



HOUSE OF LORDS

Children and Families Act 2014 Committee

Corrected oral evidence: Children and Families Act 2014

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Members present: Baroness Tyler of Enfield (The Chair); Baroness Blower; Lord Brownlow of Shurlock Row; Lord Cruddas; Baroness Lawrence of Clarendon; Baroness Massey of Darwen; Baroness Prashar.
Evidence Session No. 6 Heard in Public Questions 59 - 68

Witnesses

I: Naomi Angell, Consultant, Osbornes Law; Al Coates, Founder, Adoption and Fostering Podcast, and Adoptive Parent.

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Examination of Witnesses

Naomi Angell and Al Coates.

Q59 The Chair: Welcome, everyone, to this meeting of the Select Committee on the Children and Families Act 2014. I welcome our committee members and our two witnesses. This session is being broadcast online. A transcript will be taken and will be available after the meeting. I wondered if I might begin by asking our witnesses, who are both extremely welcome, to introduce themselves very briefly.

Al Coates: I am an adoptive parent to six children. I was previously a foster carer. I am a registered manager and a qualified social worker for a small, independent foster care agency. I was a former panel member for a local authority adoption team. I am part of the Department for Education's adopter reference group. I am a founder and host of the adoption podcast, and we get about 12,000 downloads and listeners a month.

Naomi Angell: I am a children's lawyer. I have been doing this for a long time. I am currently head of the adoption, surrogacy and fertility law department at Osbornes Law, which is a London law firm. I have a history in child protection work for many years; I now mainly specialise in adoption and surrogacy, and in children's cases with an immigration interface, such as unaccompanied refugee children. I have advised everybody—birth parents, adopters, adoptees, foster parents and local authorities. I have also chaired an adoption panel of a national adoption agency for several years. I am an adopter of three children who are very grown up now. I am on the children's law sub-committee of the Law Society.

Q60 The Chair: Thank you very much indeed. You are both very welcome. The committee has been looking at the whole issue of adoption for about three weeks now, talking to a range of people who are involved, but we were particularly keen to have a session where we could hear from people who have direct experience of the adoption system, either personally or through their work, so we are very much looking forward to hearing from you.

In very general terms, what do you think the biggest challenges or issues facing the adoption system are at the moment?

Al Coates: There are two primary issues facing it. You can group them quite simply. The first is how the system or the agencies reflect the experience of those people who are living in it. About two-thirds of people involved in adoption do so without consent. I am not sure whether birth parents and adoptive parents have had the opportunity to give evidence, but they are often misrepresented or do not have the opportunity. I am not going to pretend to speak on behalf of adopted people, but I can reflect what I know. They often feel that what they wanted and needed as children is very different from what they want and need as adolescents and to how they feel about adoption as adults, and they have no right of recourse to that. It is a fait accompli. It is done.

Birth parents and birth families often feel that adoption is a punishment for not being able to care for their children, and there is often a good reason for why parents cannot look after children. Often, there are whole communities around children—aunties and uncles, nieces and nephews, and siblings—who are also punished for their inability to care for those children, and that is a lifelong consequence.

Secondly, we have a system that does not necessarily reflect the lifelong needs of adoptive parents. Again, what a five year-old needs is not what a 15 year-old or an adult adopted person needs. We have a system that is very frontloaded towards getting children into homes; it is very good at settling children in, but then we have a whole raft of services that are not necessarily able or willing to meet the needs of children. We have a statutory requirement for adoption needs to be assessed, but it almost seems cruel that there is nothing after that. There is no right to have those needs met, which seems like a really complicated thing.

Finally, there is a recruitment crisis because of the adoption support paradox. If you read the recruitment, it says, "We're going to give you wonderful support. We're going to provide this, this and this". People coming to adoption think, "Why do I need that? If you're telling me all is well in adoption, why do I need that level of support? If you're saying that I need that level of support, perhaps a 'normal family life' is not possible for me", so it undermines the recruitment message.

The needs of children being adopted now are probably the most severe of most children in society. They are measurably vulnerable. For example, 65% of families experience violent and aggressive behaviour from children who are responding to early-life experience. Those are the two issues.

