Adoption wars: inequality, child welfare and (social) justice

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Adoption has long held a capacity to 'punch above its weight' as a public issue, combining human interest with debate on the nature of family and kinship, and crucially their complex intersections with a range of social divisions (Garrett, 2002). Such factors readily create potential for (fierce) contestation.

This article charts recent conflicts over adoption in England [note 1], with a primary focus on the periods of coalition and Conservative government (2010-present (2018)). Exploring the conflicts will involve examining: who are the principal protagonists?; over what ground are the battles fought?; how do they relate to the wider fields of child welfare, and the part played there by inequalities and struggles for (social) justice; what is the potential for peace-making? Although the terrain can be seen as multi-site, multi-level and multi-faceted, it is possible to discern clear affinities with particular value and belief systems. In important ways, the 'adoption wars' can be seen as manifestations of wider 'culture wars' between proponents of conservative/orthodox and liberal/progressive values respectively (Hunter, 1991).

Contemporary adoption is shaped by its history, and while there are various nuanced periodisations extant (e.g. Triseliotis et al, 1997; Lowe, 2000; Sales, 2012), in ideal typical terms, it is possible to distinguish between 'old' and 'new' models of adoption. The former, cemented in the mid 20th century, emphasised the severance of relationships for all concerned (children, birth mothers/parents and adoptive parents), closely linked to secrecy, the avoidance of stigma and upholding the norms of the nuclear family and conservative gender roles.

The new model involved efforts to extend adoption to children deemed as difficult to find homes for on grounds of age, disability or race and associated efforts to widen the pool of

potential adopters (e.g. older or single applicants, or those already with biological children) (Triseliotis et al, 1997). Improved welfare support, declining stigma and legalisation of abortion led to a sharp decline in 'voluntary relinquishment' by young mothers, while adoption by relatives was strongly discouraged. Overall, the number of adoptions in England and Wales fell precipitately – from a peak of 24,831 in 1968 to below 10,000 by the early 1980s (Teague, 1989). Adoption from public care became increasingly central to overall adoption figures, while remaining very low in relation to the population of looked after children. Permanency policies, enshrining efforts to provide security for children in state care (inside or outside the birth family) through swift and decisive action, sparked significant opposition as effectively facilitating adoption (Fox Harding (1991). Class inequality figured prominently in the critique, with writers like Holman (1978), pointing to the gulf between the resources available to typical birth parents compared with their overwhelmingly middle class adoptive counterparts. Increasing adoption from care brought a rise in contested proceedings, where parental consent could be overridden (Ryburn, 1994). Paradoxically, however, the significance of birth relatives was boosted by growing support for 'openness', or forms of ongoing contact for adopted children, building on the rights of adopted adults to access original birth certificates and adoption records (Ryburn, 1998; Sales, 2012).

The Children Act 1989 and review of Adoption Law

While clearly delimited, the Children Act 1989's (CA89) emphasis on partnership with birth parents appeared to herald a shift away from the use of (contested) adoption as a child welfare option and towards openness within it. A review of adoption law was launched to consider its workings in the context of the CA89, and as Triseliotis et al (1997: 111) argue, adoption was clearly put under critical scrutiny, with the review even giving consideration to

abolishing it. However, this context began to be transformed during the 1990s as adoption was cast as a potential if partial solution to a range of social problems from teenage parenthood and welfare dependency to anti-social behaviour, while offering important fiscal benefits (Morgan, 1998). A second important factor was the developing discourse of 'political correctness' or 'PC', used in the context of the culture wars (Hunter, 1991) primarily to characterise the perceived over-zealous and oppressive pursuit of equality, including through the 'policing' of language and thought. In the UK, social work was readily branded as strongly influenced by PC, with adoption (and especially criteria for adoptive parenthood) the prime example (Philpot, 1999). As an antidote, the Conservative government of John Major framed its reforms as 'common sense' rooted in 'family values', but failed to legislate (Garrett, 2002).

Although contextualised by a broad social investment programme for children, the New Labour government's approach to adoption similarly represented a response to media claims about PC influences (Garrett, 2002), with its populism signalled by Tony Blair's Prime Minister's review (Performance and Innovation Unit (PIU), 2000). Widely expected to mount a significant assault on PC, the report was more measured, but the resulting Adoption and Children Act 2002 (ACA02) aimed to increase the scale of adoption from public care significantly through a combination of administrative measures, improved support for adopters and the setting of targets. A controversial amendment to the ACA02, allowing unmarried (including same sex) couples to adopt, was passed, primarily due to its offer of more adoptions while also signifying a decline in anti-gay prejudice (Garrett, 2002). Having risen sharply in the early 2000s, by mid-decade, adoption numbers began to fall, influenced by controversies surrounding targets and financial incentives, religious agencies' reluctance to embrace same sex adoption and rising media criticism of alleged 'wrongful adoption' cases (Biehal et. al, 2010).

