant that the welfare of the child was no longer of paramount importance. Mr. Jennings quoted instances, similar to the ones we quoted earlier, where the welfare of the child had been totally disregarded and the child returned to the natural mother.

A further complication posed to the courts is the conflict between the Adoption Act of 1953 and the Legitimacy Act of 1959. Though the father of an illegitimate child is not a parent, within the meaning of the Adoption Act, under sec. 3 of the 1959 Legitimacy Act, he has a right to initiate proceedings for the custody of his child. This right enables a father to delay or even prevent the making of an adoption order. Whether the father's right to be heard, under the

1. Mr. Jennings Burton M.P. raised this subject in the House of Commons on 6.11.67.
Adoption Act, involves a right to be notified of the hearing, and whether the curator should seek him out, or do so only if he has maintained an interest in the child, are matters for which there is no agreement among the courts. The most well-known case, which illustrates the conflict between the Adoption and Legitimacy Acts, is what has come to be known as the "blood-tie" case. The decision of the High Court of Justice and of the Court of Appeal, in this case, polarised the feelings between those who believe in the importance of maintaining the "blood-tie" and those who see emotional attachment as more important. The gist of the case was that a boy was born out-of-wedlock to a single girl in July, 1964. The father was a married man, whose first marriage had ended in divorce, and who was at the time estranged from his second wife. The affair between him and the mother of the child started in April, 1963. In August, 1963 the father and the mother intended to marry and were waiting for the outcome of the divorce proceedings started by the father's second wife. After the mother became pregnant with this child, she told the father that she was not interested in marrying him any longer, but she did not tell him that she was expecting. After the

1. In the matter of C (an infant) in the High Court of Justice 15.12.65).
child was born, the mother approached an adoption agency and arranged to place it for adoption. The father, who came to know about this, approached the society and tried to verify this, but the society refused to discuss the matter with him. On 31.8.64 the child was handed over to prospective adopters, but on 14.9 of the same year, the father took out a summons for custody. Proceedings for the adoption were stayed until the custody application was heard. In the meantime, the father was reconciled with his second wife and went to live with her. It was not until 15.12.65 that the case came before the High Court of Justice, and it was another three months before it was heard in the Supreme Court of Appeal. By this time the child had been with the proposed adopters for over 18 months. Both courts found in favour of the father and gave him custody of the child. The Appeal Court reached its decision by a majority vote.

The High Court Judge, in finding for the father, referred to the "blood relationship" between the father and the child, and what he described as the "instinctual bond" between them. The Judge concluded, "There is a risk, but it seems to me the prize is something which cannot otherwise be had for this child, that he should know who he is and be brought up by his own people". The opposing view was put forward by Justice Willmer of the Court of Appeal, who dissented from his
colleagues. In finding in favour of the adopters, he concluded "In these circumstances it seems to me that the effect of the judge's order is to subject this child to a grave risk of permanent injury, and all for the sake of the rather shadowy and conjectural advantages possibly to be derived from being brought up by his natural father and his exceedingly competent wife. The matter of the 'blood tie' is a proper matter to be taken into consideration when comparing the advantages of two homes, but it shall not be regarded as decisive. It is relevant only in so far as it is calculated to promote the welfare of the child, which is the paramount consideration". A similar view was expressed by Lord Denning in re "C" an infant, (1965) Chancery Division, page 23, at page 28, when he said: "The natural father is not in the same position as a legitimate father. He is a person who is entitled to special consideration by the tie of blood, but not to any greater or other right. His fatherhood is a ground to which regard should be paid in seeing what is best in the interests of the child, but it is not an overriding consideration".

All judges involved in the "C" case strongly criticised the adoption society for proceeding to place the child with adopters, though it knew that this was a disputed case. In such disputed cases, however, neither of the Acts makes any provision about what should be done with the child in the
meantime. In addition, the long time, that it took the court to reach its decision, would leave the child in a limbo state and unlikely to be adoptable after a long period in institutions. The decision of the Court of Appeal in this case, produced a volume of letters, articles and general discussion, very little of which was in favour (other than legally) of the Appeal decision.

The conflicting provisions of the two Acts has, to a certain extent, led to the reluctance of agencies to involve the putative father, for fear he may decide, to take action under the Legitimacy Act of 1959. On the other hand, as social agencies say that they would like to involve the fathers more, they may have to press for a clarification of the law. The move now is towards a greater recognition of the putative father's rights as a parent and any legislation in this direction will not be easy, as it will have to resolve the conflict between the need to place the child as early as possible, and, at the same time, to give the natural father the maximum say about the child's ultimate fate.

In the whole of our sample, we came across only one case where there was a conflict between the mother's and the putative father's wish. The father, who was serving a prison sentence at the time, informed the Court (court No. 1 quoted earlier on) that he objected to the child being adopted. The court arranged
a hearing but the father failed to turn up. A further letter was sent out to him but he did not reply. Upon receiving no reply, the court proceeded to grant the order in favour of the adopters.

To acknowledge the father's right to have a say in the fate of his child may in fact erode further the concept of the child's welfare. The present practice, however, by which consultation with him comes mainly after the placement of the child, can equally work to the detriment of the child. The curator's belated effort to contact the father is bound to generate interest in some, who may then want to claim custody under the 1959 Legitimacy Act, and this whilst the child is already settling down with adopters. Custody applications at such a time also diminish the mother's rights vis-a-vis those of the father because of her act of parting with the child, which can be construed as evidence of lack of concern. Hence the reluctance of some mothers to reveal the name and address of the putative father and the collusion of most agencies, because of the contradictions in the laws.

Earlier on, in discussing the function of the curator-ad-litem, the suggestion was made that the stage at which he should be involved is before the child is placed. Similarly, it would be less hazardous for everybody if parental consents could be accepted at an earlier stage in the adoption proceedings.
Surrender by the parents could come earlier than the end of the first six weeks as stipulated by the law now, but the parent could still withdraw his/her consent before a fixed period is over. In chapter four it was pointed out that between seventy and eighty per cent of single mothers appear to reach a final decision about their baby, within a week after confinement. It would also allow agencies to concentrate more intensively on those mothers who vacillate too much and need considerable support before they can reach a definite decision.

**HEALTH ASPECTS**

In Chapter eight, we noted the discrepancy in content between the medical certificates reaching the adoption agency and the pro-forma ones reaching the courts. It was shown that, in the area of one court only (Edinburgh Sheriff court), the medical certificates for 128 couples showed only sixteen applicants as suffering or having suffered from some kind of disease; in contrast, the medical certificates that reached the agencies for the same applicants, showed that 49 of them suffered or were suffering from an emotional, mental or physical disability.

None of the medical practitioners who signed court certificates expressed any doubt about the suitability of any of the petitioners to adopt, even in those cases where the petitioner was under psychiatric treatment or on phenobarbitone
for the control of epileptic attacks. With one exception, similarly neither the curator nor the court expressed any doubt or reservation. The only case, in which the curator asked for further medical evidence, was that of a professional man who was found to be suffering from a distressing deteriorating condition. This was known to the agency that originally made the placement. The physician in the case reported that the "effects of the disease were not likely to reach serious proportions until after the child had reached an advanced age in his upbringing and education". Upon receipt of this evidence the court proceeded to grant the order, without any recourse to an independent medical opinion. It would have been thought that, as the duty of the court was to safeguard the welfare of the child, such a step would have been indicated. In the whole of the court sample, there were 83 certificates (or 8.0%) which indicated that one or both applicants had suffered or were suffering from some physical, emotional or mental disease, but neither the curator nor the court thought it necessary to ask for further medical evidence. Some of the conditions such as active ulcers, asthmatic attacks, kidney conditions, depressive illness and so on, might have merited some additional medical opinion.

In contrast to the casual attitude towards the illnesses of applicants, rather excessive caution was shown in cases where
there was doubt about the child's health. In one case, the curator suggested that the court suspend granting the order until a final decision could be made about the child's health. This was a baby girl who was placed with adopters when she was two weeks old and, whilst with the petitioners, she was found to be suffering from "fibrocystic pancreas". The medical prognosis was that it would leave the child with a weak chest for the rest of her life. Because of this development, the placing agency and the curator tried to dissuade the applicants from going through with the adoption. The petitioners, however, made it clear to the court that, though they knew about the seriousness of the condition, they were also very attached to the child and were particularly anxious to complete the arrangements for the adoption. In a second case, the placement of a baby girl was delayed by the adoption agency because of fears that she might be a mongol. A final examination, however, showed that these fears were groundless and the child was subsequently placed with the adopters at the age of eight months. The court, before granting the order, asked for a fresh medical certificate to establish that "the child was healthy" and it also asked to see the petitioners to satisfy itself that they were aware of the earlier fears about the child's health. It may be thought reasonable that the court should want to know whether the would-be adopters were
aware of the previous fears, but the same court expressed no similar concern when, at about the same time, it granted an adoption order to a couple where the male petitioner was suffering from "diabetes and chronic bronchitis". In the case of a third child, the adoption order was held back for six months, in spite of the adopters' wish to carry through, until the child could be cleared of a suspected "heart-murmur", which later proved negative.

In all we came across eleven cases (or 1.1%) where medical requirements were about to hold back or actually held back the adoption proceedings. In all cases the adopters were desirous to carry on with the adoption and implied that their attachment to the child could not let them change their minds. In contrast, of 83 applicants who suffered or were suffering from some kind of disease, only in one instance did the court ask for further medical evidence. The practice of the courts, in matters of health, appeared to confirm two points:

(1) that the courts, like some adoption agencies, appear to be more concerned about the health of the child and less so about the health of the applicants. Though it is assumed that the applicants enter the adoption situation in full knowledge of what they are taking on, the same cannot be said of the child. The child cannot, for instance, ask for further medical
evidence about the applicants' health, and it is the courts which are delegated to do this on his behalf.

(ii) that the attitude of the applicants, in cases where the child appeared to be suffering from some kind of handicap, was to carry on with the adoption. (A similar point was made in chapter seven when the agency placing practices were discussed). Many couples appear to get attached to children they are looking after and are reluctant to let them go, on the discovery of some handicap. This is not to say that there may not be occasions when the would-be adopters may have to be helped out of a very difficult and complex situation.

LENGTH OF TIME BETWEEN APPLICATION AND THE MAKING OF THE ORDER

During the carrying out of this study, several adoption workers complained to us about the long delays experienced between the lodging of the petition and the granting of the adoption order. Such delays, it was argued, increased the anxiety of the adopters who were afraid that the mother of the child might, during this period, change her mind. Most of the responsibility was attached to the court, though in the first part of this chapter it was pointed out how most agencies
unnecessarily delayed submitting the petitions until three months after the placing of the child. Complaints about delays have often been heard about the English system too, but no figures exist to show the extent of the problem. Neither has any authority suggested what is a reasonable period within which an order should be granted. It would have been thought, however, that, as Scottish courts do not hold hearings in over ninety per cent of the cases, the time-span would be rather short.

Almost one fifth of all orders (table 31) were granted within the first four weeks after the petition was lodged, a quarter took between five to eight weeks, and a further quarter between nine to thirteen weeks. In all, seven out of every ten orders were granted within the first three months from the date of their submission. The remainder were delayed beyond three months, including five orders that were delayed for more than a year. Leaving out the five orders that were delayed for more than a year, because of unavoidable complications, the average time, between the submission of the petition and the granting of the order, was 12 weeks.
Table 81. Length of time between the submission of the petition and the granting of the order. (Court Sample N.1030)

<table>
<thead>
<tr>
<th>Length of Time</th>
<th>N.</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Two weeks and under</td>
<td>59</td>
<td>(5.7)</td>
</tr>
<tr>
<td>3 to 4 weeks</td>
<td>144</td>
<td>(14.0)</td>
</tr>
<tr>
<td>5 to 6 weeks</td>
<td>110</td>
<td>(10.7)</td>
</tr>
<tr>
<td>7 to 8 weeks</td>
<td>144</td>
<td>(14.0)</td>
</tr>
<tr>
<td>9 to 13 weeks</td>
<td>265</td>
<td>(25.7)</td>
</tr>
<tr>
<td>4 to 5 months</td>
<td>182</td>
<td>(17.7)</td>
</tr>
<tr>
<td>6 to 9 months</td>
<td>95</td>
<td>(9.2)</td>
</tr>
<tr>
<td>10 to 12 months</td>
<td>26</td>
<td>(2.5)</td>
</tr>
<tr>
<td>13 months and over</td>
<td>5</td>
<td>(0.5)</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>1030</td>
<td>(100)</td>
</tr>
</tbody>
</table>

The courts where delays beyond three months mostly occurred were: Glasgow, Hamilton, Paisley, Aberdeen and Airdrie. Some of the delays were necessitated because of the need to fix a hearing or wait for consents, but otherwise three main factors appeared to influence the timing of the granting of the order.

(i) the time taken by the court to appoint a curator; Some
courts did so on the same day the petition was lodged. The appointment of a curator involves only a simple administrative act, as the court already knows the people ready to act in this capacity and no prior consultation is necessary. In 58.0 per cent of the cases, the courts appointed a curator within one week of the day of the lodging of the petition; in another 16.0 per cent of the cases, between one and two weeks; in a further 13.0 per cent of the cases, it took the courts five or more weeks to do so. The worst record was by the courts of Paisley, Hamilton, Dundee and Dumfries. The best record was by small courts which generally appointed their curators within the first couple of days.

The time taken by the curator to prepare and submit his report: The time factor in this respect is affected both by the time at the disposal of the curator, and by how quickly he can establish contact with a number of people and especially with the biological parent(s). There was a sharp division between reports submitted by social workers, acting as curators, and those submitted by solicitors. (table 82). Almost two thirds of solicitors'
reports were submitted within four weeks from the date of their appointment and only 15.0 per cent of reports had to wait for seven or more weeks. In contrast, only 23.0 per cent of social workers' reports were submitted within four weeks, and 51.0 per cent had to wait for seven or more weeks. The biggest delays were in the courts of: Glasgow, Airdrie, Hamilton and Aberdeen. (It should be remembered, of course, that our earlier analysis, in the first part of this chapter, showed that solicitors' reports were slightly less informative, compared to social workers, and also that solicitors failed to establish contact with people such as biological parents and the supervising authority - both time consuming activities).

Table 82. Length of time between the appointment of the curator and the submission of the report. (Court Sample N.1030).

<table>
<thead>
<tr>
<th>Length of time</th>
<th>Solicitors</th>
<th>S/Workers</th>
</tr>
</thead>
<tbody>
<tr>
<td>Two weeks and under</td>
<td>36</td>
<td>6</td>
</tr>
<tr>
<td>From 3 to 4 weeks</td>
<td>29</td>
<td>17</td>
</tr>
<tr>
<td>From 5 to 6 weeks</td>
<td>20</td>
<td>26</td>
</tr>
<tr>
<td>Seven weeks and over</td>
<td>15</td>
<td>51</td>
</tr>
<tr>
<td>(N)</td>
<td>100</td>
<td>(525)</td>
</tr>
<tr>
<td></td>
<td>(505)</td>
<td></td>
</tr>
</tbody>
</table>
(iii) the time between the submission of the curator's report and the time taken by the Sheriff to make the order: Sixty per cent of the orders were granted within the first two weeks after receipt of the curator's report; another 22.0% between three and four weeks, and a further 7.0 per cent between four and six weeks. The remaining 9.0 per cent were delayed for seven or more weeks. The courts at which most delays occurred were: Glasgow, Hamilton, Paisley, Airdrie and Aberdeen.