The Chair: Thank you. There is an awful lot there for us to think about and that is really helpful. When you are doing your podcasts, what are the most common issues that come up from your guests and listeners? Are they the ones that you just summarised there?

Al Coates: I would hope so. Otherwise, they will come and get me. The continuity of support is a key issue. We have adopted people, birth families and adopters come on. The lack of support, and the issues around choice about what adopted adults want, are so often overlooked by society. We want the cute story. Politicians want to have their photograph taken next to them as adoptive parents, but nobody wants the adopted 35 year-old's story.

People love their children dearly. Very few people would not do it again, but a lot of people would do it differently. They would fight for support because of the power imbalance at the very beginning of the process—"You're giving us children. We'll do as we're told and we'll be good adopters"—only to discover that the die is cast, the adoption order is made, and there is no recourse. Families would fight harder and longer, and probably delay adoption orders, to get the appropriate support for their children.

The Chair: Thank you very much indeed. As I say, there is a lot there and I am sure we will want to pick up on a number of the issues that you have just raised. It is very helpful. Naomi, what do you feel the greatest challenges or the big issues facing the system are at the moment?

Naomi Angell: Probably quite a lot of what I am going to say as a lawyer will resonate with what Al said. Absolutely central for me is adoption support and the lack of it. I see families with their children—often teenagers—who are really challenging. They need support desperately and they have to fight every step of the way, when their energy should be given to bringing up these really challenging teenagers. It is often only at the point of breakdown that they get that support, and it is too late by then. The absolute worst thing for these children, who have already had so many losses in their lives, is the breakdown of their adoptive placement.

I know that there is the adoption support fund, but, again, that is not an easy journey for people. I have a family at the moment who have been fighting for five years, with two incredibly disabled children. They know what these children need, but they are not listened to. They have had to fight and fight. One of these fights started in 2013, and it is really not fair. The risk is then that they are seen as such troublemakers that their ability to parent these children and their parenting skills are questioned. If anything will make me really angry, that is probably it.

The Chair: Could you say how, in practice, that assessment of parenting skills and whether they are adequate is made?

Naomi Angell: Do you mean right at the beginning, when they are being assessed for their suitability?

The Chair: Yes.

Naomi Angell: It is pretty robust. Prospective adopters complain about its robustness. It is quite intrusive. They have to talk about a lot of very personal stuff. I always treat it like a risk assessment. It is not about children for families, but about families for children. You have to look at all the areas of potential risk. If you have a good social work relationship, it can be a really educative experience too. How many parents have the chance to look ahead at how they will deal with challenging behaviour, racism, or if their child ends up coming out as gay? You do not have any opportunities for that, and a good assessment will look at all of that. They will look at contact, which is very important, particularly now, because access to information for children is changing so dramatically with social media. Children can find their parents, very often, and parents can find their children. The assessment has to take that into account. I know that people say that it is too intrusive, but it has to be, within reason, and it has got better.

The Chair: Thank you very much indeed.

Q61 **Baroness Blower:** Thank you very much for being with us today. Why are the numbers of early permanence placements so low? We have done a bit of work, so we know about early permanence, fostering to

adopt and the concurrent planning. You do not need to tell us that, but we want to know why they are so low. What could be done to encourage and support early placements? Perhaps you do not think we need to encourage early placements, but we have had the impression that one of the advantages of fostering to adopt is that the child would then have fewer moves.

Naomi Angell: It is win-win for the child. They do not have to move. They can form their early attachments. I am more concerned that it should be the right placement. I really do not like blanket policies. Each case has to be considered on its facts and, as soon as you get an ideology coming in, the risk is that it is not. It is a very special sort of adoption. I see clients who have got to the end of fertility treatment and drawn a line in the sand there. They see me and we go through all the options for them. It could be adoption or international adoption, or surrogacy. With domestic adoption, we will talk about early permanence, but it is a special family who can deal with that. They have to accept the uncertainty and the risk that they will have to hand that child back, and whether they can do it. I would hate to see the wrong families being pushed into it, but there are so many advantages of it.

