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Romania - moving towards family based care

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The Romanian Orphanage Trust, in partnership with the Romanian government, is developing a model foster care programme. Marion Lowe, following a recent visit to Romania, describes the work of the Trust and the scale of the challenge facing those attempting to build services for families and children.

Media attention has almost exclusively focused on the inter-country adoption of Romanian children, and the poor conditions in some 'orphanages' in that country. It is unfortunate that the popular perception of Romanian children in institutions as having no close relatives is reinforced by the common useage of the term 'orphanage' to describe Romanian children's homes. The reality is, of course, that the vast majority of these children have mothers and fathers and that some of them do have some contact with their families.

The use of the word 'abandoned' to describe many of the children whose parents have placed them in residential institutions adds to their image as victims. Some of these parents will have decided to put their children into a home because the alternative is their remaining at home to starve. State benefits are minimal or non-existent and women and children are particularly vulnerable when fathers are not willing or able to contribute to their maintenance. Where the husband takes a new partner, for example, he can expel his wife and children from the matrimonial home with no legal recourse for his abandoned family.

Attempts at reconstruction

It is important now that we look at the positive work which the Romanian government is doing, often with the help of overseas governmental and voluntary agencies, to improve the general quality of family life for the country's children. I had the opportunity in the summer to look at some of the work of the Romanian Orphanage Trust, specifically a partnership it is developing with Romania's government to promote a model foster care programme. I also spent some time at a children's home in Arad province, where there is an excellent family group home scheme which is being promoted as a way of caring for some children who need substitute family care.

Romania has much in common with other Eastern European countries: it is struggling, like Albania and Bulgaria, to find a way to replace a totalitarian regime with a system of government which is open, responsive and efficient. It has the problem of trying to introduce reforms against a backdrop of general poverty and fear and suspicion of state and local officials - a legacy of Ceausescu's tyrannical reign. How can parents, who for years were treated as breeding machines, with contraception and abortion banned, be expected to transform overnight their attitudes to state intervention? How do Romanians who want to develop services within Romania for families and children assess the motivations and commitment of overseas agencies offering assistance when some of their experience of westerners has been their complicity in underhand deals to remove babies from the country?

The nature and scale of inter-country adoption from Romania, and the distressingly high number of children in poorly resourced institutions, have been a major focus of Western concern. In the immediate post-Ceausescu period wide-scale abuse of the opportunities for foreign adoption led to a review of Romanian law and practice, so that the number of children leaving Romania to be adopted abroad has fallen dramatically. However, the difficulties faced by Romania, with a limited infrastructure of state support, financial or otherwise,

to enable poor parents to care for their offspring remain. Many mothers still leave their babies in the maternity hospital, for example, because they cannot afford to take them home with them and have no state system of benefits to help them carry out their parental responsibilities.

The work which I saw supports Romania's efforts to implement the United Nations Convention on the Rights of the Child, which they ratified in 1990. The Romanian government has to grapple with the problem of shifting international interest and effort from inter-country adoption towards the promotion of social and economic reforms which will make it possible for Romanian children to be looked after in their own country and wherever possible within their own families. The Convention:

- * places responsibility for the upbringing and development of the child with the child's natural parents (Article 18);

- * demands that in adoption the best interests of the child shall be the paramount consideration (Article 21);

- * gives priority to substitute family care in the child's own country over intercountry adoption (Article 21)

The task for Romanian politicians and officials, in seeking to shift away from a 'child rescue' model of inter-country adoption and long-term institutional care, towards policies which enable birth parents to look after their own children, and where this is unsuccessful provide Romanian-based substitute care, is daunting. The endorsement of the UN Convention is an important step, but the legal, structural and resource implications of an attempt to put principles into practice are huge. Well meaning foreign aid targetted at individual children's homes, for example, will inevitably be resented by local people if they see the material welfare of the children in the institution rise above that which they can provide their own families, as the economy becomes increasingly weak and inflation gallops ahead. Romania looks to richer countries for financial help and for expertise in creating the structures and systems it needs to develop a coherent social welfare system. The sheer numbers involved is telling: approximately 80,000 children living in institutions out of a national population of 23 million.

