

13 August 2025

Post Adoption Support Services to Adult Birth Relatives

I am writing to request further information under the Freedom of Information Act 2000 in relation to your response to FOI / 33957 dated 17 June 2025, regarding Post Adoption Support Services to Adult Birth Relatives.

In your response, you stated that:

"A support service outside of tracing was always available to birth relatives providing them with emotional support. This is a Statutory Service."
"Article 3 of the Adoption (NI) Order 1987."*

I would be grateful if you could please clarify the following:

1. Legal Interpretation of Article 3

Regional Adoption Policy and Procedures outlines the legal basis for providing a post adoption support service contained in Article 3 and Article 54 of the Adoption (N) Order. Article 3 states every Trust shall establish and maintain within its area a service designed to meet the needs in relation to adoption, of children, parents and guardians of such children and person who have adopted or may adoption a child.

Elements of an adoption service may include the following:
Counselling and support of birth family members affected by adoption.

Please provide any internal guidance, policy documents, or interpretations used by Belfast Health and Social Care Trust to determine that ****Article 3 of the Adoption (NI) Order 1987**** creates a statutory obligation to provide emotional support to adult birth relatives of adopted persons.

Article 3 states a Trust should provide "a service "to parents or guardians of such children who may have been, or may be adopted. It does not specify this service is to provide emotional support. Emotional support is however a significant support role provided to birth families or they are referred for individual support if they wish to have this provided independently.

Article 3 places a duty on the Trust to provide counselling support to persons with problems relating to adoption. Services under Article 3 and Article 57 include counselling and support to birth family members affected by adoption.

The Trust also will refer to the Regional Adoption Policy and Procedures for guidance.

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*** In particular, please clarify how Article 3 (which refers to the paramountcy of the child's welfare) is interpreted by the Trust as creating a statutory duty to provide emotional support to adult birth relatives.**

As outlined above, if there is a legislative requirement to provide a service this becomes a statutory function of the Trust.

2. Please clarify the scope and duration of what the Trust has described as a statutory service providing emotional support to birth relatives under Article 3 of the Adoption (NI) Order 1987.

Specifically:

At what point does this statutory duty apply — does it arise only during the active adoption process, or does it continue after the adoption order is made, and if so, for how long?

The service is provided pre and post a child being adopted. The service is available no matter how long the child is adopted.

Does the Trust consider that this statutory duty to provide emotional support applies indefinitely, such that a birth relative who seeks support many years after an adoption or reunion is still entitled to statutory services under Article 3?

This will be based on assessment of need when a service is being requested. The service could be provided under Article 3 or also under Article 54.

Does the Trust consider all future requests for emotional or counselling support from adult birth relatives to fall under a statutory duty — regardless of the time that has passed since the adoption and reunion took place?

This would be subject to an assessment undertaken to consider the supports required and if the Trust can meet those needs or may need to refer or redirect to another agency. I.e. if they required specialised counselling due to trauma associated with the adoption process.

3. Definition of "Statutory Service"

Please confirm what criteria the Trust uses to define a service as "statutory," and explain how emotional support for birth relatives outside of tracing meets that threshold.

If the service has a legislative basis for the Trust providing it, this is considered as a statutory service. The post adoption service provides emotional support to birth relatives impacted by adoption. Many adopted adults and birth relatives who received support with tracing may progress to a reunion. At a later time they may require some further support in helping them process the events that occurred during or after the

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reunion. The case would be reopened and an assessment of need explored to identify what supports the Trust could offer or redirect to wider community services if appropriate.

Many birth relatives may establish contact with service making a request for example to have contact with a child who was adopted and prior to the child reaching 18. The Trust would support the birth relative in understanding why for example this may not be appropriate and impact of same on their emotional wellbeing, or to explore with the child's adoptive family if this be progressed subject to assessment of what is in the best interest of the child.

Was this service provided in compliance with a specific statutory requirement, or was it discretionary but aligned with broader welfare aims?

It was provided under Article 3 or Article 54 and also aligned with broader welfare aims of all those impacted by adoption.