In summary, 268 applications (or 26.0%) were delayed beyond two weeks before the courts appointed a curator-ad-litem; curators took more than four weeks to report on 402 (or 39.0%) of cases - social workers taking considerably longer to report, compared to solicitors -; finally, the Sheriffs delayed 391 applications (or 38.0%) for more than two weeks before granting the orders. The delays were experienced mainly in five big courts. In the case of the Hamilton court, there were delays in all three stages, and, in the case of the Glasgow, Airdrie and Aberdeen courts, most of the delays were at the two last stages. The courts of Paisley, Dundee and Dumfries delayed the process at the first stage.

In final conclusion, the granting of adoption orders could be speeded up if: (i) placing agencies were to submit
the petitions without waiting for the expiry of the three months probationary period; (ii) social workers, when acting as curators, could speed up the preparation of their reports; (iii) a number of sheriff courts could speed the appointment of the curator ad litem; and (iv) some sheriff courts could speed the disposal of the applications. It should be recognised that the need for shortening the period between the submission of an application and the granting of the order conflicts with the need to make full enquiries, prepare comprehensive reports and arrange hearings, so that full deliberation can be given to each petition. If courts are encouraged to hold more hearings, and there is very good reason why they should do so, then, if further delays are to be avoided, the points made above will have to be seriously considered.

THE CHILDREN'S AGE AT ADOPTION

A comparison between the children's age at placement and their age at adoption shows some differences, depending on the type of adoption. (table 83). Three out of every five children adopted by non-relatives were less than a year old, at the time of their adoption. In contrast, almost three quarters of the children adopted by relatives were three years or more, at the time the order was granted. Only one in every fourteen
children (or 7.2%), of those adopted by non-relatives, were three years or more at the time of their adoption.

The figures for England and Wales\(^1\) show that 22.7\% of the children are under six months old at the time of their adoption, compared to only 8.8\% in Scotland. The slowness of the Scottish system could be related to any one or all four of the factors referred to earlier on. What is surprising is that English courts, which always fix a hearing, appear to get through the petitions more quickly than Scottish ones, unless the main difference for these very quick adoptions is related to only one factor, namely the delayed stage at which applications are lodged with the Scottish courts.

Table 33. The children's age at adoption. (Court Sample N.1039)

| Age Group | Non-relatives | | Relatives | | Mother & step-father |
|-----------|---------------|-----------------|--------------|-----------------|
|           | N. | %   | N. | %   | N. | %   |
| Under 6 mths | 89 | (11.4) | 1 | (1.1) | - | - |
| From 6-8 "  | 372 | (47.5) | 9 | (9.8) | 3 | (1.9) |
| From 9-11" | 194 | (19.7) | 6 | (6.5) | 2 | (1.3) |
| From 12-17" | 73 | (9.3) | 10 | (10.9) | 4 | (2.6) |
| From 18-23" | 23 | (2.9) | 5 | (5.4) | 6 | (3.9) |
| Two years   | 16 | (2.0) | 7 | (7.6) | 16 | (10.3) |
| From 3-4 yrs,18 | 16 | (2.3) | 16 | (17.4) | 35 | (22.6) |
| From 5-7 "  | 16 | (2.0) | 14 | (15.2) | 28 | (18.1) |
| From 8-11" | 13 | (1.7) | 19 | (20.7) | 32 | (20.6) |
| 12 yrs. & over | 9 | (1.2) | 5 | (5.4) | 29 | (18.7) |
| Total       | 783 | (100) | 92 | (100) | 155 | (100) |

CONCLUSION

The overall conclusion, from the courts' practices, is that the curator-ad-litem performs a very formal function, whilst the courts appear to act as rubber-stamps for the curators' reports and for the practices of the placing agencies. This is what the Hurst committee stressed should not happen.
The curators' reports lacked individualised and discriminating information and six out of every ten reports went no further than simply confirming known facts. Consequently only in a minority of cases was the decision based on both the facts and the intangibles of the situation, including some assessment of the circumstances and personalities of the adopters. Furthermore, the failure of the courts to hold hearings and make the local authority and other parties respondent to the application deprived them of the opportunity of getting additional first-hand information. Curators' reports in the majority were repetitive and stereotyped, and almost two fifths of these were identical with each other. New curators fell into the habit of copying previous reports and traditional practices were thus perpetuated. The quality and content of the reports was not as much related to the person who prepared it as to the agency he represented. Different workers from the same agency turned out exactly similar reports, most often the only difference between one report and another being the factual information concerning names, address, age and certain dates. Solicitors' reports were generally less informative, compared to those prepared by social workers, and solicitors failed to establish important contacts with various persons. Solicitors were greatly hampered by the fact that they lacked the facilities of a social agency and, as a result, they had
fewer personal interviews with natural parents, compared to social workers, and in seven out of every ten cases they failed to consult with the supervising authority. Solicitors, however, were quicker in preparing and submitting their reports to the court. Trained social workers seemed to see this aspect of their work as a fringe activity and consequently fell into the habit of copying earlier reports prepared by untrained staff, or "model" reports prepared by their agencies. Both social workers and solicitors failed, in almost all cases, to consult with the placing agency. No doubts were expressed in any of the reports about the personal suitability of any of the petitioners. There was only one case in which further medical evidence was sought, because of the serious condition from which a male petitioner was suffering. No doubts were expressed in other cases where applicants were reported to be suffering or had suffered from physical, emotional or mental illnesses. The medical certificates submitted to the courts were too structured to be of any value. In contrast, more reservations and doubts were expressed about a number of children who were suffering or suspected to be suffering from some disability. The general conclusion that agencies and courts were interested to ensure that the adopters got a perfectly healthy baby could not be avoided.

The explanation put to us, that the curators' reports
were brief and factual because they trusted the placing practices of the agencies, could not be substantiated, for the reason that their reports on independent placements were in no way different from those on agency placements. Independent placements were treated in exactly the same way as all other placements, with no special reference to the circumstances under which they were arranged. On no occasion were third parties made respondent to the application.

The courts rejected only one application out of 1030, on the very concrete fact that neither of the natural parents would consent to allow the child's grand-parents to adopt it. To adoptions by grand-parents, and occasionally to adoptions by other relatives, courts took varying attitudes. Some courts were reluctant even to consider them, others insisted on seeing the applicants, whilst the majority viewed such adoptions as no different from those by non-relatives.

Interim orders, which could have been appropriate in certain similar and other cases, were never used.

In the whole sample, there were seven reclaims by mothers. Again, the procedure adopted by the different courts, as well as the decisions reached, differed widely. One important point that emerged in connection with reclaims, and with the whole argument about parental rights, is an apparent need to inject more reality into the process of signing one's child away.
The courts took an average of twelve weeks to complete an adoption order. Delays in completing the whole adoption were connected with the long wait before agencies submitted the applications, the time it took certain courts to appoint a curator, the time taken for the preparation and submission of the curators' reports and, finally, the length of time between the submission of the report and the Sheriff's deliberation. Small courts were generally quicker in completing the process.

A number of Sheriffs were satisfied with the kind of reports they were getting from the curators, whilst others were definitely dissatisfied. It is recognised that increased information, especially on the intangibles of the adoption situation, would put the onus for more deliberation on to the Sheriffs. Sheriffs, however, are not qualified to evaluate such information and to make decisions on what could be described as psycho-social information. As adoption work forms only a very small part of a Sheriff's work, there is no impetus to expand their knowledge and training in this field. At present, they maintain no liaison with the curators, or with the supervising or placing agencies, and they are generally cut off from the wider field of adoption. This lack of contact also deprives them of having any feed-back information about how previous adoptions appear to be working.
CHAPTER TWELVE

SUMMARY AND DISCUSSION

Background to Adoption

The de facto adoption of homeless children by childless families was virtually unknown in Britain before the middle of the last century. The practice developed mainly as an offshoot of the boarding-out system and from attempts to combat the 'farming' of illegitimate babies. Adoption was thus right from the beginning associated with the fate of the illegitimate child. The system became more widespread as attitudes towards the single mother and her child began to soften and fears connecting heredity and illegitimacy were dissipated.

Adoption legislation was delayed until the first quarter of this century mainly because of attitudes towards parental rights, the ownership of property, the stigma attached to illegitimacy and also because of some of the social conditions of the last century. The general fate of many children in the 19th century was far from satisfactory and measures aimed at improving the lot of the illegitimate child might have been seen as rather premature. Already organisations like Dr. Barnardos were refusing to accept illegitimate children in their homes for fear of being seen as encouraging immorality. It
was only after some of the major evils connected with the position of ordinary, and later orphan and deserted, children were taken care of, that the attention of the various philanthropists was turned to the fate of the illegitimate child. Humanitarian attitudes and population considerations, mainly arising out of the circumstances of the first World War, motivated a number of individuals and organisations to attempt to bring about a more tolerant attitude towards this group of children and their mothers. At about the same time and for somewhat similar reasons, a number of organisations set themselves up to act as adoption societies with the object of arranging the de facto adoption of illegitimate children and of children orphaned as a result of the war. These organisations soon became aware of the major drawbacks resulting from the absence of suitable adoption legislation and they became one of the main pressure groups that campaigned for its introduction. Following a number of government reports on the matter and the expression of considerable doubts and reservations by several Members of Parliament, the first Adoption Act came into power in 1926 (Scotland 1930). After a slow start, the number of adoptions began to increase to an extent not foreseen by some of the legislators. It is the period from 1940 onwards, however, that seems to mark the beginning of a general move towards both a more liberal climate
of opinion on the subject of illegitimacy and a corresponding increase in the number of adoptions contracted each year. At about the same time, the system became increasingly popular and fashionable among the middle classes.

Since its inception, the Act has come to be seen not only as an instrument for bringing about the child/parent relationship but also as a regulator of 'good' practice. Like other pieces of social legislation, however, it incorporated a number of provisions based mostly on untested assumptions and hypotheses, inevitable perhaps in the absence of adequate knowledge and experience on the subject. Additions and amendments were made as the body of knowledge and experience increased, the changes finally culminating in the comprehensive Act of 1958. At the time of writing, deliberations are under way for further changes made necessary as a result of developments during the last ten years. It is easy, of course, to be retrospectively critical of certain provisions, but some of our present insights may come to be similarly criticised in later years. The value of social legislation is always limited by the extent of available knowledge. Though the present and previous Acts could have been more specific on certain matters, no act can compensate for poor practices and it is rather unfortunate that the Act's minimum provisions have come to be seen by a number of agencies as
optimum requirements. In legislating for social matters the law can be no more than an enabling instrument, and no amount of legislation can bring about better practices. These can only develop from within the agencies themselves and with the availability of adequate human and physical resources.

One area, where Scottish legislation appears to have shown considerable foresight, is in providing that the adopted child should be entitled to establish his or her own identity by having a legal right to access of records supplying information about natural parentage. This part of the Act is to-day hailed as being in line with the recognition that much adoption work is based on the principle that adoptive parents should be helped to accept the inherent differences between the natural born child and the adopted child.

Some Facts and Figures

During the five year period of 1961 through 1965, the rate of adoptions stood at 12.6 per ten thousand of the under 18 population, an increase of 2.6 over the period 1951 through 1960. There are approximately twenty-five thousand adopted children under 18 years old, or about sixteen in every thousand of the under 18 population. Irrespective of fluctuations in the number of illegitimate children born each year, the rate of surrender has remained constant at about thirty per cent of the illegitimate children born. The rate
differs from one part of the country to another, depending on
the availability of adoption facilities in each area. However,
the constancy of the figures suggests that it is the mothers
of illegitimate children, through their surrendering habits,
who determine the number of children to be adopted each year.

In 1965 courts in Scotland granted 2018 adoption orders,
three quarters of which were to non-relatives. Of the related
adoptions, approximately 15.0 per cent were to mothers and their
husbands and the remaining ones to grand-parents and other
relatives. Just over ten per cent of the children adopted
were legitimate but of these seven out of every ten were
adopted by their mothers and other relatives. Children born
in wedlock formed only 3.0 per cent of those adopted by non-
relatives.

The Natural Parents

Almost three quarters of the mothers whose children were
adopted were under twenty-five years old at confinement, compared
to only 56.0% of the fathers. Only 12.2 per cent of the mothers
had ever been married compared to 17.1 per cent of fathers.
Almost half the mothers were occupied in professional, semi-
professional, technical, clerical or secretarial jobs or were
training or studying for the professions.

Two out of every three mothers arrived at a final
decision to surrender within a week after confinement. Mothers from a higher socio-economic background generally arrived at their decision earlier than other mothers. A high rate of surrender was noted among mothers classified in the two upper social classes, in contrast to a low rate of surrender among mothers from the two lower social classes. The evidence suggests that, in the last decade or so, illegitimacy has spread from the working classes to the more educated sections of the population, who are also the ones that in the sample surrendered at a high rate. This is the same group that is more likely to make use of the new provisions for easier abortion and of improved and more accessible methods of contraception. This could mean that the number of children to be surrendered may be affected considerably.

Similarly, an improvement of social provisions will perhaps make it more possible for mothers from a lower socio-economic background to keep their children. For instance, two thirds of mothers employed in semi-skilled and unskilled occupations claimed that their main reason for surrendering the baby was their inability to support it. In contrast, only sixteen per cent of mothers holding professional, clerical or secretarial jobs or studying for the professions, said that they were unable to support the child, whilst almost half of them gave as main reason, their wish to continue with their
studies or with their jobs.

Approximately three out of every five mothers moved away from their usual address to a new residence (or a Mother and Baby Home) in a city or large borough, to avoid embarrassment to themselves or their families; of those who kept their child and subsequently adopted it, only just over 5.0% changed residence. Multiparous mothers in the sample were generally from the two lower social classes, but no relationship was found between the decision about the first child and the fate of the second or subsequent one. Thirty-two per cent of the mothers had lost one or both parents before they reached the age of sixteen, but considerably more lost a father than a mother. Over half the mothers in the sample had a continuous relationship with the alleged father of the child for well over a year, and only in seven per cent of the cases could the relationship be described as casual.

Characteristics, found from this retrospective study, that suggested a positive influence on the adoption decision were: social class background I and II and movement away from home before confinement; in contrast a negative influence was noted among 'ever married' women. Other characteristics which suggested themselves but could not be ascertained because of lack of comparable statistics, or of full information, were: The attitude of the girl's family and that of the putative
father, educational background, occupation, and religious affiliation. Our findings and observations indicated that differing social conditions and varying cultural attitudes may have a different influence on the surrendering habits of mothers. For this reason, predictive studies on the mother's decision, unless locally validated, can only be true of the areas where they took place.

The General Practices of Adoption Agencies.