The move to family-based care

The Romanian Orphanage Trust is one of the major British agencies active in the child care field. One of its priorities is the provision of training for local people so that the necessary skills and 'know-how' are developed within Romania. Romanian colleagues work alongside qualified British social workers and nursery workers. They have the knowledge of the culture which the British workers lack, but, as Ceausescu closed down all schools of social work twenty years ago, they look to the British worker for specialist expertise on child development, policies and procedures. The Trust is to be commended for its commitment to partnership with Romanian institutions and its intention to hand over its programmes to the Romanians within the next ten years.

Although the Trust's major work is with children in institutional care, it quickly identified the need to promote family-based care within Romania so that children needing families could be placed, with adequate legal safeguards, within their own country. The Trust is working with Romanian officials to clarify and codify the status of adoption and foster care, which is vital if more children are to be given the opportunity to live in families rather than in large institutions. The scale of the problems to be tackled in Romania is very great and it is obviously necessary that attention focuses on small and discrete areas of work so that progress can be made. Parallel with the Trust's work on

foster family placement the government is looking at the adoption process and how this can be coordinated and made accessible to Romanian families. Consequently, the Trust is only working with families wishing to look after 'children not able, or not yet able, to be placed for adoption'. In theory families who wish to adopt should look to agencies concerned with domestic adoption, but on a day-to-day level this is a difficult distinction to draw because processes leading up to adoption are still matters to be fully resolved. There is, as yet, no professional or legal consensus about the factors determining that a child may be 'freed for adoption'.

It may prove 'easier' to place children with families approved and registered as 'foster families', but whose motivation is to offer a permanent adoptive home to the child, than it is to assess and approve the same families under adoption procedures. This may not cause dramatic problems in the short-term, but it may create considerable difficulties for the future if the adoption process is not made more accessible for those children whose needs it meets, and if foster care is allowed to develop as adoption 'by the back door', and not as a provision which enables continuing birth family contact.

The Trust has established jointly with the relevant Romanian ministry a model family placement project, with teams in four provinces. These teams seek to place children under the age of four, either orphans or 'abandoned' and currently living in leagane (institutions for younger children) or maternity hospitals with foster families. British social workers, on volunteer contracts, are working alongside Romanian colleagues to develop this new service as a model for wider application. As with other areas of practice, each stage in the process highlights the complex nature of the task. Legislative requirements only become clear as the teams begin to work through the process of identifying possible children for placement and recruiting foster families. There needs to be constant and patient discussion between the field-based teams and colleagues in Bucharest who can negotiate with centrally-based civil servants and politicians. Some foster family care already exists, but the support to the families is variable and their assessment, training, registration and oversight patchy. The central co-coordinating staff and the project groups have to grapple with decisions about what standards to set, how to set them and how to implement them.

Parental rights

In a country which has very little financial support to offer families on low income, parents who make the decision to give over care of the child to an institution may do so out of a concern for the child. Their situation may be analogous to parents here who seek accommodation for their children but whose parental responsibilities continue. Although the parents may have temporarily given up their children's direct care, they have not all 'forsaken' them in the sense that they have made an irrevocable decision to sever all ties with them. Romanian law and practice seem to acknowledge continuance of parental rights so that parents can resume direct responsibility for their children, even after a period of many years of not exercising such rights. This creates difficulties where Trust family placement projects are seeking to identify children in institutions who are suitable for long-term foster placement, as the 'state' has not previously had to decide what the rights of parents are in a decision about a change of placement. The decision about one child's future may thus require that a national policy be decided alongside the individual casework.