One advantage that I have seen is that, because those fostering to adopt have to commit to a pretty heavy period of contact for the birth parents with the child while the courts are deciding whether the birth parents and extended family can parent these children, they get to know the birth parents, which has huge advantages. I do not have the statistics. I am not an academic or a statistician, but my understanding is that there is much less likely to get heavy opposition to care orders and adoption if the families have got to know each other, and the parents can reflect and see that maybe they cannot parent that child now, but they get an insight into what it might be for the next child.

Al Coates: Part of that dynamic is that generally across the social care workforce there are questions about adoption. With early permanence, there is an element of risk. It is not mathematical risk; it is very human risk. BASW's 2017 report into social workers and adoption saw that there were lots of questions among the workforce, and the acknowledgment of the finality of adoption for children and families meant that there was a caution. It was an appropriate caution, but we do not often hear from social workers. We hear a lot from managers and from leaders of organisations.

In my talking to a lot of families and seeing what they are saying, that risk feels like a big roll of the dice, because no one can guarantee. If you have your own children or older adopted children in the family, it is a big risk and I am not sure that I would take it.

Baroness Blower: Does that mean that, in the case of fostering to adopt, there would not have been the kind of robust process that you talked about, Naomi?

Naomi Angell: No, there certainly will be, because they are assessed as fosterers as well as adopters. It has to be more rigorous, in a way, because these people have to accept the uncertainty and whether they can commit to that child hook, line and sinker, even though they might end up having to hand the child back. It also needs very careful selection of the cases that go into foster to adopt, so that everybody is not set up to fail. It really depends, again, on the quality of the social work and of the assessment.

Baroness Blower: Is your conclusion that the fact that there are very low numbers in early permanence is not a failure of the system but that it is a difficult place to be?

Naomi Angell: I do not know. I am not sure about the statistics. I am a supporter of it, but I see the casework end of it. An organisation such as CoramBAAF would have the information from research as well. It provides an absolutely excellent programme. It is the Rolls-Royce of early permanency.

Al Coates: It is very difficult to measure. The quality of the early intervention with the family prior to that plan can also depend on the whole dynamics around the family. There might be an aunt, uncle or grandparent who may step in and the child returns to the family, not necessarily to the parent. There are so many moving parts that it is hard to say that there should be more or fewer.

The Chair: Al, you indicated that there was some scepticism in some parts of the social work profession as to whether adoption was the right option for certain children. Do you think that that explains the reasons why the numbers of adoptions have been going down?

Al Coates: No, not wholly, as there are a whole range of influences to why adoptions are lowering. Children and family social workers are the first rung of the adoption ladder and are often not necessarily party to these conversations or debates. We talk to adoption services, not early family services.

Naomi Angell: One has to drill down into why the numbers have dropped. I come down again to blanket policies. There is a huge rise in special guardianship orders, and adoptions are dropping. Special guardianship and adoption are very separate things. It is a question of looking at each case and deciding what is right for that child.

I am sure that people have already talked to you about the cases of Re B and Re B-S. There was a misinterpretation of that, as the President of the Family Division has said. I understand it to mean that there has to be a proper analysis of the pros and cons of all the options for that child. It is the way you think about it. There has to be a proper analysis, and then it is a level playing ground of really looking at what is right for that child. Rather than rushing loads of cases into special guardianship just because they are relatives, there may be family members for whom adoption would be the right order. There are such cases; I have had them. I just

fear blanket policies. I have seen that happen in social work for many years.

Q62 Baroness Prashar: My question is about the 26-week timeframe. What has been the impact of that time limit on care and placement proceedings? What have been the main barriers and challenges to achieving that particular timeframe?

Naomi Angell: It is mixed. It has challenged drift. I have seen terrible drift in cases, where they just go on and on. That has certainly been a very good side of it, but it does have difficulties. Inherently, family members often stand back when the birth parents are being assessed, because they do not want to interfere or to think that they are not supporting the birth parents, so they can step forward really quite late in the process.