The practice of adoption involves a complicated procedure and for this reason a multi-disciplinary approach is necessary. Legal, social and medico-psychological aspects have to be considered during the process. Because of this, three main types of agencies participate in the process before a child is placed and finally adopted: the adoption agency, the supervising agency and the court. In 1965, the whole of Scotland was served by 54 adoption agencies, 46 public and eight voluntary. Voluntary societies arranged the placements for over half the children adopted, whilst local authorities arranged the placings for 44.3 per cent of them. Only 4.6 per cent of adoptions were arranged independently by a third party or directly by a parent. Direct placements were more frequent among manual workers and third party ones among middle-class families. Recent writings appear to have
exaggerated the extent of third party adoptions in the country. The main reason for the small number found is probably due to the fact that Scotland is well served by a good network of adoption agencies. The various figures suggest a relationship between the number of adoptions contracted by non-relatives each year, and opportunity to adopt or surrender.

The most important stage in the adoption procedure, as identified by this study, is the time of the child’s placement, when the agency reaches its decision about where to place a particular child. Subsequent persons, charged with the responsibility of safeguarding the child's welfare, appeared helpless to alter placings already arranged. None of the agencies' decisions were challenged by any of the subsequent types of agents, though there were situations where this was probably warranted. If an unwise placement was originally made, the prospects of rectifying it were rather remote. Thus placing agencies were found to be vested with a great amount of authority but with little accountability and with few safeguards to ensure that a satisfactory service was being given. Once registered, a society's work was not inspected, though all societies supplied the registering authority with annual returns about the amount of their work. In some cases, the registering authority had destroyed such returns within a relatively short period after they were received, and
they could not therefore be used to compare a society's work from one year to the next. In areas where the registering authority kept the returns, it was felt that no demands could be made on a voluntary society when the adoption agency run by the registering authority was not observing markedly different standards. Registration, without suitable inspection by a non-interested authority, does not afford any real safeguards nor does it act as an inducement to agencies to improve their practices.

The work of voluntary societies was almost exclusively dependent on subscriptions, donations and covenants with only one of them receiving a very small grant from its local authority. With one exception, almost all the other societies were facing considerable financial difficulties which placed serious limitations on their work, forcing them to restrict themselves to mostly straight-forward and uncomplicated situations. The habit, however, of adoption societies asking adopters to sign covenants committing themselves to annual subscriptions may easily lend colour to the suspicion that their selection processes favour the more affluent of their applicants. Further suspicions could also be aroused from the fact that almost all their committee-members had a decidedly middle-class background, and from their matching practices which were mainly based on socio-economic background.
Caseworkers in both voluntary and public agencies, in their great majority, were untrained and at the same time carried heavy caseloads. Adoption is perhaps one of the most skilled and complicated jobs in social work and yet it was mostly carried out by the least trained workers in the field. The selection of adoptive parents, the offering of casework services to parents and the placing arrangements for the child require continuous assessments and decisions which most of the adoption workers in the study were not equipped to carry out. Because of this, they tended to rely on routine administrative activities in which the personal and human component of the work was only tangentially considered. Lady Horsbrugh's reservations in 1936 about the capacity of adoption society workers to carry out the thorough social investigations required and her urge for trained social workers to be appointed, were found to be still relevant in 1965. Though trained social workers were scarce in all types of social work, little was being done by either local or central bodies to promote training in the adoption field. Too often satisfaction seemed to be obtained from the fact that a task was completed rather than from how this was done.

The use of resources, such as nursery and foster-care facilities, was determined more by the individual agency's placing practices and by attitudes towards the use of resources,
rather than by their availability. Local authority agencies, for instance, which had more resources, made less use of them compared to voluntary societies. Among certain local authorities, the use of resources was definitely discouraged, and often mothers were expected to care for their babies long after they had made a firm decision to surrender.

A substantial part of the work of almost all local authority and voluntary agencies was based on forms, routine letters and pro-forma and cyclostyled reports. This practice allowed for little deviation from traditional methods and there was little opportunity for initiative and imaginative activity to take place. The system appeared to be especially suited to the needs of the untrained workers and to serve the needs of the agency in ensuring that at least certain legal and administrative requirements were met, but it paid little attention to content and process and especially to the needs of the agency's clients. Instead of the device being used to provide a structure within which the intangible aspects of the work could be developed, such needs were subordinated to those of the structure. The system appeared inadequate to accommodate the human situation and the individual needs of the agencies' clients. Yet in spite of the great number of forms and cyclostyled letters and reports, some of the agencies kept their adoption records in a most disorderly way. At least one quarter
of the agencies could not supply information or figures about children that had left their care in the last two years. More orderly records, though not necessarily more informative, were found to have been kept by the Poor Law authorities a hundred years earlier.

Though all adoption societies had case committees charged with certain responsibilities about the selection of adopters and the placing of children, only one local authority, from those in the sample, had such a committee, whilst another reached its decisions following a considerable amount of discussion among its staff. In other cases, many serious decisions were often taken by the same worker who both assessed the family and carried out the statutory supervision. This practice raises some doubts as to how far such a person will be prepared to admit to himself that he has erred in his original decision. In the case of voluntary societies, considering the scanty amount of information that reached the majority of the case committees, the conclusion could not be avoided that the decisions were routine ones and mainly served to rubber-stamp the work of their caseworkers. There was no indication that the committees had made demands on their caseworkers to supply them with more information to help them in their decision making process. Because the function and role of case committees is very vague, misunderstandings between
them and their caseworkers can easily arise. At least one society, however, worked out in some detail the boundaries of each of its committees and of its professionals. Lay and professional staff seemed to know where they stood and this perhaps accounted for a vigorous practice. Committees in this instance acted more as enabling than as controlling agents. The recommendations of the Maud committee on the Management of Local Government, suggesting delegation of individual case decisions to the professionals, have their relevance to the work of both voluntary and public agencies.

The staff to cases ratio, in each agency, was only one factor which appeared to influence performance. More important seemed to be the organisation of the agency, the way its programmes and its work were arranged, reviewed and changed where necessary, and the kind of facilities that were available for discussions and staff consultation. Such programmes, where they existed, appeared to go a long way in enabling untrained and semi-trained staff to become more aware of the implications of their work and more acquainted with current practice and current thinking in child welfare. Trained staff too seemed to benefit by such a system, in that it confronted them with the necessity of constantly examining their work, and their practices, whilst they offered supervision and consultation to less trained colleagues. Two of the agencies,
that were operating such a system, in the overall classification appeared to function at a much higher level than other agencies and the quality of their work approached, to a considerable extent, the standards set by social work literature. In these agencies, staff limitations were better coped with, though such a programme is not a substitute for staff increases, but neither is a favourable complement of staff a guarantee that 'good' practices will be observed. The routine functioning of most agencies ensured that a minimum kind of service was given, but, because of their failure to examine what they were doing in the light of available or emerging knowledge, practice was stifled and traditional methods of work were perpetuated, irrespective of changes in need and outlook. Traditional practices may in certain circumstances be the more appropriate ones, but they need to be made explicit and if possible formulated and validated. Because of the failure of the majority of the agencies to formulate their practices, a big part of these appeared to be based on pragmatic considerations arising from expediency and often representing the views, personal opinions or prejudices of the particular agency or of the community. Though what is available from theory and from research is not always helpful to the practitioner, the main value of such material is that it makes the practitioner aware of certain areas of interest or conflict
and it stimulates thinking. The argument here is whether practice should be based on an organised body of knowledge and experience, or on assumptions and pragmatic considerations. In the case of the former, because there is an in-built objective approach, there is always the possibility of changing practice in the light of new knowledge and experience. This is less likely to happen in the latter case.

(i) Agencies and their Services to Unmarried Parents.

Big discrepancies were found between social work expectations and actual agency practices in this area. Only one of the agencies in the sample had an explicit policy of offering consistent services to unmarried mothers and fathers as well, which was in line with the standards suggested by social work literature. In over two thirds of the cases the mothers were seen only once and this was mostly to formalize the arrangements for the surrender of the child. There was no pretence of any casework help being offered around the adoption situation. It would be misleading to suggest that more than a minority of biological parents received any casework services from adoption caseworkers and there was no evidence that the mothers were getting this kind of service from hospital caseworkers either. These findings, however, should not sidetrack from the fact that at least one agency
offered services that approximated to the standards set by the professional bodies, and two other agencies went some way towards meeting these. Though there is an assumption that the risk of the child being reclaimed by the mother is greater in cases where the mother has received no casework help around the adoption situation, no study has as yet been attempted to relate reclaims to the kind of help the mother received during the surrendering stage.

(ii) Agency Services to Children

In the last twenty years there has been a definite trend towards earlier adoptions, but the timing of the actual placings by the agencies vary. In this respect, two patterns emerged from the practices of the twelve agencies: The first, a policy favouring pre-adoption placings for all children and the second, a mixed practice dictated mainly by expediency. The first pattern assumed that all children and their parents have the same needs, whilst the second assumes nothing, but pursues a policy that is mainly convenient to the agency. Of the 208 children who experienced a pre-adoption placement, 113 (or 54.3%) did not seem to need it either to give the mother additional time to make up her mind or for medical requirements. The 113 children had what appeared to be an unnecessary pre-adoption placement which lasted an average of two months. In
general, practice, as regards the timing of the child's placement, appeared to be dictated either by rigid blanket policies or by expediency, rather than by the needs of each child and those of his parents. Agencies that followed indiscriminate policies, irrespective of need, appeared to negate one of the main rationales upon which casework practice is based i.e. the unique individuality of each human being.

Though there has been a definite trend towards earlier adoptions, with over 94.0 per cent of them being placed when under a year old, the point has now been reached where a child who is over a year old appears to stand very few chances of being adopted. The various theories about maternal deprivation, and the increased popularity that adoption has attained since the 1940s, have brought about the earlier adoption of children, but at the same time the same factors, along with certain agency practices, appear to have made it more difficult for the older child to find a home. The irony of this is that it has happened at a time when adoption has been most popular and many applicants have been turned away because of the lack of 'suitable' surrendered babies. At the same time, older, handicapped or coloured children might have benefited from a permanent home. Of children adopted in 1965 only 1.3 per cent had some handicap (mostly a minor one) and a further 1.7% were of 'mixed' or coloured blood. Evidence was found to suggest
that a number of adoption societies concentrated on the very healthy children and were reluctant to consider those where there was an unusual background history or a possibility of a health complication. There was greater scrutiny made of the child's health than that of the would-be adopters, with children having to spend long periods in pre-adoption placings for medical requirements to be met. Some doctors, and a number of courts too, appeared to be more concerned about a child's adoptability than they were about illnesses from which adopters were suffering. The general attitude of those participating in the adoption situation appeared to be adoptive-parent centred rather than child centred.

Little evidence was found to show that either local authorities or voluntary societies were developing appropriate programmes to meet the needs of "hard-to-place" children. Neither was anything being done to establish the attitudes of various applicants towards the possibility of adopting such a child. Some of the cases we came across, at the court stage, demonstrated that a number of couples were prepared to accept certain risks and to bring up children who were suffering from some type of handicap. This was especially so when the child developed the handicap whilst in the care of the couple in question. A real need also exists for research to establish the real extent of the problem of "hard-to-place" children.
Our own efforts to do so failed because agencies did not keep records and an on-going study will be needed. No one knows to-day how many children are turned away because agencies refused to accept them from placing and how many spend many years in institutions when they could have benefited from a permanent home. For the problem of the "hard-to-place" child to be adequately tackled, special resources and well trained staff will be necessary to concentrate their efforts on finding homes for them. The adoption of "hard-to-place" children appears to be the most urgent problem that should be occupying the attention of agencies. Agencies may also have to be prepared to consider unusual but suitable applicants such as older couples, single people, divorcees or widows who are prepared to offer a permanent home to such children. To reject couples on single factors such as age, number of years after marriage or on religious beliefs, is hardly in the interests of children who are likely to spend many years in institutions. Along with such a change in attitude, there is an urgent need for a clearing house as well as for pressure to be exerted on the legislators to amend the law to allow local authorities to subsidise, where necessary, such adoptions.

(iii) The Selection of Adoptive Parents

From 1960 through 1965 there was a slight drop in the
number of adoptive applicants and the number of homes approved in relation to the number of children being made available. The practical implication of this was that some children spent slightly longer periods in pre-adoption placements. Almost three quarters of those who originally applied to the agencies were approved, over ten per cent were rejected and fifteen per cent withdrew. Most of the rejections were on account of health and age and most of the withdrawals were due to the applicants' acceptance by another agency. Sixteen per cent, of those who withdrew, did so because they were expecting an own child. The average period between application and the placing of a child was seven months. Though some agencies may need to speed up their selection process, others may need to spend more time on them.

Agencies were found to be using a variety of eligibility criteria, mostly based on assumptions about their contribution to 'good' adjustment. These were applied with more or less rigidity depending on the particular agency's orientation and the number of applications it received. Some of the requirements appeared to represent the personal views, opinions and often value system of individual workers or of their agencies and only exceptionally were they in line with research findings or a body of professional knowledge. Though almost all agencies went outside their professed criteria, it would still be difficult
for applicants who were not regular church-goers, had not been married for more than three years, where the wife was over 40, and where one of the two had re-married, to obtain a child, unless they were prepared to consider a "hard-to-place" one. None of the agencies had made public the eligibility criteria or their study criteria and this kind of secrecy appeared to create a certain amount of resentment and also unnecessary dependency. Though local authority agencies appeared more flexible in their "professed" criteria, in actual practice there was little difference between the type of applicants they selected and those selected by adoption societies, except as regards social class background and in the cases of applicants for "hard-to-place" children. There has been a definite shift in attitude with regard to inter-racial adoptions, adoptions by couples with own children and somewhat less rigidity in age and religious requirements. To a large extent, however, whether a couple are accepted as adopters depends to which agency they apply, but this may be determined by the area in which they happen to live.

Almost ninety per cent of adoptive mothers were under forty years at the time of the child's placing - five per cent being under twenty-five. Adoptive mothers were on the average older at marriage compared to the age at marriage of spinster women in the areas covered by the study. The mean
number of years between marriage and the placement of a first child was 7.1, but this differed depending on the background of the adopters: the lower the socio-economic background of the mothers, the younger they married but it took them a longer period after marriage before they became adoptive parents; in contrast, the higher the socio-economic background of the mothers, the older they married but they became adoptive parents within a relatively shorter period after marriage, compared to other adopting mothers. Adoption societies arranged more adoptions with couples from the two upper social classes, compared to local authority agencies, but in areas where there was less choice, local authorities placed a considerable number of children with couples from a higher socio-economic background. The low percentage of manual workers adopting, appeared to reflect some agency bias towards better material standards and to possible fears by such would-be adopters of not meeting agency criteria. After taking account of the population composition, adopters in the eastern part of the country were generally found to be of a higher socio-economic background than those in the west and the Glasgow conurbation. The figures suggest that the public attitudes in the latter areas are only slowly changing from regarding adoption as a solely working class institution. Similarly, the stigma once attached to the children themselves
seems to be vanishing more quickly in the eastern part of the country, perhaps as a result of increased activity by a greater number of adoption agencies. A further interesting finding was that among adopters from the two upper social classes, adoption appeared to be considerably more popular among professional and semi-professional people than among managers and employers. This difference may reflect a more enlightened attitude towards illegitimacy and adoption by a more sophisticated section of the population.