At the moment Romanian law does not define the placing of children by parents in an institution, and lack of any continuing contact between them, as a ground for the revocation of parental rights. There is now discussion of 'abandonment' becoming such a ground, where there has been no contact or visits from the parent for more than a year. This would then enable the state to make decisions

on the child's future, including the possibility of adoption. There would hopefully be a safeguard that such a revocation could not take place without every effort being made to trace the parents, and the provision of a formal opportunity to oppose the plan.

The Trust's workers invite institutions to identify children who may be suitable for family placement and the ones put forward for first consideration are those who have had no parental contact for a year or more. Such children are likely to be freed for adoption if the proposal goes through on grounds of 'abandonment'. Consequently, the foster families being looked for are families who can offer children a permanent home.

Ethical dilemmas

Lack of contact by the birth parents may not mean that the parent has no wish to have a continuing say in their child's life. Should such lack of contact be sufficient in itself to deprive parents of their rights to be consulted on plans for the child's future and, in some cases, to lose their children completely? How strenuous will the efforts be to find the parents and consult with them about foster care as a possible option for the child? What happens if such enquiries reveal that the parent does wish to maintain links with her child but is prevented by problems of poverty and lack of public transport from visiting the children's home? The Project's brief is not to pursue reunification for children or to strengthen their links with their own families. There could be some very difficult ethical dilemmas for the Project's social workers if the only option they can offer is one which they would reject were preventive or support services available to the family.

Parents may well say that it is their material circumstances that prevent them from being more involved with their children. Some may want to reestablish contact if given the opportunity to state their view at the time fostering is being actively considered. If they were given the equivalent of a fostering allowance, some might well be capable of taking their children out of the institution and providing them with a reasonable family life. Others knowing that money did change hands in the past, may demand that they be given some financial 'reward' for agreeing to their child's move to a foster family. The rigorous assessment which is needed to decide on the suitability of the child for foster care: the likelihood of the child being reunited with their family or increasing their contact with their family at some point, and the parent's views of foster care (and establishing what legal rights the parents may have to oppose such an option) make this a mine-field for the scheme's social workers.

Promoting contact

Some of the older institutionalised children I met had regular, if infrequent, contact with their families and had an expectation that they would rejoin them at some time in the future. Parents of these children, just like comparable parents in this country who wish to remain in touch with their children, may be very suspicious of proposals to move their child from a home to a foster family, seeing it as likely to curtail even further their involvement with their offspring. If foster care is ever to move from being a provision for a few towards a service which can maintain links for children who do have concerned parents, then fostering workers have to allay the fears of such parents that they will be frozen out of their children's lives. Workers must find, train and support foster families who are willing to accept and promote continuing contact by the child's own family where this is sought by them.

A Save the Children Project in Bucharest offers direct financial assistance to some families with children in institutional care so that they can look after them in their own homes. Given that there are families whose children are in

care solely because of poverty, such projects are crucial to the implementation of the UN Convention. There is an obvious need for coordination between projects like the Save the Children one and the work of Romanian Orphanage Trust and other agencies. In an ideal world these initiatives would be brought together so that children in homes had the opportunity to return to their birth family or, where this is not possible even with adequate support, be placed with another Romanian family. The existence of the two schemes working in isolation from each other does beg the question of the balance between the resources put into preventive strategies and the provision of substitute care.

Conclusion

The removal of thousands of Romanian babies to foreign adoptive homes was a short-term, low-cost solution to the problem of inadequate support for families. The development of adequate residential or substitute family care for the children whose families are destitute is now being tackled by the Romanian government and will require continuing foreign aid. But the final solution, in accord with the UN Convention on the Rights of the Child, must lie in the development of welfare policies which provide parents with the wherewithal they need to look after their children themselves. I hope that the United Kingdom institutions and individuals responding to the crisis in Romania, and indeed to all countries where absolute poverty is the lot of the majority of families, will give thought to how their efforts can contribute to policies which support parents who want to care for their own children, not lose them to an institution, another family or another country.

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