The Conservatives' adoption revival

Despite early social liberalisation under David Cameron's leadership, the Conservative party in opposition soon returned to the problem of PC as a barrier to increased adoption (Bennett, 2008). Plans were to become closely intertwined with a campaign mounted by *The Times*, and the moral entrepreneurialism of Martin Narey, a former Chief Executive of Barnardo's, who wrote a 'blueprint' report for the paper (Narey, 2011) and was almost simultaneously appointed as the government's advisor on adoption. Widely criticised for its anecdotal quality, the report was fiercely critical of an alleged anti-adoption culture within social work and called for a fourfold increase in the number of adoptions. This stance was strongly endorsed by the then Secretary of State for Education, Michael Gove, himself adopted, and Cameron.

Battles over the scale and nature of adoption are, as outlined above, by no means new, but their particular ferocity during the periods of coalition and Conservative government arguably reflects two main factors. First, the reforms were (avowedly) intense, in aiming to revive and extend Blair's earlier stalled initiative: whether in their ambition, the strength of the media-political nexus, or a more openly confrontational approach towards social workers and local authorities. In a contested arena, Fox Harding (1991: 221) discusses the possibility that 'each swing of thinking sets in train its own backlash', giving rise to a 'pendulum effect' and it is noteworthy that the adoption wars fought in England have not been replicated elsewhere in the UK in the absence of such radical reform. A second important factor is austerity, where cuts to living standards of poor families (including their gendered and ethnicised patterns) have been seen to increase child welfare pressures, while there has been reduced funding for family support services and availability of legal help. In this context, an

aggressive promotion of adoption appears in various ways to (further) exploit the vulnerabilities of predominantly poor families, as has been argued in the US (Whitt-Woosley and Sprang, 2014). It was on the basis of ethical and human rights concerns that the British Association of Social Workers (BASW) launched an enquiry into the role of social work in adoption in 2016 (see Discussion).

Adoptable children

For looked after children, the route to adoption typically comprises decisions: first, to remove them from their parents/carers on grounds of maltreatment or parental failure to cope; second, that the removal should be irreversible; and third, that adoption is the preferred choice for their long term or permanent care. Each stage has its distinct disputations, but there are also often discernible stances on the desirability of adoption. This is captured in regular jousting over adoption as a 'first resort' or 'last resort', that while partly reflecting different stages of the process, also reveal powerful dispositional conflicts as played out in the domains of social work and law.

Prevention (of entry to state care) and reunification of children with birth families are crucial battlegrounds and the division into 'family support' and 'child protection (rescue)' camps is well-known (Fox Harding, 1991; Gilbert et al, 2011). Focal points for contention include: the part played by poverty in the etiology and construction of child maltreatment; the importance of timescales; the balancing of children's and adults' rights and needs; and the outcomes of different pathways.

In recent years, there has been a reawakening of interest in poverty and inequalities underpinning child welfare problems - including their links with more recognised proximal factors such as parental mental ill-health, substance misuse or domestic abuse – and state

responses to them (Pelton, 2015; Bywaters et al, 2016). From this critical stance, adoption is seen as the end point of a 'child rescue' philosophy, attempting to avoid and delegitimise redistribution or other supports to poor families (Gillies et al, 2017). The counter to such arguments is to downplay the significance of poverty, in softer forms emphasising that abuse and neglect are multi-factorial and that 'the majority of poor parents do not maltreat their children' (Ward and Brown, 2016: 225), while harder versions essentially dismiss its relevance (Morgan, 1998; Narey, 2011).

The notion of a 'child's sense of time' is not new (Goldstein et al, 1973), but has recently gained impetus through neuroscientific evidence on the impact of neglect on infant brain development and, in turn, the need for speedy permanence (Narey, 2011, Department for Education (DfE), 2012). Brown and Ward's (2012) report 'Decision-making within a child's timeframe' calls for greater urgency in a system that is too slow and indecisive in addressing issues of child maltreatment. Their research, prominently cited in government policy documents (DfE, 2012) has been at the centre of two sharp academic exchanges. One has focused on the strength of the neuroscience, which critics claim is over-hyped (Wastell and White, 2012), while the second highlights their perceived neglect of material factors shaping families' lives and service provision, and argues that 'decisiveness' is biased towards permanent removal and implicitly adoption (Bywaters, 2015). The substance of the academic debates (where differences may not be as great as they appear) is arguably less important than the respective positionings and 'steers' in relation to child welfare and adoption.

If in principle no-one would condone delay, advocates of family support contend that the notion of the 'child's timescales' serves largely as a disciplinary device for parents to address their difficulties rapidly (often with limited help) or face losing their children (Holt and Kelly 2014). Shaw et al (cited Ward and Smeeton, 2017: 64) raise what they see as the forgotten

question of 'the parents' timescales', while the willingness to provide longer term support is also relevant (Tanner and Turney, 2003).

These battles are played out on the terrain of attention and chances, with adoption advocates contending that the child welfare system often grants too much and too many, respectively to parents, to the detriment of children (PIU, 2000, Narey, 2011). High rates of breakdown and re-abuse in reunifications, (Ward et al, 2012; Farmer, 2014) have bolstered pro-adoption arguments, but the implication that return is attempted too frequently must be set against the challenges of applying this nostrum to individual cases. Critics also point to the relative lack of resources, status and political will devoted to reunification work compared with substitute family care and locate this within wider patterns of inequality (Farmer, 2014; Whitt-Woosley and Sprang, 2014).