Well over half the adopters were becoming parents for the first time, another thirty per cent were adopting a second or third child and the remaining 16 per cent had an own child(ren). Contrary to previous assumptions, a slightly higher number of couples adopting a first child, expressed preference for a male rather than a female one. Irrespective of applicants' preferences, however, the sex distribution of adopted children appears to be determined by the mothers who surrender more boys than girls. (Equally, more mothers adopt jointly with their husbands their male rather than their female children. This may mean either that mothers with female illegitimate children do not apply, after marriage, to adopt as many of their girls as they do their boys, or that more mothers with male children tend to marry. The implication of the latter assumption is that some mothers may be more anxious about
controlling a male rather than a female child, or the practice
gives expression to the popular belief that it is more
important for a boy to have a father-figure).

The study and selection of adoptive parents appeared to be decided not only on limited information but also on a limited range of factors. The selection was mainly made on the basis of factual and environmental information and only exceptionally on an assessment of the emotional, personal and psychological suitability of the applicants. Only one couple in six were selected on information which included both tangible and intangible factors. A steady occupation, some financial security, possible possession of a house, together with being a "good Christian" appeared to be the decisive criteria. Assessments, where these were provided, could not usually be deduced from the content of the selection material and as a result they appeared to reflect personal opinions or value judgements. Though one agency had formulated a selection procedure based on the investigating method, the majority of agencies used an administrative approach, with a few agencies using a mixture of the investigating and administrative one. There was again a serious gap between methods of selection suggested by social work literature and actual agency practice. Almost half the couples were selected on the basis of single interviews with their caseworkers. To assume that one
person can understand another sufficiently within the time span of a single interview may appear too optimistic. The fact, however, that a minority of agencies approached the 'recommended' standards of the profession, meant that such practices were not entirely academic.

In the case of "hard-to-place" children, adoption agencies, mostly local authority ones, compromised considerably in their selection criteria. The couples approved differed from other adopting couples by being older, of a lower socio-economic background, had more own children, a higher number suffered or were suffering from some kind of illness and almost all the single or widowed adopters in the sample had adopted a "hard-to-place" child. This might imply that the more marginal couples were adopting the more marginal children, but the characteristics quoted do not by themselves make these into marginal couples, except for some evidence indicating that a number of them were selected on the principle of less eligibility, i.e. the agency would approve of certain applicants only if they were prepared to consider long-term fostering first. This kind of procedure seemed to apply only to some of the agencies' applicants and may account for the differences found between this group of adopters and the rest of the sample.

(iv) Matching

Irrespective of what agencies say, the only evidence of
matching, the study came across, was one based almost exclusively on socio-economic background and, to a lesser extent, on physical resemblance. Agencies also assumed that matching by socio-economic background would result in intellectual matching. Various studies have concluded that prediction in this area is a somewhat fruitless activity, whilst others confirmed that the children's ability and development tends to be closely related to the socio-economic status of the adoptive parents. Most of the agencies' matching practices appeared to be an extension of personal or community prejudices and of untested beliefs. The rather excessive zeal to match social class and intelligence - even though the criteria were not always accurate - implied a biological determinism rather than a belief in the beneficial effects of environmental influences. The practice was in many respects not only a negation of many of the concepts upon which child welfare work is based, but also contrary to the philosophy of social work practice. The emphasis of all agencies was also to stress similarities instead of, as recommended by research findings, trying to help parents to recognise and accept inherent differences. Through their professed, and some actual, matching practices, the agencies appeared to be fostering over-ambition in adopters, which could reinforce dysfunctioning patterns. It could also reinforce the demands of adopters on the child to be like them
and conform to their own family values.

**Statutory Supervision**

Local authorities, through their children's departments, are charged with the responsibility of supervising all children in their area awaiting adoption. Supervising agencies in the sample acted in most cases without consultation with the placing agency and the court did not make them respondent to the application. The actual supervision was carried out in a routine way mostly to ensure that the legal requirements were met rather than to meet individual needs. One in every ten children were not visited at all and no case-papers were available for them; almost a quarter of the children received only one visit. Two of the agencies had delegated this responsibility to the district nurse and were dependent on her for carrying out this statutory obligation.

There was a general lack of planning of the visits and an absence of focus and purpose. Information about the child or the adopters was sparse and for this reason any planning would have been almost impossible. Third party and direct placements were seen in exactly the same light as other placements and there was no apparent effort to make more frequent visits or more detailed investigations. Such descriptions, as existed in the records, usually referred to
the child and only exceptionally to an interaction between the child and the adopters. Supervisors certainly did not view these visits as an opportunity to help solve problems around the adoption situation, neither did the adopters use them to share or discuss possible fears or anxieties around the subject. As the supervising officers lacked conviction about the importance of their visits, which conviction was strengthened by the failure of the courts who neither asked for reports or made them respondent to the application, the Act's assumption about the value of the visits was over-optimistic.

The Practice of the Courts

(1) The curator ad litem.

Social workers and solicitors were appointed almost in equal numbers to act as curators to the child. The curator's role, being until recently very vaguely defined, was open to several interpretations. Whatever interpretation was given, however, he was expected to carry out "a full expert investigation on behalf of the court before an adoption order is made". The purpose of the curator's report is to place the court in a better position to decide the child's ultimate future and their reports form almost the only basis on which the decisions are made. In spite of the
importance that the law attaches to these investigations, the curators themselves appeared to lack conviction about their value. Most of them failed to recognise the serious nature of their enquiries and saw themselves mainly as officials checking the facts. Only a minority saw their role as extending beyond this to include an investigation and assessment of the psycho-social circumstances of the parties involved. The main contents of three out of every five of the reports was a rewording of the factual information contained in the petition and already known to the court. Vital contacts with the supervising agency were not maintained, whilst the placing agency was only exceptionally contacted. Assessments were attempted only in a minority of cases and this appeared to reflect the curators' lack of certainty about their focus and the absence of a relevant body of knowledge that would have helped them to arrive at such assessments. None of the 1030 reports, for instance, contained adverse comments on any applicant's personal suitability to adopt. Investigations and reports concerning third party and direct placements received no special attention and their serious implications had not been acknowledged. Social workers' reports were only slightly more informative than solicitors, but the latter generally failed to establish many important contacts and appeared to be more office bound
and to lack the sort of facilities usually associated with social agencies. The majority of reports, submitted by all types of curators, were almost exact copies of previous ones with only factual information to distinguish one from another. Their layout and content differed only with the agency within which they were prepared rather than with the person who prepared them. Where trained social workers had acted as curators, they also tended to copy their agencies' ready-made reports with no effort to deviate from routine practices. This, along with the appointment of trained social workers to act as curators, reflected the low status accorded to this type of work within the children's departments.

On the basis of these findings the value of the curators' reports in safeguarding the interests of the child is highly questionable. Their appointment appears to lead to a sense of security not justified by the results. The Act obviously pinned too many expectations and hopes on the extent to which such investigations would form a safeguard against poor agency practices. Curators themselves appeared to lack conviction about the importance of their investigations and accorded them little priority by submitting short and repetitive reports confirming already known facts.

The general conclusion is that the curator's appointment comes too late in the proceedings to be of any practical value
to the child. If, as we have maintained earlier, the most important stage in the whole adoption process is the placing stage, then this is the obvious point at which curators should be appointed to carry out the various investigations. The present regulations, however, expect curators to carry out a kind of function for which many of them are neither trained nor have the necessary body of knowledge that could enable them to carry out the expert evaluations and assessments required. As the current practice among social work agencies is for social workers to act in this capacity in rotation, none of them develops a kind of expertise or tries to accord this type of work his undivided attention. It might be better to appoint curators who would concentrate on this type of work and who would help to supply the missing links between adoption agencies, supervising authorities and the courts.

(ii) The Decision of the Court

The Sheriff is the last person in a series of four to make the final decision involving the child's future. As in over ninety per cent of the cases no hearing was arranged, and because the supervising authority was not made respondent to the application, or asked for a report, and neither was the curator present to supply any additional information, the Sheriff's decision was based exclusively on the report prepared
by the curator. The courts appeared isolated from adoption work and the Sheriffs had no regular opportunity to form personal opinions or obtain some feed-back about previous adoptions. The practice raises the serious question of whether the Sheriff court is the most appropriate one to deal with adoption cases. Considering the factual nature of most curators' reports, the conclusion could not be avoided that the Sheriffs' decisions were routine ones and simply served to rubber-stamp the practices of the placing agencies. The absence of vital information from the reports, also meant that the decisions as such were taken out of the Sheriffs' hands. Sheriffs, like curators and supervising officers, lacked conviction about the importance of their role in this type of case and restricted themselves to making routine decisions. They were convinced that they came too late in the proceedings to be of more than symbolic help. The general feeling was that at this late stage in the proceedings there was very little that could be done and the alternatives were not particularly attractive.

The average time between the placement of the child and the granting of the order was six and a half months, and the average time between the submission of the petition and the granting of the order was just under three months. Undue delays were mainly the result of the late stage at which petitions
were lodged and of the time taken by curators - mostly the social workers - to prepare their reports. No petition was rejected on account of an applicant's personal unsuitability and no interim order was made in any of the cases, though there were situations where this might have been appropriate, such as in cases where older children were unaware of their adoptive status. A petition was likely to be postponed if there was evidence of some concrete need such as housing, physical health etc. Yet neglect is more likely to appear, nowadays, in the form of emotional rejection or excessive overprotection, aspects which neither the majority of curators nor the Sheriffs were qualified to identify.

There was only an insignificant number of mothers (0.7%) who declined to confirm their consent and reclaimed their children. Though such cases can lead to tremendous unhappiness all round, changes in the law to terminate parental rights abruptly would be considered premature, without considerable improvements being first effected in adoption agency practice. Such improvements would need to ensure that more reality, than at present, is inserted into the surrendering process and that better services are offered to parents relinquishing their children. To increase the power and authority of amateur lay committees and semi-trained workers, without equivalent guarantees, would be, in the light
of our findings, a retrograde step. If agency practices are improved, then there seems to be a good case for making it possible for parents to give their consent earlier than the present statutory six week period, and to stipulate a definite period after which the consent will be irrevocable. If the various studies suggest that between 70 and 80 per cent of the mothers reach a decision about the child's future within a week to ten days after confinement, then it is justifiable to accept the mother's decision at an earlier stage.

The four courts, that dealt with the seven cases of reclaims, followed diverse procedures and reached widely different decisions. Two main attitudes appeared to govern such decisions: one that seemed to give credit to the importance of the child's attachment to his adoptive parents and another that attached greater importance to the biological tie. A second area, where there was considerable inconsistency and difference in the procedure and the decisions reached, was in adoptions by grandparents. The varying approaches to this problem appeared to have less to do with the welfare of the child and more with individual attitudes and beliefs.

Finally the one type of case, that received least attention from supervisors, curators and the Sheriffs, was adoptions arranged independently. Though these were found to be few and far between, compared to the great amount of feeling
that they have given rise to over the last twenty years, their serious implications were not recognised and no particular attention was paid to them.

Final Conclusions

This study set out to identify current adoption practice in Scotland and to evaluate it in the light of standards developed by the social work profession and those set up by the law. Any study that involves an evaluative approach of this type cannot entirely escape the criticism of some element of subjectivity. No accurate methods have as yet been developed to make it possible for one human being to measure the work of another in matters involving complex human situations. We would like to feel that the safeguards built into this study lessened the danger of subjective judgement.

If the findings appear to be critical of the practitioner, it is not because of bias in the analysis which reflected, as accurately as possible, the content of the records available. It is very possible that important material was not recorded and therefore could not be evaluated. So little is known, about the outcome of adoption and of the different practices used, that to stress the need for detailed recording, which could help to identify what is useful and what can be discarded, is like stating the obvious.
The overall conclusion is that, with some very interesting exceptions, adoption practice was found to be based on a very narrow range of tangible and repetitive factors. The range of observations, thinking and acting was very limited compared to social work expectations and the respective merits of a range of possible activities were not considered. It would be unfair, however, to underestimate the complexities of adoption practice, and unjustifiable to ascribe other than the best of motives to those charged with the responsibility of bringing about the child/parent relationship, without the necessary training and resources. These deficiencies may partly account too, for the failure of almost all agencies to formulate their practice into a body of working principles and then regularly to re-examine and review these principles and the methods used, in order to ensure the best possible service to all parties participating in the adoption situation. Instead, to a large extent the general approach to the work was amateurish in the extreme and aimed only at meeting legal and administrative requirements, failing to take into account the complexity of the human situations involved. Assessments were mostly based on intuition or even whims and did not reflect any organised body of knowledge or any discernible method. The work with the natural parents, the child and the adopters, bore little
relation to the standards recommended by the social work profession. Many aspects of the practice, such as blanket type of practice for all clients, were a negation of basic social work beliefs about the individuality of every human being; similarly, there was lack of conviction about basic concepts of child welfare such as the beneficial effect of environmental influences and the reversability of certain experiences. In spite of reassurances in social work literature and in official documents that adoption is now practised mainly in the interests of the child, the study came across considerable evidence suggesting that the attitudes of various individuals, responsible for bringing about the child/parent relationship, were largely adoptive-parent orientated and less child-centred. Along with these practices, however, the study came across the practices of a minority of agencies, especially those of one society, that could serve as a model in their reflection of current social work thinking.

The multiplicity of individuals and bodies involved in the adoption process, far from safeguarding the child's welfare, served to create a false sense of security. Each one of these agents or agencies i.e., the placing agency, the supervising officer, the curator ad litem and the Sheriff, acted independently and in isolation from each other. Too much seemed to be assumed that was not justified by actual events.
Each successive person involved, for instance, assumed that the previous one or the one about to come had carried or would carry out certain investigations or offer certain services. The present function of such agents as supervising officers, curators and even Sheriffs could be dispensed with and replaced by fewer and perhaps more effective ones that could ensure that certain services are offered or certain investigations are carried out at the stage most vital in the proceedings.

It is recognised that no amount of legislation can improve some of the practices found in the course of this study and, in fact, legislation now urged around certain areas, such as early termination of parental rights, would be premature without a corresponding improvement in practices. The study indicates that most of the changes need to come from within the placing agencies themselves. To do this, they will need more resources to help them to employ trained workers and to develop programmes suited to the objectives they are trying to promote. It will in fact be a great advance when services to unmarried mothers in general and adoption services come to be offered within the same agencies, instead of the present fragmented set up which fails to ensure proper coverage.