If you fix too rigidly to the 26-week period, it will mean that there is the risk of very hasty assessments of special guardians. It is not like adoption; it happens much more quickly. Somehow, because they are related, it is not as thorough. These are the same children who are being adopted. The cases are more complicated because they are embedded in the birth family, who have not been found able to parent these children. Then there will be continued contact within the birth family. To what extent can those relatives protect the children, if need be? All assessments should be thorough, but that is definitely one of the dangers. In my casework, I have seen many more cases where birth parents are applying for leave to oppose adoption proceedings. This is because the 26 weeks and the rush of it has often not given them the opportunity to reflect and to accept why they are not able to parent this child. Maybe now is not the right point in their life when they can do it. We have just had so many more applications by birth parents for leave to oppose, and that is really tough for the adopters. They have often not been warned of this possibility by the social workers, so it comes as a complete surprise to them and is incredibly stressful.

They then have real problems with legal aid, because they are not going to be eligible, given the eligibility levels, so they are dependent on whether the local authority will fund them. Local authorities are very resistant to that. I have had cases where they have funded all the way through, but the majority of local authorities say they will fund two hours of advice, which is completely inadequate to be able to take the full story of the adoptive family, a very complex situation, and then advise them and look at all the documents. It is utterly inadequate and means that these people are not getting proper advice.

Baroness Prashar: Al, what is your experience?

Al Coates: I do not feel particularly qualified to speak on that. The only comment that I would make, working in the social care system generally, is that the lack of resources and high staff turnover impact on general casework, which will consequently impact on the 26 weeks. I know that there is an emphasis for the 26 weeks, but to my mind it is the number of

moves for children as opposed to timeframes. Those moves are much more challenging and it is an adversity for children.

Baroness Prashar: Is it unrealistic to have a timeframe or are you looking for more flexibility? What would you recommend?

Naomi Angell: The flexibility is there. It is right for some cases that are straightforward, and you can do it, but there is this ability to extend to extend the 26 week time limit every eight weeks. That should give the flexibility, but I know that there are judges for whom it is a badge of honour that they keep within the 26 weeks. Again, it is blanket policies that I feel very uncomfortable with. It is not a simple answer. There has definitely been some value in it.

There is also definitely value in it, in that you do not get too many experts, because you have to justify the need for an expert. It has to be necessary; you have to prove that to the court. I have seen that being very positive, because the cases get more and more complicated.

The only other thing about the 26-week rule is that cases are, in my experience, getting more and more complex. You cannot force them into a straitjacket. The important thing is that the right decision is made. These are real human rights situations, where the most serious decision that somebody can face is whether they lose their child.

Q63 Baroness Massey of Darwen: Welcome to our guests. I want to ask about the information that adopters and adopted people have the right to get in order to support them. As I understand it, the adoption support fund is for therapeutic support, and it seems to me that people may need support other than purely therapeutic. We had a witness in the last session who talked about this, and she said, "This group doesn't know where to go, how to get support or what is available". Do you have any thoughts on how this could be improved? In particular, is there a regular place for adopters and adopted people being asked about and consulted on what is best for them?

Al Coates: That is quite a complicated question. In general, adoption support services, through the regional adoption agencies, are okay. They know what they are talking about. There may be challenges in relation to timescales and the quality of that work, but that is only one piece of an adopted child's life. A child will need support through medical services, mental health services, school services and specialist services such as life story work, which is therapeutic.

So many families find that they have to fight at every juncture to get effective and meaningful support. We see large numbers of children trying to get education, health and care plans, and it being a constant fight for the parents just to get regular support. There are blanket rules on how children are supported within schools.

Parents find themselves adrift from what their original plan for adoption was. They find themselves out of step and in a very difficult situation. I do not think that there is one central point. Within the last few weeks and months, the RAAs—regional adoption agencies—and local authorities have

come together, but that has also caused a huge flux in the system, with people losing touch with their historic services, being amalgamated into larger agencies, or losing touch with their lifelong support.

I am fortunate in that I have had a social worker for 10 years, but that is because I am stropky, loud and gobby. Some people do not get that; they are on to their third, fourth or fifth. You might get an email from the local authority telling you what support you are entitled to, or you might not. Families find themselves catastrophically adrift and not knowing what support they are entitled to or how to get that support—even simple things such as an EHCP or access to CAMHS. All the things that we would hope the most vulnerable children in our community would have access to, parents find themselves fighting for.

Baroness Massey of Darwen: If it is known that it is chaotic, what can be done to improve the situation?