The greatest challenge facing adoption practice, as it emerged from the study, is the need for a change of those
attitudes based on preconceived or out-dated beliefs and prejudices, and a shift away from amateurism and traditionalism so that adoption work may be brought into line with modern concepts of child development. Traditional attitudes, reflecting the desire to place 'perfect' babies, or match by socio-economic background, die hard, but the emerging need is for new policies and attitudes that can promote the needs of "hard-to-place" children. The study has also found a gradual drop in the number of applicants coming forward to adopt and this may not be entirely unconnected with the unwholesome image that adoption societies have projected of themselves. The rejection of applicants hitherto on the basis of single factors of doubtful validity, has not been much of an encouragement to new applicants. For a sense of fairness to prevail, greater honesty on the part of agencies will be needed and a start could be made by making their eligibility and other requirements public. The present inappropriate secrecy appears to serve the needs of the organisation rather than those of the community.
II. SPECIFIC AREAS FOR FURTHER STUDY

The unnecessary amount of secretiveness, built into successive adoption Acts, not only prevented important research from being carried out, but also reinforced traditional agency fears about making more public some of their fundamental practices. The slowness of adoption agencies, as well as of other social work agencies, to take part in research studies, generally resulted in the absence of basic guidelines for the development of principles of practice for the social work profession as a whole. Though the situation has been changing rapidly in the last ten years, adoption agencies, mostly voluntary ones, have not been in the forefront. A new attitude seems to be emerging now with a number of agencies being prepared to look at their work more critically and also to participate in research projects of this kind. This was demonstrated by the fact that this study was the first one to be based on the actual records of both voluntary and public agencies. This change in attitude was brought about partly by the lead given by the law, but also by some young workers, who, though not all professionally trained, were less prejudiced towards research and encouraged their seniors or
Now that the climate of opinion is more favourable to research, there are a number of areas in which further studies would be helpful in establishing a number of facts and in examining a number of hypotheses that have not been previously tackled. We shall restrict ourselves to pointing out the necessity for a number of studies that either have a bearing on this one or presented themselves in the process of carrying out this project. One of the main findings of this study was the varied practices followed by the agencies in the sample. The selection of adopters, the placing of children and the amount of service offered to natural parents differed so widely, that no study of outcome can afford to ignore them: Studies in outcome have often made blanket assumptions about the nature of practice, or have restricted themselves to outcome related to the practices of a single agency. The findings of the latter type of studies, though very useful to the agencies that engineered them, carried the dangers of being seen as relevant to all adoption placings. Though the main test of all adoption practice lies in how children adjust in the end, a study in outcome alone cannot identify the methods and process by which 'good' or 'bad' adjustment was brought about. What appears to be needed is a follow-up study of process and outcome, combined and based on a standardised sample.
from a number of agencies following different practices. The children's degree of adjustment could then be related to their own 'base-line' data at the time of placement, whilst the adopters' general performance and attitudes could also be related to the phenomena and attitudes they revealed at the selection stage. Such a study could yield valuable information that could help not only to identify tangible characteristics that can predict future outcome, but, more important, to spot personality attitudes whose identification at selection stage might prevent unsuitable placements. For instance, recent findings suggest that a certain amount of maladjustment in adopted children is connected with the overambitions of the adoptive parents. A study, as suggested above, could retrospectively reveal how these parents present themselves at selection stage and whether they provide signs that can alert the investigating worker. Another major contribution of such a study would be the identification - from the process records - of the characteristics of the large proportion of adopters who refuse to take part in research studies.

The next area, where an urgent study is required, is one to identify the characteristics of all adoptive applicants - both the accepted and the rejected ones-, as well as the criteria upon which the decisions are reached. This is especially necessary to help allay widespread community anxieties
about the operative criteria that agencies use in the
selection of adopters. This study obtained little information
about rejected applicants and what appears to be needed is an
ongoing study that can really establish how adoption caseworkers
perceive all adoptive applicants, including those who are now
weeded out at enquiry stage.

The failure of agencies to keep records and statistics
about the number of "hard-to-place" children did not make it
possible to establish the extent of this very important problem.
No one knows how many physically or mentally handicapped
children, or older or coloured children are not accepted for
placement or are in long-term care. Though this appears to
be the biggest challenge facing adoption practice, the problem
has not yet been properly identified and defined. A study
of this nature could go beyond establishing numbers by identifying
the reasons for which such children are not placed, such as lack of adopters or lack of agency time to pursue them, or
more important still, because of certain attitudes among
caseworkers and lay committees regarding "hard-to-place"
children. An attitudinal study among caseworkers and
committees could help to distinguish which limitations are
imposed by outside factors, such as resources and availability
of applicants, and which ones derive from within the agency and
its staff. At the same time it would be equally valuable to
establish the adoptive applicants' capacity to accept "hard-to-place" children or to accept differences. This study has found, for instance, that current matching practices and medical requirements, tend to foster over-ambition in adopters and to reinforce difficulties in accepting differences. Though there was some evidence that some of these requirements were made by applicants, others appeared to represent the views of the caseworkers or of their committees. How much difference adopters are willing to accept and what kind of handicaps they are prepared to cope with, are still unknown facts. One can only assume that such a study will reveal areas of untapped potential adopters who will be prepared and able to offer a home to children who otherwise may have to grow up in institutions or in foster-homes.

The provision of the Scottish Adoption Act, which makes it possible for adopted children of a certain age to have access to records supplying information about their natural parentage, offers a unique opportunity for a study to look at: how the provision has been used up to now and by whom, the circumstances and timing when use of this provision was made; and the extent to which this provision is known to adopted children or their adoptive parents. Findings from such a study may offer guidelines as to whether a similar provision should be introduced into the English Adoption Act and whether
casework agencies have a part to play at this stage.

Recent studies have sought to determine whether adopted children are coming to the attention of social agencies and psychiatric departments in numbers out of proportion to their presence in the general child population. Again because of limitations in sample selection, the various British studies went no further than identifying certain emotional or behavioural disturbances in adopted children and certain characteristics of their adoptive parents. The changes in the law, making court records available for research purposes, should make possible studies that can answer two major questions: Do more adopted children come to the attention of social and psychological agencies than should be expected on the basis of their proportion in the general population? Second, what differences can be observed descriptively and diagnostically between adopted and non-adopted children and their parents and how do these characteristics differ from those of other adoptive parents? It is feasible now to use the court records as a basis for a sample selection in a defined area, with good social and psychological services, and then to follow each case in order to establish whether it appeared at any of these agencies within a time-span of fifteen to eighteen years.

Local studies appear to be needed that can establish the
timing of the mother's decision to keep or to surrender her child and also to identify particular factual and personality characteristics that appear to exercise a positive or a negative influence on such a decision. Because there is considerable evidence suggesting that social conditions and cultural attitudes influence the adoption decision, the need is for research that will examine personality and attitudinal variables by holding constant the social background characteristics which are found to be predictive of the mother's decision. In the same direction but for slightly different reasons, a study, with a much bigger sample than our own, could identify the relationship between the mother's change of mind, about her decision, and certain personality attributes and agency practices. Such a study could test the widely held hypothesis that reclams by mothers are related to the amount of casework help they had at the time of surrender or to the placement having been a direct one.

An important issue, that dominated the thinking of some of the courts in the sample, was whether relatives should be allowed to adopt or whether some form of guardianship should be devised to confer the same privileges on the child without some of the present hidden difficulties. The obvious need here is for a study in depth that can identify both the conscious and unconscious motives behind this minority type of
adoptions. This appears to be quite an important issue, made more urgent by the fact that some of the older children, in this category, were not aware of their adoptive status at the time the order was made.

Finally, there is the question of future trends. This is at the moment unpredictable, but as it is the mothers of the children who now determine adoption numbers, certain changes, currently taking place, may come to have a profound effect on numbers. Nothing is known yet about whether the mothers, who are increasingly seeking abortion or easier methods of contraception, have the same characteristics as the ones who tend to surrender their babies. Samples may not be easy to obtain but it is possible to start by identifying some of the more tangible characteristics and comparing them with those of mothers who now surrender.

Society is constantly undergoing certain changes and, as adoption practice has formerly been affected by changing attitudes and beliefs, as well as by knowledge from the scientific field, future changes may have similar effects. Because adoption is an institution which does not exist in a void, it is essential for the practitioner and the research worker to develop a frame of mind geared towards change. The survival of practice, and whether it continues to stay in the hands of caseworkers, may be dependent on how far workers
will be prepared to try innovations and use findings from research studies. A failure to develop in these ways may result either in the agencies disappearing because of failure to adapt, or in the public turning away from a practice that has become fossilised.
III.

SPECIFIC AREAS FOR LEGAL CHANGES

Three of the key figures in the adoption process, i.e. the supervising officer, the curator ad litem and the Sheriff, lacked conviction about the importance of their role and acted simply in a routine and formal way to satisfy administrative and legal requirements. On the basis of our findings it cannot be claimed that the best interests of the children were always safeguarded by these persons. The main explanation for this limited function, which certainly was not the intention of the Act, was that they came into the adoption situation too late to be of any practical help and so settled for sanctioning the placing practices of the various adoption agencies. This study has identified that the area around which major administrative and legal changes need to be brought about is at the placement stage.

Adoption Societies and Local Authority Agencies

The present regulations providing for the registration of adoption societies afford only formal control over their work. The only requirement now made of societies is that they supply the registering authority with annual returns giving
certain details about their work and the people employed by them. There is no provision for the proper 'inspection' (for want of a better word) of the agencies' work and no incentive for the promotion of better standards of practice. Adoption societies are at the moment entrusted with a great amount of authority and power over children, over their parents, and over applicants, with very little accountability for their practice, and this is giving increasing concern to the public. The varying practices identified in the course of this study, far from suggesting strength arising out of diversity, were mainly the result of personal beliefs and of ad hoc and piece-meal considerations, rather than of well thought-out principles and concepts, reflecting current knowledge and thinking on the subject. Because local authorities were mainly found to run their own adoption services on similar, and sometimes on less effective, lines, they did not seem to be the right bodies to undertake the responsibility of acting either as registering or as 'inspecting' authorities. A more appropriate body, for such a role, would be a Central government department, independent both of local authorities and of adoption societies. The Central government in Scotland is now creating a large group of professional advisers in social work and this could be the appropriate body to act both as a registering and as an 'inspecting' authority.
for both adoption societies and local authority agencies. This body could ensure some uniformity of standards and encourage agencies to improve their practices beyond the minimum requirements of the Act and of the Regulations. Changes in law that would, directly or indirectly, bestow more authority on adoption agencies without corresponding accountability, would, in the light of these findings, be considered as premature and perhaps not in the best interests of the parties involved in the adoption situation.

Adoption societies were found to be operating under extreme financial difficulties and some explicit provision for local authority grants to be made available to them could help them to provide badly needed improvements, and more important, to widen their programmes. The present habit of covenants being signed by couples adopting through adoption societies will need to be brought to an end, if a feeling of fairness and of equal opportunity among all applicants is to prevail. Grants could help societies to employ much needed trained staff, though such staff are unlikely to be attracted unless committees are prepared to relinquish a considerable amount of control and to recognise that trained workers are usually committed to certain professional principles and beliefs arising out of current knowledge and practice. The law could help in this respect, by defining
more precisely what is meant by a 'fit' person to be employed in an adoption agency and also clarifying the boundaries between the role of the case committee and that of its professionals. Individual case decisions, being professional matters, should be left to the deliberations of professionals from within the agency, assisted by co-opted advisors from other allied disciplines. Provision is also necessary for a really democratic method of election of committee members that might eventually lead to the representation of a wider section of the community. It might also lead to less rigidity in practice, which now appears to be biased towards certain sections of the population. Because of the variety of eligibility criteria used, agencies should be required to make these public, not only for applicants to know where they stand, but also to make these open to public scrutiny.

Unlike the present system, local authority agencies should be subject to the same regulations as voluntary ones. The absence of firm regulations controlling the adoption work of local authorities leaves the impression of different standards being required of the two types of agencies, and it may have contributed to the overall 'poor' quality of the practices found and to the absence of elementary statistics and sometimes even of basic information.

Along with these provisions, the law could help to generate
some new thinking about the needs of "hard-to-place" children, which are not accommodated within the narrow programmes of most agencies. As a first step, the Act may have to give powers to local authorities to subsidise, where appropriate, certain types of adoptions. Though it is sheer guesswork at the moment how many older, handicapped or coloured children remain unadopted either because of the lack of agency time to pursue their cases or because of the lack of suitable applicants, this is emerging as the major challenge to the work of adoption agencies. After all, the adoption of healthy young infants is a far more straightforward matter, yet agencies appear to have concentrated most of their resources on these children who least need them. Similarly, some new and more effective ways will have to be found to make possible the adoption of children who are now in long term care and whose parents lose interest in them, the children remaining in a state of limbo. Because of the various interpretations given by courts to the provisions for dispensing with parental consent, local authorities have rarely used the new clause of the 1958 Act, which provides that, where there is evidence that a parent has persistently failed, without reasonable cause, to discharge his obligations, his consent could be dispensed with. This is an interesting example of the law-givers identifying a need, but providing a remedy that
has not proved to be the most suitable one. The delicate problem of balancing the welfare of the child with the rights of the parents seems to need a totally new approach.

Medical Certificates

The practice followed by some agencies of obtaining medical certificates on adopters after the placement, offers no protection to the child. It is important that the applicants' health is considered at the selection stage and that a less formal medical certificate reaches both the placing agency and the court.

The Mother's Consent

All available studies suggest that between seventy and eighty per cent of single mothers reach a final decision about their child within seven to ten days after confinement. This indicates that it would be reasonable to provide for the mother's consent to be given at an earlier stage than the present six weeks statutory requirement. (This study has found that most of the mothers, who changed their mind, did so at the stage of being asked to give their original consent and only a tiny proportion (0.7%) at a later stage). The possibility of an earlier consent would offer the mother the opportunity to change her mind when the child is about to be placed or before it has spent too much time with the adopters. (This of
course pre-supposes that many agencies will be prepared to move away from their present rigid policies of insisting on every child having a pre-adoption placement). If provision is made for the original consent to be given earlier, it would also be possible to make it final within a specified time-span. Any such change, however, must be preceded by measures aiming at ensuring far more reality, than at present, being injected into the surrendering process and the actual signing of the consent. This study has found that most natural mothers had only a perfunctory contact with the adoption agency and only a minority of agencies offered a personal casework service with opportunities to discuss alternatives to adoption. The study has also come across a few disquieting cases where it appeared that mothers were unnecessarily hurried or misled about their exact rights and obligations. Any change, therefore, aimed at terminating parental rights at an earlier stage, without first ensuring a considerable improvement in agency practices, would be premature and a step in the wrong direction.

The Adoption Act and the Legitimacy Act of 1959.

A situation, that is quite confusing to the practitioner and occasionally leads to unfortunate results, is the conflict between the provisions of the Adoption Act of 1958 and those of the Legitimacy Act of 1959, providing for custody proceedings.
Though we did not come across any such cases in the sample, we have been told that some agencies are reluctant to establish contact with putative fathers, because of the possible implications that could arise out of the contradictory provisions of the two Acts. On the other hand, the practice of one agency, to pursue such contacts, did not seem to generate a wish on the part of putative fathers to start custody proceedings. There appears to be a need for a change in the law that can ensure a greater involvement of the alleged father, without diminishing the child's opportunities for an early placement.

Third Party Placements

The small number of independent placements found in the study, (3.1% placed directly by a parent and only 1.5% by a third party), do not suggest any change in this area. No evidence was found to support allegations of illicit traffic in babies and anxieties about third party adoptions appear to have been over-exaggerated. The main argument against third party adoptions is that the adopters are not properly selected, the natural parents get no casework help and the child is not properly assessed. All three arguments are demolished by our findings which showed that, in the majority of agency placements, the adoptive parents were not better selected, the
natural parents received no casework help and the child's assessment amounted only to a formal medical examination to satisfy certain requirements. The argument about matching baby and adopters is a concept which is not only impractical but exists only in theory. The only type of matching, that this study came across, was one based on socio-economic background whose value is very doubtful. In our view, it would again be very premature to invoke the powers of the law to prohibit independent placements when the practices of many adoption agencies fall far short of the standards recommended by professional bodies and by social work literature. There is as yet no convincing evidence that agency placements in Britain are more successful than independent ones. This possibly reflects how little is known about the qualities to be looked for in the selection of adoptive parents and, more important still, about how to assess such qualities.

Statutory Supervision

The nature of statutory supervision, as currently practised, seems to offer only minimum protection to the child and is of no perceptible value to the adopters. If, however, our earlier suggestion regarding a considerable improvement in agency practices is implemented, there will be no obvious reason why the placing agencies should not carry on with the
post-placement supervision, provided also that the curator's role is better defined and strengthened. A greater scrutiny of the practices of all types of placing agencies could ensure a more satisfactory type of post-placement supervision, without it being necessary to introduce a statutory form of supervision. Statutory supervision should be reserved for all independent placings, provided again that this type of work does not continue to be seen as the Cinderella among the agencies' priorities. In years to come, when adoption agencies demonstrate professional standards of practice, it should be possible to abolish the role of the curator ad litem and leave the placing agencies and the courts as the only two parties involved in adoption proceedings.

The Court

(i) The Role of the Curator Ad Litem

The study showed that the function of the curator, as currently performed, failed in most cases to meet the objectives set-out by the regulations. In the majority of cases, curators used this opportunity solely to ascertain facts already known to the Courts, and only in a minority of cases considered the intangibles of the situation. The findings point to two possible changes: One that would abolish this role altogether and strengthen the part played by the
supervising officer, or the other that would strengthen the role of the curator. In view of the earlier suggestion to do away with statutory supervision, except in certain defined cases, it is our view that the role of the curator should be strengthened and made into a really dynamic one. This brings us to one of our main suggestions, i.e. that the child's interests, those of his parents and of the adopters, would be better served if placing agencies, and others arranging adoptions independently, were required to give advance notice to the curator of their intention to place a child with a particular family. The curator should then carry out the appropriate investigations and report his findings to the court, which would proceed to approve or reject the proposed placement depending on the reported circumstances. This would not only go a long way to safeguard the child's welfare, but would also make the work of the curator and the courts appear less futile and pointless than at present. The process, however, would need very speedy action as adoption work is a race against time.

The envisaged role for the curator should be carried out only by a person specially appointed to service the courts, but it would be useful if he could be based in a social work department to maintain necessary links that are now missing. Considering the demands to be made on such a person, he will
need to be a professionally trained social worker with considerable experience in child welfare work.

An urgent need, arising out of the curator's current and envisaged role, is for the Legislature to make clear what is the precise status of the confidential report of the curator.

(ii) The Role of the Sheriff.

The Sheriff courts are now mainly engaged in making routine administrative decisions based on a very limited range of factors. They have generally accorded very low priority to this part of their work, illustrated by the fact that for years they failed to establish personal contact with their curators, they failed to make demands for more informative reports or make the supervising agency respondent to the application. In over 90.0% of the cases they also avoided making arrangements for a hearing. Because of this, adoption orders were generally granted in an impersonal, almost mechanical way, and only in a tiny number of disputed cases did the Sheriffs involve themselves in some real decision making.

Adoption work is only a fringe activity for the Sheriff court and, with the new provision for all children's cases to be heard before Children's Hearings, it would be an anachronism to leave this type of work within the ambit of a quasi-criminal court. This appears to be an opportune moment for adoption
cases to be transferred to the Children's Hearings which are to be set up under the Social Work (Scotland) Act of 1968. Though nobody yet knows how these Hearings will eventually work out in practice, it is hoped that with their constant interaction with social agencies and with family problems and situations, they will develop considerable knowledge and expertise in handling complex problems involving social and psychological factors. Unlike current practice, the applicants should be asked to attend, and where appropriate the child should be asked to attend the hearing too. Similarly, the curator should present his report in person and a representative of the placing agency and, where appropriate, of the supervising agency should attend and supply the hearing with social reports. In the case of independent placings, the third party should always be made respondent to the application. Eventually, the adoption process would involve the Children's Hearings at two stages: (a) for the approval of the original placing; and (b) for the final decision following statutory supervision.

Adoptions by Relatives

Any change in the law cannot fail to look again at the implications arising out of the adoption of legitimate and illegitimate children by their mother and her husband, and by
their grand-parents. The advantages that such adoptions confer on the child are questionable, whilst, on the other hand, they were found in some cases to encourage secrecy and evasiveness which did not appear to be in the best interests of the child. The procedure could be replaced by a form of guardianship which could meet some of the present objectives and encourage more honesty all round.

Adoptions by other relatives, mainly aunts and uncles, raise more controversial issues. It may seem undesirable that relatives should seek a child from outside the kinship family, when a child from within this circle is available for adoption. In such cases great responsibility will fall on the supervising authority to ensure that the child will be brought up in full knowledge of its parentage and of the circumstances of its adoption.

### Duty of Local Authorities

In view of the findings which suggest that there is a close association between adoption numbers and availability of opportunity to surrender or to adopt, and that where there are such opportunities third party adoptions are few, there are good reasons why the Act should place a duty on local authorities to provide adoption services. An explicit responsibility on local authorities might generate more interest
and thinking, especially as regards long care cases and the cases of children who are now too easily rejected as unadoptable.
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Permit No. 1

Mr. J. Triseliotis, Lecturer in Child Care, the Department of Social Study, University of Edinburgh, is hereby authorised to obtain, for purposes of research, any information to which (a) paragraph 15 of the Act of Sederunt (Adoption of Children) 1959 as amended by the Act of Sederunt (Adoption of Children Amendment) 1966 and (b) Regulation 7 of the Adoption Agencies (Scotland) Regulations 1959 as amended by the Adoption Agencies (Scotland) Regulations 1967, apply.

This authority shall remain valid until 4th April 1968 unless withdrawn before that date.

Signed "P.A. Cox"
Assistant Secretary
On behalf of the Secretary of State for Scotland.

Date 4th April 1967.
Before being sent out, this letter was modified to suit the individual agency or person to whom it was addressed.

Dear ............;

I am a Lecturer in Child Care at the University of Edinburgh and I am at present making a study of adoption policy and practice in Scotland. You may have already heard about this from the Scottish Education Department. The study has the approval of the Secretary of State for Scotland and copy of the certificate is attached.

This research project has been initiated as a result of the recent changes introduced in the Act of Sederunt (Adoption of Children) which make it possible for courts and adoption agencies alike to disclose information to authorised researchers. As you are possibly aware, very little is known about how adoption is practised in the country and it is hoped that the study will help to establish an accurate picture of the various principles, methods and concepts being used. Your agency has been included in the sample for study and I am therefore writing to ask your help and co-operation. I very much appreciate your possible anxiety about making available highly confidential information but I hope it will reassure you to know that I have already signed the Official Secrets Act declaration. Though I will need to pursue individual
case-records as part of the study, no individual person will be identifiable in the final analysis.

I am now writing to ask whether it would be possible for us to meet and discuss my suggestions before you finally make up your mind about agreeing for the study to be carried out in your agency.

Yours sincerely,
### I - THE NATURAL PARENTS

#### MOTHER

1. **Name (Code name)** ........................................ 2. **Denomination** ........................................

3. **Nationality** ........................................ 4. **Age** ........................................

5. **Usual address** ........................................ 6. **Present address** ........................................
   (i.e. at confinement)

7. **Usual occupation** ........................................

8. **Occupation at confinement** ........................................

9. **Status at time of child's birth**
   
   a) Single
   
   b) Married
   
   c) Divorced
   
   d) Widowed
   
   e) Separated

10. **Number of previous pregnancies and child's fate:**

   
   (a) **Legitimate:**
   
   Child kept
   
   Child surrendered

   (b) **Illegitimate**
   
   Child kept
   
   Child surrendered
11. The timing of the mother’s decision
   (i) Before confinement and constant thereafter.
   (ii) Within a week following confinement.
   (iii) Decision reached when child over a week old.
   (iv) Mixed feelings up to the court stage.

12. Mother’s educational background
   (i) Left school at 15.
   (ii) Beyond school leaving age.
   (iii) College or university education.

13. Mother’s family background:
   (i) Father died before mother was 16 yrs. old.
   (ii) Mother " " " " " " "
   (iii) Both parents died before mother was 16.
   (iv) Family break up through divorce or separation.

(PUTATIVE) FATHER.

<table>
<thead>
<tr>
<th>(a) Known</th>
<th>(b) Not known</th>
</tr>
</thead>
<tbody>
<tr>
<td>14. Name (code name)</td>
<td>15. Denomination</td>
</tr>
<tr>
<td>16. Nationality</td>
<td>17. Age</td>
</tr>
<tr>
<td>18. Usual address</td>
<td>19. Present address</td>
</tr>
<tr>
<td>20. Occupation</td>
<td></td>
</tr>
<tr>
<td>21. Status at time of child’s birth</td>
<td></td>
</tr>
<tr>
<td>(i) Single</td>
<td></td>
</tr>
</tbody>
</table>
(ii) Married
(iii) Divorced
(iv) Separated
(v) Widowed

22. No interest in the child ....... 23. Continuous interest .......
24. Child registered in his name ....... 25. Has been contributing .......
26. Affiliation order.
27. First consent
   (a) Mother
      1. Given
      2. If dispensed reasons
         ........................................
   (b) Father
      1. Given
      2. If dispensed reasons ....
         ........................................

28. Confirmation of consent
   (a) Mother
      1. Confirmed
      2. Confirmation dispensed and why ................................
   (b) Father
      1. Confirmed
      2. Confirmation dispensed and why ................................

29. Contact between adoption agency worker and parent(s)
   (a) Mother
      1. No contact
      2. Personal contact
   (b) Father
      1. No contact
      2. Personal contact
vii.

30. Number of contacts between caseworker and parent(a)

(a) Mother
   (i) One
   (ii) Two
   (iii) Three
   (iv) Four or more

(b) Father
   (i) One
   (ii) Two
   (iii) Three
   (iv) Four or more

31. How parents were referred to the adoption agency

(a) Mother
   (i) Hosp. social worker
   (ii) Family doctor
   (iii) Mother & Baby Home
   (iv) Health visitor
   (v) Self-referral
   (vi) Referred by parents
   (vii) Otherwise

(b) Father

32. Information on parents available in agency's records

(a) Mother
   (a) Factual date
   (b) Background history
   (c) Health record
   (d) Physical description
   (e) Current situation

(b) Father

33. Nature of service given to parents

(a) Mother  (b) Father

..... (i) No other help beyond accepting surrender of baby and signing of forms .......

(ii) Direct help in connection with:

Considerable....( a) Reaching a decision (b) to separate from the child
Fair ............ (b) to separate from the child
Little ............( c) to reflect on the decision

34. Religious requirements

(a) Mother  (b) Father

1. Yes
2. No.

35. Duration of the parents' relationship

i. Casual

ii. Six months and under

iii. From 7 to 12 months

iv. From 13 to 24 months

v. Over two years.
36. THE CURATOR'S CONTACT WITH THE BIOLOGICAL PARENTS AND
KNOWLEDGE OF THE CIRCUMSTANCES OF SURRENDER

<table>
<thead>
<tr>
<th>(a) Mother</th>
<th>(b) Father</th>
</tr>
</thead>
<tbody>
<tr>
<td>........ i. No contact ........</td>
<td>........</td>
</tr>
<tr>
<td>........ ii. Personal interviews ........</td>
<td>........</td>
</tr>
<tr>
<td>........ iii. By correspondence ........</td>
<td>........</td>
</tr>
<tr>
<td>........ a) Consent confirmed ........</td>
<td>........</td>
</tr>
<tr>
<td>........ b) Consent withheld ........</td>
<td>........</td>
</tr>
<tr>
<td>........ c) No reply ........</td>
<td>........</td>
</tr>
<tr>
<td>........ d) Parent not to be found ........</td>
<td>........</td>
</tr>
</tbody>
</table>

37. Content of curator's report on the natural mother

(a) No mention
(b) Confirmation of facts
(c) Fair to considerable

38. Child reclaimed by mother  Yes...........  No...........

If "Yes": (a) Hearing held
(1) Child left with adopters
(2) Child returned to mother

(b) No hearing held
(1) Child left with adopters
(2) Child returned to mother.
39. Child reclaimed by (putative) father. Yes .... No ....

If "Yes":
(a) Hearing held
   1. Child left with adopters
   2. Child returned to father

(b) No hearing held
   1. Child left with adopters
   2. Child returned to father.
## II - THE CHILD

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Date of birth</td>
<td>2. Where born</td>
</tr>
<tr>
<td>3. Sex: Male</td>
<td>Female</td>
</tr>
<tr>
<td>4. Status: Legitimate</td>
<td>Illegitimate</td>
</tr>
<tr>
<td>5. Nationality</td>
<td></td>
</tr>
<tr>
<td>6. Racial aspects:</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(a) Both parents white</td>
</tr>
<tr>
<td></td>
<td>(b) Both parents coloured</td>
</tr>
<tr>
<td></td>
<td>(c) One parent coloured</td>
</tr>
<tr>
<td>7. Mother's religious affiliation</td>
<td></td>
</tr>
<tr>
<td>8. Date placed for adoption</td>
<td>9. Date adopted</td>
</tr>
<tr>
<td>10. Movements before final placement (State if in care of local authority or voluntary society)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(a) Foster-home (Dates)</td>
</tr>
<tr>
<td></td>
<td>(b) Nursery</td>
</tr>
<tr>
<td></td>
<td>(c) In hospital</td>
</tr>
<tr>
<td></td>
<td>(d) Previously adopted</td>
</tr>
<tr>
<td></td>
<td>(e) Direct from mother to adopters</td>
</tr>
</tbody>
</table>

11. Reasons given by mother for surrendering the child.
12. HOW PLACED

<table>
<thead>
<tr>
<th>Type of Agency</th>
<th>Name of agency or person</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) Adoption society</td>
<td></td>
</tr>
<tr>
<td>(b) Local authority</td>
<td></td>
</tr>
<tr>
<td>(c) Third party</td>
<td>(Give name and occupation)</td>
</tr>
<tr>
<td>(d) Mother direct</td>
<td></td>
</tr>
<tr>
<td>(i) With non-relatives</td>
<td></td>
</tr>
<tr>
<td>(ii) With grand-parents</td>
<td></td>
</tr>
<tr>
<td>(iii) With other relatives</td>
<td></td>
</tr>
<tr>
<td>(e) Parent(s) adopting own child</td>
<td></td>
</tr>
</tbody>
</table>

13. Physical disabilities (if any)

Specify:

14. Serious illnesses

15. Adoption caseworker's observations about the child

<table>
<thead>
<tr>
<th>Aspect</th>
<th>Observation</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) Physical characteristics</td>
<td></td>
</tr>
<tr>
<td>(b) Temperament</td>
<td></td>
</tr>
<tr>
<td>(c) Personality</td>
<td></td>
</tr>
<tr>
<td>(d) Intelligence estimate</td>
<td></td>
</tr>
</tbody>
</table>

16. Number of visits by supervising officer during the probationary period

(a) No visit
(b) One visit
(c) Two visits
(d) Three visits
(e) Four or more visits

17. Observations recorded by supervising officer
(a) Physical health
(b) Feeding, sleeping habits etc.
(c) Developmental stages
(d) Play or other activity
(e) Interaction with the adoptive parents
(f) Interaction and relationship with the family's other children (if applicable)
(g) General adjustment
(h) Discussions with the adoptive parents about the adoption situation or other anxieties arising out of this

18. The curator-ad-litem's recorded observations about the child.

   (a) No mention
   (b) Confirmation of facts or very limited
   (c) Fair to considerable amount of information
2. Assessment of the child's personality and observations about the way it is growing up.
   