Al Coates: That is a really good question. In some ways, regional adoption agencies or social workers should become case managers. They should take on the role of supporting a team around children, which is ongoing and lifelong. It should not be that social workers dip in and dip out, but that there is continuity across a child's lifetime, from the day that they are adopted right through until they are 18, 21 or 25, depending on their needs.

There needs to be someone co-ordinating those services. Adoptive parents often find themselves dragged back into safeguarding concerns through different agencies because of a whole raft of vulnerabilities of children, with services not aware of children's adopted status or the specific vulnerabilities and nuances of adoption, and how that can impact on the child's behaviour and their worldview of themselves and the people around them.

Naomi Angell: A lot of what Al said resonates with me. In the middle of these potentially disruptive adoption placements, you find adopters who have not been given sufficient information about the child. It trickles out when maybe there is sexualised behaviour within the adopted family, where there was a potential history of sexual abuse and the adopters were just completely unaware of this. It trickles out in the wrong way and at the wrong time, when you are facing a potential breakdown.

There is a move towards sibling placements. Social workers are often overoptimistic and not totally realistic about how big an ask that is. A family I have been dealing with recently has three children who were placed with them, and it has just disrupted for the eldest one. They have had to put that eldest child back into care. That child should have been in a one-to-one placement right from the start, but the social workers did not drill down into the needs of each of those children.

The Chair: May I just pursue that point? You hear and read so much about the impact of siblings being split up when they go into care or are adopted, and all sorts of problems that that causes. How do you balance that with the issues that you have just raised?

Naomi Angell: That is a very good question. It is a balance, in the end, but do not underestimate the challenges of sibling placement. Quite often, those children have come from families where there may be two or three different fathers. They are really complicated families, and those children have had totally different lived experiences. It is really important to keep children together, if you can, but that must not overshadow the fact that it just might not be realistic and might lead to a risk of breakdown.

I had one case of three children and first-time parents. For first-time parents, it is a very big ask. The middle child displayed really difficult behaviour, which was impacting on the care of the other two children, but they did not have adoption orders yet and the local authority removed all three children, which was really sad.

Q64 Baroness Blower: You said earlier, Naomi, that you have been dealing with a case since 2013. I obviously do not want to know the details of the case, but why would something take as long as that? Arising from that, getting an education, health and care plan is quite difficult for anybody in some circumstances, let alone with the additional question of adoption. That is very often down to funding, frankly. Is this ongoing case since 2013 down to funding in part? Is the difficulty that adoptive parents face in navigating the support question down to funding, as well as what Doreen Massey described as chaos?

Naomi Angell: Funding is certainly a large chunk of it, but, in this case that has been going on since 2013 and still has not finished, so much money has been put into the wrangles between two RAAs and two local authorities, one where the children were in care, one where they now live. I find it incredibly difficult to work out what the respective responsibilities of these various organisations are.

There has been legal intervention for ages. One can add up just how much that has cost, when what this family wanted was very straightforward and simple, but they were not listened to or respected for the fact that they knew what those children needed. The social workers have changed so many times that you could not imagine. They trawl back through a really big file and find themselves arguing the same issues over and over again with different people.

Baroness Blower: That does sound very chaotic.

Al Coates: You cannot remove funding from the conversation. Last week, someone told me that they were told that it would be a five-month wait before they had an assessment of their child's needs. The needs are immediate. I have a friend whose child made a viable attempt at suicide. They were put on an emergency referral to CAMHS—six months. That is an emergency referral. You cannot remove the context of finances, which then plays into staff. Staff are impacted by that and move on, looking for better wages, I guess.

Q65 Baroness Lawrence of Clarendon: Thank you both for being here. Listening to all the discussion about the ongoing case since 2013, it must be quite traumatic for the child or the children, as well as for the

family, waiting all this time for a decision to be made. This is not really my question, but who is winning in all of that, at the end of the day? It is not the child and certainly not the adopters. Those needs have to be taken into consideration when social workers or whoever are toing and froing, because it is not benefiting those who need to benefit from it. My question is about legislation. What changes are needed to modernise and improve post-adoption contact? Do these changes require new legislation?