   (a) No mention
   
   (b) Confirmation of facts or very limited
   
   (c) Fair to considerable

3. Efforts to ascertain the child's wishes (where applicable)
   
   (a) Child consulted
   
   (b) No consultation

4. Observations about other children in the family (where applicable)
   
   (a) No observations
   
   (b) Confirmation of facts
   
   (c) Fair to considerable
### III - THE ADOPTIVE PARENTS

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
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</thead>
<tbody>
<tr>
<td><strong>1. Name (code name)</strong></td>
<td><strong>2. Denomination</strong></td>
<td></td>
</tr>
<tr>
<td><strong>3. Address (code)</strong></td>
<td><strong>4. Nationality</strong></td>
<td></td>
</tr>
<tr>
<td><strong>5. Date applied to agency</strong></td>
<td><strong>6. Date approved</strong></td>
<td></td>
</tr>
<tr>
<td><strong>7. Date of placement</strong></td>
<td><strong>8. Notification of local authority</strong></td>
<td></td>
</tr>
<tr>
<td><strong>9. Date applied to court</strong></td>
<td><strong>10. Date of order</strong></td>
<td></td>
</tr>
<tr>
<td><strong>11. Age at child’s placement</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(a) Husband</td>
<td>(b) Wife</td>
<td></td>
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<td></td>
<td></td>
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</tr>
<tr>
<td></td>
<td>1. Under 25</td>
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<td></td>
<td>2. 25 - 29</td>
<td></td>
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<tr>
<td></td>
<td>3. 30 - 34</td>
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<td></td>
<td>4. 35 - 39</td>
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<td></td>
<td>5. 40 - 44</td>
<td></td>
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<tr>
<td></td>
<td>6. 45 and over</td>
<td></td>
</tr>
<tr>
<td><strong>12. Present occupation</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(a) Husband</td>
<td>(b) Wife</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
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<tr>
<td><strong>13. Housing situation</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. Own house</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. Local authority</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3. Rented accommodation</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
14. Duration of present marriage

1. Three years and under ............
2. Four to seven years ............
3. Eight to ten years ............
4. Eleven years and over ............

15. Marital history of couple

(a) Husband

...... i. First marriage for both ......
...... ii. First marriage for one spouse
other spouse previously
...... divorced (tick first marriage) ......

iii. First marriage for one spouse
other spouse previously
...... widowed (tick first marriage) ......

iv. Both husband and wife
previously married and both
...... widowed ......

...... v. Both previously married and
both divorced ......

(b) Wife

16. Children in the family

<table>
<thead>
<tr>
<th>No.</th>
<th>Sex</th>
<th>Age</th>
<th>Own</th>
<th>Adopted</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>..........</td>
</tr>
<tr>
<td>2.</td>
<td>...</td>
<td>...</td>
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<tr>
<td>3.</td>
<td>...</td>
<td>...</td>
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<tr>
<td>4.</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>..........</td>
</tr>
</tbody>
</table>
17. Relationship to child

(a) Husband

   i. Not related
   ii. Uncle or aunt
   iii. Grandparents
   iv. Own child
   v. Foster-parents

(b) Wife

   ......

18. Medical reasons for not having own or more children

(a) Husband

   i. Infertile
   ii. Sub-fertile
   iii. No advice sought
   iv. Functional
   v. Advanced age
   vi. Miscarriage(s)
   vii. Stillbirths

   vili. Does not apply—they have own children and may have more.

(b) Wife

   ......

19. Prospects of having own children

   1. Possible ............
   2. Impossible ............
   3. Inadvisable ............
   4. Other reasons (state) ............
20. Past or current physical illnesses
   (a) Husband ..............................................
   ..............................................
   (b) Wife ..............................................
   ..............................................

21. Past or current emotional or mental illnesses
   (a) Husband ..............................................
   ..............................................
   (b) Wife ..............................................
   ..............................................

22. Child sought for adoption
   1. Male ..............
   2. Female ..............
   3. No preference ..............

23. Age of child sought
   1. Under 3 months ..............
   2. Up to six months ..............
   3. Up to 12 months ..............
   4. Up to three years ..............
   5. Over three years ..............
24. Any other characteristics they specified about the child or his background
   1. "Yes"
      1. "Yes" Specify: i.e. colour, handicap
         characteristics such as colour of hair, eyes etc.
         social background

   2. "No"

25. Selection interviews
   1. Husband and wife jointly
   2. Husband by himself
   3. Wife by herself
   4. Home visit (who was seen)

26. Visits by supervising officer
   1. Husband and wife seen (Give number of times)
   2. Husband only
   3. Wife only
   4. Child seen

27. Interviews with curator-ad-litem
   1. Husband and wife seen (Give number of times)
   2. Wife only
   3. Husband only
28. Period between application to the agency and placement of the child.

1. Less than a month ............
2. One but less than 3 months ........
3. Three but less than 6 months ........
4. Six but less than 9 months ........
5. Nine but less than 12 months ........
6. One year and over ............

29. Reasons for more than nine months delay

1. Lack of agency time ............
2. Awaiting medical reports ............
3. No suitable child available ............
4. Awaiting for references ............
5. Temporary change of applicants' circumstances ............

30. CONTENT OF CASEWORKER'S SELECTION REPORT

1. Personality of adopters:

   Items covered: i. Ability to make social relationships ............
                    ii. Ability to deal with difficulties and how the applicants dealt with previous life situations, especially stressful ............
                    iii. How they get along with other people and with their own families ............
                    iv. General standing in the community, including special interests ............
v. The caseworker's assessment  
of the applicants' personality .......... 

2. Emotional maturity:  
   i. Capacity to give and  
      receive love .................. 
   ii. Flexibility and ability to  
        change in relation to the  
        needs of others ............... 
   iii. Ability to cope with  
         disappointments and  
         frustrations ................ 
   iv. Ability to accept normal  
        hazards and risks .......... 

3. The quality of their marital relationship:  
   i. The couple's marital history .......... 
   ii. Acceptance of sex roles ........... 
   iii. Strength of marriage; feelings  
        about each other and amount  
        of support given to each other  
        ............... 
   iv. The effect of the discovery of  
        childlessness on the marriage  
        .................. 
   v. How the balance of the marriage  
       is likely to be affected by the  
       coming of a child ............. 

4. The applicants' attitude toward childlessness and  
infertility  
   i. The reasons for not having  
      own children ................ 
   ii. Their attitude toward their  
        infertility ............... 
   iii. Effect of the discovery on  
        each other ................ 
   iv. Extent to which the couple have  
        accepted their situation  
        ..................
5. The applicants' understanding of children and their needs
   i. Experience with own children or children of relatives or friends
   ii. Capacity to have a relationship with and enjoy a child
   iii. Ability to assume responsibility for someone else's child
   iv. Capacity to allow a child to develop in his own way and at his own pace
   v. Ability to deal with developmental problems

6. The applicants' attitude toward illegitimacy and unmarried parenthood.
   i. Attitude toward illegitimacy
   ii. Knowledge and attitude about heredity
   iii. Attitude toward parents surrendering their children
   iv. Attitude to telling the child about his background
   v. Attitude to telling the child that he is adopted

7. The applicants' emotional motivation.
   i. How they reached their decision to adopt
   ii. Their reasons for seeking a child
   iii. Assessment of their deeper or disguised motives in seeking a child
   iv. Strength of motivation
8. The housing situation
   1. Whether a home visit was paid
   2. Description of the home
   3. Description of the neighbourhood
   4. Description of living conditions
      and of the general home atmosphere

9. Socio-economic background
   1. Job description
   2. Work adjustment and satisfactions
   3. Earnings
   4. Outstanding debts and other commitments

31. The Curator-ad-litem
   i. Social worker-trained
   ii. Social worker-untrained
   iii. Solicitor

32. CONTENT OF THE CURATOR'S REPORT ABOUT THE APPLICANTS

Items: 1. Observations about the adoptive father,
       including an assessment of his personality:
       (a) No observations or assessment
       (b) Limited or factual observations or assessment
       (c) Fair to considerable
11. Observations about the adoptive mother, including an assessment of her personality:

(a) No observations or assessment
(b) Limited or factual
(c) Fair to considerable

iii. Observations about other children in the family.

(a) No observations or assessment
(b) Limited or factual
(c) Fair to comprehensive

33. The curator's contact with the placement agency

(a) No contact
(b) Agency contacted

34. The curator's contact with the supervising authority

(a) No contact
(b) Verbal communication
(c) Written report obtained

35. The curator's final assessment

(a) No assessment
(b) Limited or repetitive
(c) Fair to considerable
36. The curator’s recommendation to the court and the court’s response

<table>
<thead>
<tr>
<th>curator's recommendation</th>
<th>Court's response</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) Straight-forward adoption order</td>
<td>........</td>
</tr>
<tr>
<td>(b) Interim order</td>
<td>........</td>
</tr>
<tr>
<td>(c) rejection of petition</td>
<td>........</td>
</tr>
<tr>
<td>(d) expression of doubt about the applicants' suitability</td>
<td>........</td>
</tr>
</tbody>
</table>

37. Period between the appointment of the curator and the submission of his report

<table>
<thead>
<tr>
<th>Period</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a)</td>
<td>Under two weeks ..........</td>
</tr>
<tr>
<td>(b)</td>
<td>From 2 to 4 weeks ..........</td>
</tr>
<tr>
<td>(c)</td>
<td>From 5 to 6 ' ..........</td>
</tr>
<tr>
<td>(d)</td>
<td>From 7 to 8 ' ..........</td>
</tr>
<tr>
<td>(e)</td>
<td>From 9 weeks and over ..........</td>
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</tbody>
</table>

38. THE COURT PROCESS

1. The Hearing

(a) No hearing held .......... 

(b) Hearing held:

If hearing held under what circumstances and which of the parties were seen .................

.................................................................

.................................................................

.................................................................
2. Disposal of petition

(a) Adoption order granted ...........
(b) Provisional order ...........
(c) Interim order ...........
(d) Order refused ...........
(e) Court asked for additional information from curator 1.......
(f) Order postponed and why ...........

2a. If order refused why

........................................................................
........................................................................
........................................................................
ADDITION QUESTIONNAIRE
(Addressed to adoption societies)

Name of Society

A. SOME ADOPTIVE APPLICANTS TO YOUR SOCIETY WITHDRAW THEIR
APPLICATION DURING THE YEAR 1965. PLEASE GIVE THE REASONS
WHY THEY WITHDREW. (Year of study 1965).

(a) Got child from another agency Number ........
(b) Gave birth to own child Number ........
(c) Left the district Number ........
(d) Other reasons. Please state giving numbers:

B. REASONS FOR REJECTION OF APPLICANTS in 1965.

(i) How many were rejected because of:
   (a) Age factors
   (b) Religious factors
   (c) Lack of suitable accommodation
   (d) Financial reasons
   (e) Medical reasons
   (f) Unsatisfactory marital situation
   (g) Personality factors
   (h) Unsatisfactory references
   (i) Other reasons. Please state giving numbers:
(ii) Do you know how many of these you rejected subsequently got a child from another agency?

C. FERTILITY ASPECTS
(1) Do you normally require medical evidence of sterility and/or infertility?
(ii) Do you accept applicants with children of their own?

D. HOW LONG DO YOU NORMALLY REQUIRE APPLICANTS TO HAVE BEEN MARRIED?

E. SELECTION CRITERIA
(1) Briefly, what do you look for when selecting applicants?

(ii) How many times do you normally see applicants before presenting the case to the committee?

F. CHILDREN WITH SPECIAL NEEDS
(1) How many of the following children were available for adoption in 1965 but could not be placed?
(a) Children over 12 months old    Number ..........
(b) Handicapped children
   Mentally Number ........
   Physically Number ........

(c) Coloured or of mixed race  Number ........

(ii) What were the reasons for not placing these children?

(iii) How many of the following children did you place in 1965?

   (a) Children over 12 months old  Number ........
   (b) Handicapped children
      Mentally  Number ........
      Physically  Number ........
   (c) Coloured or of mixed race  Number ........

G. NUMBER OF APPLICANTS WHO RETURNED THE CHILD BEFORE THE ADOPTION ORDER WAS GRANTED IN 1965.  Number ........

Reasons for returning the child

   (a) Natural mother wanted the child  Number ........
   (b) Adoptive mother gave birth to own child  Number ........
   (c) Child not medically cleared  Number ........
   (d) Other reasons.  Please state:

H. NUMBER OF CHILDREN YOUR AGENCY REMOVED BEFORE AN APPLICATION WAS LODGED WITH THE COURT BECAUSE YOU WERE NOT SATISFIED?  Number ............
I. UNMARRIED MOTHERS

(1) How were these referred to you in 1965? Please give numbers referred by each of the following:

Medical Social Workers ........
General Practitioners ........
Health Visitors ..............
Mother and Baby Homes ........
Other social workers .........
Self-referrals ..............
Referred by parents ........
Others (State) .............

(ii) Amount of contact with unmarried mothers: How many were seen:

(a) Once Number ....
(b) Twice Number ....
(c) Three times Number ....
(d) Four or more times Number ....

J. DO YOU NORMALLY FORWARD A SOCIAL REPORT TO THE SUPERVISING AUTHORITY? Yes/No.

K. DOES THE CURATOR AD LITEM NORMALLY ASK YOU FOR A REPORT OR FOR INFORMATION BEFORE PREPARING HIS REPORT?

(a) Always
(b) Occasionally
(c) Not at all
L. DO YOU USE ANY OF THE FOLLOWING CRITERIA WHEN TRYING TO "MATCH" CHILD AND ADOPTIVE PARENTS? (Tick those criteria you use).

(a) Level of intelligence and intellectual potential
(b) Religious background
(c) Racial background
(d) Educational background
(e) Physical resemblance to child
(f) Geographic separation from parents
(g) Cultural background
(h) Nationality background
(i) Temperamental needs
(j) Physical characteristics of child's family
(k) Mention any other criteria you use:

M. WHAT PERCENTAGE OF PUTATIVE FATHERS DID YOU INTERVIEW IN 1965?

N. SUPERVISION OF CHILDREN PLACED BY YOUR SOCIETY

(i) Do you supervise all the children until the adopters notify the local authority of their intention to adopt? Yes/No.

(ii) Do you supervise all children until the granting of the order? Yes/No.
0. ARE YOU HAVING ANY DIFFICULTY IN FINDING SUITABLE ADOPTIVE APPLICANTS?  Yes/No.
If the answer is "Yes", is it because the number of applicants is decreasing, or the number of children available is increasing or for any other reason?

P. HAVE YOU ANY SUGGESTIONS FOR MAKING SUITABLE CHANGES IN THE ADOPTION LAW?
ADOPTION QUESTIONNAIRE
(Addressed to all children's departments)

Name of Authority

A. (i) Are you acting as an adoption agency under the 1958 Act? Yes/No. If the answer is "Yes", which year did you start?

(ii) Do you have separate workers for carrying out adoption work? Yes/No.

If the answer is "Yes"

(a) How many ........

(b) Give details about their qualifications

..................................................................................
..................................................................................

B. (i) Do you place children for adoption outside the area of your local authority? Yes/No.

If the answer is "Yes", please give some indication of the actual limits to the area:

(ii) Do you accept adoptive applicants from outside your local authority? Yes/No.

If the answer is "Yes", please give some indication of
the actual limits to the area:

C. AGE LIMIT

Do you have an upper age-limit? Yes/No.

If the answer is "Yes" what is your upper age limit for:

Husbands ........

Wives ..........

D. ADOPTIVE APPLICANTS

(i) How many adoptive applicants did you have in:

1960 ........

1965 ........

(ii) How many of these applicants were:

(a) Accepted 1960 1965

(b) Withdrew .... ....

(c) Rejected .... ....

(iii) Reasons for withdrawals of applications in 1965

(a) Got child from another agency Number ........

(b) Gave birth to own child Number ........

(c) Left the district Number ........

(d) Other reasons. Please state giving numbers:
(iv) **Reasons for the rejection of applicants in 1965.**

(a) **How many were rejected because of:**

1. Age factors
2. Religious factors
3. Lack of suitable accommodation
4. Financial reasons
5. Medical reasons
6. Unsatisfactory marital situation
7. Personality factors
8. Unsatisfactory references
9. Other reasons. Please state giving numbers:

(b) Do you know how many of those you rejected subsequently got a child from another agency?

(v) **Number of applicants who returned the child before the adoption order was granted in 1965.** Number ....

**Reasons for returning the child**

(a) Natural mother wanted the child Number .....  
(b) Adoptive mother gave birth to own child Number....  
(c) Child not medically cleared Number .....  
(d) Other reasons. Please state:

(vi) **Number of children your agency removed in 1965 before an application was lodged with the court because you were not satisfied?** Number ........
E. ASPECTS OF FERTILITY
   (i) Do you normally require medical evidence of sterility and/or infertility?
   (ii) Do you accept applicants with children of their own?

F. RELIGIOUS REQUIREMENTS
   (i) Do you accept applicants professing no religion?  
       Yes/No.
   (ii) Do you accept applicants who are not regular church-goers?  Yes/No.

G. MARITAL STATUS
   (i) Do you normally accept an applicant who is:
       (a) Widow  Yes/No
       (b) Spinster  Yes/No
       (c) Divorced  Yes/No
   (ii) How long do you normally require applicants to have been married?

H. SELECTION CRITERIA
   (i) Briefly, what do you look for when selecting applicants?
(ii) How many times do you normally see applicants before reaching a final decision?

I. DO YOU HAVE A SUB-COMMITTEE FOR APPROVING APPLICANTS?
Yes/No.

If the answer is "No" who takes the decision to accept an applicant or not?

K. NUMBER OF CHILDREN AVAILABLE FOR ADOPTION IN: 1960 .........

1965 .........

L. NUMBER OF CHILDREN PLACED FOR ADOPTION IN: 1960 .........

1965 .........

M. CHILDREN WITH SPECIAL NEEDS

(i) How many of the following children were available for adoption in 1965 but could not be placed?

(a) Children over 12 months old Number .........

(b) Handicapped children

Mentally Number .........

Physically Number .........

(c) Coloured or of mixed race Number .........

(ii) What were the reasons for not placing these children?
(iii) How many of the following children did you place in 1965?
(a) Children over 12 months old Number ........
(b) Handicapped children Mentally Number ........

   Physically Number ........
(c) Coloured or of mixed race Number ........

N. UNMARRIED MOTHERS

(i) How were these referred to you in 1965? Please give numbers referred by each of the following:

Medical Social Workers ........
General Practitioners ........
Health Visitors .................
Mother and Baby Homes ...........
Other social workers ............
Self-referrals ...................
Referred by parents .............
Others (State) .................

(ii) Amount of contact with unmarried mothers: How many were seen:
(a) Once Number ....
(b) Twice Number ....
(c) Three times Number ....
(d) Four or more times Number ....
0. DO YOU USE ANY OF THE FOLLOWING CRITERIA WHEN TRYING TO "MATCH" CHILD AND ADOPTIVE PARENTS? (Tick those criteria you use)

(a) Level of intelligence and intellectual potential
(b) Religious background
(c) Racial background
(d) Educational background
(e) Physical resemblance to child
(f) Geographic separation from parents
(g) Cultural background
(h) Nationality background
(i) Temperamental needs
(j) Physical characteristics of child's family
(k) Mention any other criteria you use:

P. STATUTORY SUPERVISION OF CHILDREN AWAITING ADOPTION

(i) Are you supplied with a social background report by the placing agency? a) No b) Sometimes c) Always

(ii) Does the Curator ad litem ask for a report from you as supervising authority? a) No b) Sometimes c) Always
(iii) Do you provide a report to the court about your supervisory function?  
   a) No  b) Sometimes  c) Always  
(iv) Have you any particular views about your supervisory function?

Q. (i) Is your authority appointed by the court to act as Curator ad litem?  
   a) No  b) Sometimes  c) Always  
(ii) Have you any particular views about the person of the curator ad litem?

R. Are you having any difficulty in finding suitable adoptive parents?  
   Yes/No.  
   If the answer is "Yes", is it because the number of applicants is decreasing, or the number of children available increasing, or for any other reason?

S. Have you any suggestions to make for suitable changes in the adoption law?
THE ROLE OF THE CURATOR-AD-LITEM

(The description of the function of the Curator-ad-litem, under the Act of Sederunt (Adoption of Children) 1959 and amendment 1966).

Section 6. On presentation of the petition or as soon as may be thereafter the courts shall appoint a curator ad litem to the infant in terms of subsection ½ of Section 11 of the Act, whose duty shall be to investigate as fully as possibly and to report to the Court on all the circumstances of the infant and the petitioner and all other matters relevant to the proposed adoption with a view to safeguarding the interests of the infant and, in particular, it shall be his duty to include in his investigation, and to report to the Court upon the following questions and matters:-

(a) Whether the statements in the petition are true and inter alia whether, and if so what steps he has found himself able to take for the purposes of ascertaining that the infant's parents, in giving their consent (if any) to the proposed adoption, understood that the effect of the Adoption Order will be to deprive them permanently of their parental rights;
(b) Particulars of all members of the petitioner's household and their relationship (if any) to the petitioner;

(c) Particulars of the accommodation in the petitioner's home and the condition of the home;

(d) Why in the case of a petition by one of two spouses the other spouse does not join in the petition;

(e) Whether the means and status of the petitioner are such as to enable him to maintain and bring up an infant suitably, and what right or interest in property the infant has;

(f) Whether the petitioner understands the nature and effect of an Adoption Order and, in particular, that the Order, if made, will render him responsible for the maintenance and upbringing of the infant;

(g) When the mother of the infant ceased to have the care and possession of the infant and to whom the care and possession was transferred;

(h) Whether any payment or other reward in consideration of the adoption has been received or agreed upon and whether the adoption is consistent with the welfare
of the infant;

(i) What insurance (if any) has been effected on the life of the infant;

(j) Whether it is desirable for the welfare of the infant that the Court should be asked to make an interim order or to impose in making an Adoption Order particular terms or conditions or to require the petitioner to make any particular order for the infant and (if so) what provisions;

(k) Whether in his opinion there is any person other than those mentioned in paragraph 8 hereof upon whom service of notice in Form C should be made;

(l) If the applicant is not ordinarily resident in Great Britain, whether a report has been obtained on the applicant's home and living conditions from a suitable agency in the country in which he is ordinarily resident.

II.
Additional or explanatory provisions under the Act of Sederunt (Adoption of Children Amendment) 1966.

(m) Why the petitioner wishes to adopt the infant;
(n) the petitioner's religious persuasion, if any;

(o) The considerations arising from the difference in age between the petitioner and the infant if such difference is less than the normal difference in age between parents and their children;

(p) Such other questions or matters, including an assessment of the petitioner's personality and, where appropriate, that of the infant as have a bearing on the mutual suitability of the petitioner and the infant for the relationship created by adoption, and on the ability of the petitioner to bring up the infant.
Medical Certificate

I hereby certify on soul and conscience that I have examined ......................... on ..............
(state whether he suffers or has suffered from any serious mental or physical illness or from any serious congenital disease). I have formed the opinion that he is physically, mentally and emotionally suitable to adopt an infant.

Signature
Qualifications
Address
SHERIFFDOM OF ................

REPORT by

..................

Curator ad litem,

PETITION OF

Petitioners whose Serial
Number is .... assigned by the
Sheriff Court of ........

for

AUTHORITY TO ADOPT

..................

The statements in the petition have been investigated, and it appears to the Curator that they are true.

The mother of the child applied for is 16 years of age, having been born on ...., unmarried, Catholic by religion, a British subject and is employed as a shop-assistant. The mother told the Curator that she was unable to care for her child because she required to go out to earn her livelihood and because she felt that it was in the child's best interests to be brought up by both parents. As she was under sixteen at the time of conception, the Police had been notified of this. The mother assured the Curator that no proceeding has been instituted for an Affiliation Order. She also stated that
the putative father had made no payment to her in respect of the maintenance etc. of the child. As the mother of the child is under seventeen years of age, the Curator also consulted the maternal grand-parents of the child and learned from them that they understood the effect of an adoption order would be to deprive their daughter of all parental rights.

The petitioners, who were married to each other on ..... have not had any children of their own. Their household consists of themselves and the child applied for. They are owner/occupiers of a flat of one apartment with kitchen, lavatory and cloakroom for which the assessed rental is £.... per annum. The house was found to be well furnished and well maintained.

This is a joint petition and both petitioners confirmed to the Curator that they are desirous of adopting the child. The male petitioner who is a ..... has wage of ..... basic plus approximately £7 bonus per week. The female petitioner is a housewife. It appears to the curator that their means are sufficient to enable them to maintain and bring up the infant suitably. The female petitioner has had two unsuccessful full time pregnancies in the past 2½ years and although there is no medical reason why successful birth cannot take place these two pregnancies placed considerable strain on the family and the petitioners feel they could not go through the same experience a third time with the possibility of unsuccessful birth at the end.
The child is a healthy, well-cared for little boy who is obviously very much the centre of this household. He was transferred from his mother to the petitioners on ......... Both petitioners would be devoted to him and at the same time would be very sensible in their method of bringing him up. He is well-cared for in every way and physically, materially and emotionally would have his needs provided for to the limit of the powers of the petitioners.

The petitioners understand the nature and effect of an Adoption Order and in particular, that the Order, if granted, will render them responsible for the maintenance and upbringing of the child. The arrangements for the placing of the child in the care of the petitioners were initiated and completed by ............. Society. No payment or reward would appear to have been received in respect of the adoption. No insurance has been effected over the life of the infant.

Both applicants are of a very pleasing personality, genuine and mature in outlook. They are deeply interested in the child and show great affection for him. It is a happily integrated family. The child seems assured of a good and secure upbringing. It is my considered opinion that the making of an Adoption Order would be consistent with the best interests of the infant. There is no apparent need to make an Interim Order or to impose any particular terms or conditions except that the child be brought up as a Catholic.
REPORT ON...................... Date ................

The Curator ad litem begs to report as follows in terms of paragraph 6 of the Act of Sederunt 1959, No. 763.

(a) The statements of the Petition are true. Paternity of the child has not been admitted. The mother has been interviewed and states that she has freely given her consent to the proposed adoption and further states that in doing so she understands that the adoption order if granted would permanently deprive her of her parental rights.

(b) Petitioners' household consists of:-

   (i) Male petitioner aged ..... He is employed as ....... and earns ............

   (ii) Female petitioner aged ........

   (iii) The adoptee aged ........

(c) The home is a three apartment house, clean and comfortably furnished. Sleeping arrangements are satisfactory.

(d) No observations necessary.

(e) The means and status of the petitioners are such as to enable them to bring up the infant suitably; the child has no right or inheritance in any property.

(f) The child was born at the Maternity hospital ............
on ....... She remained in the care of her mother until ..... when she was placed in the joint care and possession of the petitioners with a view to legal adoption. No payment or reward has passed in consideration of the adoption.

(g) There is no insurance in respect of the child.

(h) The curator considers that there is no need for the court to impose any special conditions or any particular provision in granting the order.

(i) The Curator is unaware of any persons other than those referred to in para. 8 of the Act of Sederunt upon whom notice should be served.

The petitioners conveyed to the Curator that they would be suitable parents for the care and upbringing of the said child. The female petitioner, while giving the impression of being rather disagreeable, kept the household in very good condition and seemed attached to the child. The male petitioner gave the impression of being very serious in outlook and a hard worker. He is very fond of the child and stated that he is extremely anxious that the adoption goes through.
APPENDIX G.111.

REPORT PREPARED BY .................. APPOINTED AS CURATOR AD LITEM BY THE SHERIFF COURT OF .................. ON ............

PETITIONERS: (Name and address follows).

(a) I am satisfied that the statements in the petition are true.

(b) The household consists of the petitioners, the infant to be adopted and by Peter, aged three, who is their adopted son.

(c) The accommodation consists of three rooms, kitchen and bathroom.

(d) Not applicable.

(e) The means of the male petitioner are sufficient to enable him to maintain and bring up the infant. He has no right or interest in any property.

(f) The petitioners understand the nature and effect of an adoption order.

(g) The petitioners have had the infant under their care since .......... when he was ten weeks old.

(h) No payment has been made to or received by the petitioners in respect of the adoption. The adoption is consistent with the welfare of the child.
(i) An insurance policy to produce £200.0 at the age of 17 has been taken out on the life of the infant at a weekly premium of 4/10.

(j) It is not desirable for the welfare of the child that the Court should be asked to make an interim order and to impose particular conditions in the Adoption order.

(k) There is no other person upon whom Service of Notice in Form C should be made.

(l) Not applicable.

I called at the petitioners' house on ........ and I saw both petitioners and the infant. He has clearly been well looked after. I read and explained the petition to the petitioners and came to the conclusion that it was understood by them and also the legal implications and limitations of the act. I came to the conclusion that the adoption would be very much in the interests of the infant.