Naomi Angell: It is not so much about legislation, because orders made for contact are not appropriate. They take a snapshot of a point in time, and it is hard to force an order on adopters who really do not want that rigidity. A child's needs for contact at two will be very different from a child's needs at 13. What is needed is very good-quality assessment of adopters, where they discuss the issue of contact and how they will deal with it, now that there is social media and the realistic ability for people to make contact with each other. That has to be tackled, because the adopters may not know what their children are doing at all.

I know that Section 51A has brought in the right to apply for leave for post-adoption contact. In my mind, that has not made that much difference and does not seem a particularly worthwhile piece of legislation. Contact is really important. Sibling contact is really important, as is letterbox contact, but the families—the birth families or the adopters—do not get a lot of help with letterbox contact, how to make it meaningful, how to go about it and what the expectations are.

If there is going to be direct contact, I have seen it where they get social work support for six months. Really, they need to a social work service that walks the journey all the way along, because they have to guard against birth parents who may not have accepted the adoption and against the risk of undermining it. It needs really skilled social work to be able to manage and navigate both sides of the family throughout.

Al Coates: Contact is the issue that will define whether adoption is still with us in 20 or 30 years, if I am frank. It is the most talked about issue in all the social media circles. When we put podcasts out about contact, they are the ones that are listened to and that people comment on the most.

We have a system that was developed in the 1950s, before computers were even invented. We are asking people to write letters. I do not know about you, but I do not write letters. We are asking vulnerable people and adult adoptive parents to write letters. We live in a social media age, and yet our feet are firmly stuck in the last century. We need a flexible, intuitive, meaningful, risk averse but appropriately safe system that allows for meaningful support for lifelong contact with safe members of birth families.

I was recently given information from a freedom of information request across all RAAs in the UK. The amount of birth parents writing to adopters

and not getting responses is amazing; it is in the hundreds. Once the adoption order is made, adopters do what they want.

The needs of five-year olds in relation to contact are very different from the needs of 10 year-olds. Then children become adolescents. Twenty years ago, you would have had to go to the library and look through a microfiche—if you can remember what those are—to find someone. Now, if you give me three minutes with a mobile phone, I can find you. We need to have a flexible approach and to find an antidote to what are, as we have all been, angry teenagers acting impulsively. We find lots of families really struggling to support their children. We have a system that works on the worst-case scenario and presumes that all birth parents are dangerous and unsafe.

The legislation has enough flex in it, but we need to pull practice into a very responsive, individualised and reviewed process. When my daughter was two years old, we decided that we would write a letter once a year. She is now 10 and we have tried to reinitiate contact with the family, but it is really hard because the trail has gone dead. People are not around any more. We want to find a flexible approach, but that is all from my initiation.

Do we need social workers who do an annual review and ask, “What are your contact needs”? Adopters are held to account but birth families should be too: “You said you were going to do this. Why aren’t you?”

When children are young adults, physical contact might be appropriate, because we know that the physical risks to a three year-old are not present for a 15, 18 or 22 year-old. Those relationships cannot be restored. You cannot get time back. If we can keep a thread going through, let us do it with ongoing reviews.

Q66 Baroness Lawrence of Clarendon: We know that most teenagers are on social media, so they can track their birth parents. If you were to make a recommendation about the legislation that may need to change in order to adapt to the modernisation of social media and contact, what would you want to pass on to the powers that be from your experience?

Al Coates: I would like to think that there would be a presumption of contact. At the moment, there is a presumption of letterbox, and there needs to be a presumption of contact, unless there is a good reason not to. At the moment, it is a presumption of letterbox, and you have to prove why you need to speak to people. We need to just reframe that. We cannot hold adopters to account once the adoption is made, but people will lose their children. There is some really good stuff coming out of the RAAs and Sarah Johal, looking at digital means of doing it, which will be really good. Like you said, there should be no blanket rules.

Naomi Angell: That is what I am worried about. With you saying “presumption of contact”, I could see blanket rules seeping in again. With baby adoptions, the natural thing is letterbox contact only. You cannot do that for a 10 year-old who has all the contacts with his broader family.

That has to be enveloped by it all. No contact for a child such as that is not very realistic and not what the child needs.

There is another aspect to it of life story work, which is crucial, so that the children get a realistic picture of why their parents were not able to parent them and why they had to be placed permanently elsewhere, which is not just saying, "They did not love you" or "They loved you so much that they felt they could not give you all you wanted and needed". It has to go a lot deeper than that.

Information from birth parents and birth families for life story work is incredibly important. That is not just a conversation that you have with a two year-old explaining how mother ducks have baby ducks. It is a continuing dialogue and you have to keep that conversation going. Having that continuing communication with your child is the best way to equip them to deal with some of the risks of social media and ensure that it is something you do together as a team.

Q67 Lord Brownlow of Shurlock Row: How can we address the racial and ethnic disparities in the adoption system? Do you have a view as to what support is needed to help families adopting children of a different race?

Al Coates: The first thing that I would like to point out is that we do not know how many children are being adopted by parents of a different race or ethnicity. That data is not collected, and the response is always, "What do we do with that data?" If we are bothered about it, we measure what matters.

I have looked across all the people who have given evidence and I respectfully suggest that every one of them has been white, so I am cautious about speaking outside my experience. Listening to people of different cultures and ethnicity, the adoption system is predominantly led by white individuals. Of the 32 RAAs, every leader is white. There is one voluntary agency with an Asian head of service. At a workforce level, if you go to London, you will see that the workforce reflects the community it is serving. If you step outside London, Manchester or Birmingham, the workforce is predominantly white.

I am being careful what I say. I am on thin ice, but people are nervous about social services. You do not willingly flag yourself to social services. We know that people of different cultures and ethnicities have had pretty poor service at best. All of that then plays into why people of a different ethnicity do not come forward. There are other cultural reasons, such as how families are constituted and what the cultural norms are. Adoption is a particularly Anglo-Saxon route. It is part of our faith narrative as well. I am a transracial adopter, so I feel like I can speak with a level of insight, but I do not think we prepare people to be transracial adopters. We approve them as adopters, but inevitably, especially at the moment, when there are fewer children than there are adopters, adopters wait on the shelf. The children who are hard to place are inevitably children of colour; you know the statistics. Families are then asked to take children

who would not necessarily be their first choice, but have they been assessed to care for children of a different ethnicity? It is different. It is not the same. It cannot be and we should never think it is. Removing the clause was a misstep.

I do not think there are blanket rules, but we need to take it on a case-by-case basis and to assess families and their capacity to care for children, by a workforce that is informed in that. A white social worker asked me how I was going to look after my black adopted child. I will be frank: neither of us knew what we were talking about.

Naomi Angell: I support the removal of a separate section on giving due consideration to race, culture and religion. From my practice, it meant that that aspect of a child's needs was treated as a trump card. It is an incredibly important factor, but it is to be considered in the context of all the other factors in looking for the best family for that particular child. Even with that having been repealed, it is sufficiently encompassed by the welfare checklist in the Adoption and Children Act, which has one specific section on the needs of the child in relation to its particular characteristics.

It comes down again to blanket policies. I am not a statistician, as I said, but I think it resulted in more children of colour being stuck in the care system. When you are stuck in the care system, there will be moves in foster homes and these children become unadoptable, because they have accumulated so many difficulties.

There are definitely insufficient foster carers of colour being approved. I do not know the extent to which agencies reach out for a much more diverse group of adopters. As I said, the assessment process is pretty robust. If it is a transracial placement and does not include a large chunk about how they would support that child in the ethnic or racial differences, it has failed.

The families I have seen have gone to enormous lengths to give their child knowledge and pride in their heritage, even though they have to accept that there are differences. If you could place a child within their own ethnic group, that would be better, but these children cannot wait. If you look at how diverse the population of London is, you will never be able to make a perfect match for a child on that basis. You have to look at it globally and holistically.

Q68 Lord Cruddas: I have found your evidence and experiences today very powerful and depressing. You really know what you are talking about.

Al Coates: Sorry.

Lord Cruddas: No, that is why we are here. I have really enjoyed your evidence and the stuff you have told us today, so thank you for that. It is very good.

My question is probably the simplest one. What one change would you like to see in the adoption system? Do you think that policymakers, courts and local authorities sufficiently consult on and take account of the views

of people with lived experiences?

Al Coates: Linking back to my first point, the system welcomes the views of adoptive parents. We have a cultural narrative about adoption, which is that it is a good thing. As an adoptive parent, there is a canonisation and people see you as universally a good person for doing that.

However, I do not see that the voices of adopted adults or children are welcomed to the same extent, because often their views may be different, especially if they are not happy with adoption. We have no mechanism. I do not see those voices at a policy level or how that is worked out. There are green shoots and there is cause for optimism, but we have a way to come. Only now in 2022 are we starting to see that.

There is an expectation that birth parents just go away and be quiet:

"You've made your bed. Lie in it". That is the reality. There are good organisations such as Pause and Families in Care, but they are voices that are really hard to collect because they are often people who have been made more vulnerable by the adoption. I cannot begin to comprehend how catastrophic the experience of losing a child is, regardless of why. So one legislative change?

Naomi Angell: I will be really boring and say blanket policies. Ideology has always terrified me. I look at my case load, and there is not one case that I could say is the same as any other. They are the things that Al and I have both been saying about adoption support, for all the players in the system, being the cornerstone. That is absolutely everybody. It is difficult to reach out to children or young people when there are consultations and what have you, but there have to be imaginative ways of doing it, given their views of the lived experience. You cannot ignore that if you are to have effective legislation, guidance and procedures.

Lord Cruddas: I suppose it is quite natural to assume that the best thing for children is to keep siblings together. Is that the case in reality?

Naomi Angell: It depends on the individual case, which is what I have been saying. If at all possible, siblings should be kept together, because those are the lasting relations. Those are the ones that go way beyond the lives of their adopters, foster carers and birth parents, and they are crucial. One has to look at sibling contact very seriously, but it is not right for every single case.

Lord Cruddas: You gave an example earlier of three children, and the middle one was disruptive. I assume that they were in a good environment.

Naomi Angell: They had extra needs that were never going to be met within that family and with the whole group of children, and these were first-time parents. You will remember yourselves as first-time parents. You do your best, even if you have been massively trained, so it is a big ask.

Al Coates: There is a very common narrative of a child who stays in their biological home and experiences the worst of life within that context, and they are removed as a toddler. Maybe another baby is on the way, and

they are siblings, but one child has experienced high levels of adversity across the board. Another child may have been removed straight into care.

Their needs are palpably different. Sometimes, families just struggle to meet both needs, with one child who needs a very specific type of parenting, care and therapeutic environment, and another child who needs something different.

It is an enormously emotive subject. Adoption Week rolls round and there are the faces of two little cherubs. Our hearts go out, but it has to be case by case. We have to have clear thinking and to remove sentimentality from those conversations.

The Chair: Naomi, you have made a big point about your dislike of blanket policies and about how each case is individual, which I fully understand. If we moved away from a system that had a fairly clear set of rules and systems, and went much more in the direction that you seem to be advocating, how would you deal with the issue of inconsistency, favouritism, undue discretion or people claiming unfair treatment?

Naomi Angell: That is a difficult question.

The Chair: This is another of these balancing acts.

Naomi Angell: It is a balancing act. I am not sure it is about law. Law is quite a blunt instrument to deal with these very human situations. It is down to the quality of the relationships and the support for those relationships, because that is key to how it all works.

The Chair: Thank you very much indeed. We are virtually out of time, but were there any final points you were very keen to make but have not had an opportunity to make?

Al Coates: Thank you very much for the opportunity. If you had more time, I would encourage you to have the voices of adopted adults and children, and people of different ethnicities and races, because they can speak exactly of their own experience.

Naomi Angell: Thank you for giving us the opportunity to air a lot of the issues that, as I have seen from my casework, really need to be aired and addressed.

The Chair: Thank you. As you can probably tell, we have all got an awful lot out of this session. It has been invaluable to us and we are very actively looking at how we will be engaging with more people with, as you say, Al, lived experience from different backgrounds. It is high on our agenda, but thank you for making that point.

Thank you both for your time and for sharing your experiences and expertise with us. It has been excellent, so thank you very much indeed.