Despite the methodological challenges, researchers have also sought to compare how children fare when adopted or remaining with their birth families (Doughty, 2015). Unsurprisingly, given the many inequalities involved, such comparison has generally favoured adoption and is readily utilised by its supporters (Morgan, 1998; Narey, 2011). Equally, however, this approach has been strongly resisted as inappropriate, in part because of the significance many attach to (biological) relationships, but also a feared slippage towards a position where families risk permanently losing their children because another family is regarded as 'better' (Bywaters, 2015).

Options for permanence

Debates on options for substitute care have included a significant focus on 'outcomes', but again value differences persist and there is an important sub-text of inequality when adoption is compared with kinship care. Comparisons of adoption and foster care have divided

between those that posit no real differences (once other factors are taken into account) and those concluding that adoption enjoys some modest advantages, notably in terms of stability and (felt) security (see e.g. Triseliotis et al, 1997; Biehal et al, 2010). However, both the extent and implications for adoption of any differences remain strongly contested.

Since their introduction in 2005, special guardianship orders (SGOs) – which offer a more limited and reversible transfer of parental responsibility than adoption - have become increasingly embroiled with the adoption wars. SGOs were intended to apply to particular groups of children (including those with strong birth family relationships, unaccompanied asylum–seeking children and children from communities with cultural or religious objections to adoption (PIU, 2000)). It was always likely that those sceptical towards, or opposed to adoption, would seek to utilise SGOs and Narey (2011) is highly critical, referring to special guardianship as an 'unhappy compromise', and often keeping children within 'dysfunctional environments'.

The continuing rise of SGOs as adoption numbers fell further fuelled suspicions that they were being used as a substitute order, but research evidence seems to contradict this, with some evidence of positive correlation at local authority level (Wade et al. 2014). Bilson (2017) has further argued that the combined use of adoption and SGOs is important when understanding the (growing) extent of permanent removal of children. Following concerns about the quality of some special guardianship placements, the Conservative government sought to reinvigorate the drive to adoption – by emphasising children's need for lifelong stability and high quality care (Children and Social Work Act 2017, s8) and tightening assessment criteria for SGOs. However, critics have argued that this highlights special guardianship's lesser status, prompting calls for parity with adoption in terms of support infrastructure, policy and practice (Harwin et al, 2016). Similarly, research on the stability of SGOs has been somewhat inconclusive in its impact within the adoption wars, showing lower

rates of disruption for adoption, but generally low rates also for SGOs. (Selwyn et al. 2014; Harwin and Alrouh, 2017).

Contested adoption, rights and legal struggles

In the 1990s, adoption without parental consent faced significant critique, as poorly aligned with the CA89's partnership ethos and as damaging in its adversarial nature (Ryburn, 1994). The adoption law review proposed a higher threshold for dispensing with parental consent, requiring that the advantages of adoption were 'so significantly greater than' any alternatives as to justify overriding parental wishes - but this was rejected in favour of the simpler and seemingly lower hurdle of when 'the welfare of the child requires it' (ACA02 s52(1)(b)).

More recently, the term 'forced adoption' has come into use but is highly controversial for its implicit parallels with more infamous episodes in adoption history such as Australia's 'stolen generation' of aboriginal children, military dictatorships' removal of the children of political opponents or the 'coercive' treatment of unmarried mothers (Doughty, 2015; Ward and Brown, 2016). However, even discounting the more conspiratorial views of the state's determination to remove children (e.g. as espoused by MP John Hemmings, journalist Christopher Booker or activist Ian Joseph), the draconian nature of adoption without consent means it is likely to feel 'forced' to most birth parents and other family members involved.

Another contentious issue is UK exceptionalism with regard to adoption without consent. Although most states allow this, it is clear that the UK (along with the US) is highly unusual in the scale of such adoption (Fenton-Glynn, 2016). Questions have also been raised regarding adoption without consent's compatibility with human rights and children's rights frameworks (including those relating to family life and children's rights to be cared for by their parents and to participate in decision-making (Sloan, 2013). A report for the Council of

Europe declared the practice 'abusive' except in 'exceptional circumstances' (Borzova, 2015: 1) but European Court of Human Rights case judgements have broadly upheld its use as proportionate (Doughty, 2015).

Within adoption wars, courts have been alternately constructed as little more than a 'rubber stamp' with regard to social work decision making (Ryburn, 1994, Neal and Lopez, 2016) or as a serious barrier to adoption in their perceived willingness to grant multiple 'opportunities' to birth parents or relatives. Research suggests a more complex view of legal processes (Masson et al, 2008), but the coalition reforms made clear attempts to streamline proceedings though time limits and reductions in the involvement of expert witnesses and court scrutiny of care plans. This has heightened concerns over the powerlessness and often vulnerability of birth parents, exacerbated by inequalities of class, gender (Neal and Lopez, 2016) and ethnicity (Gupta and Lloyd-Jones, 2016), and the ways in which the 'welfare of the child' serves to consistently trump their rights (Harris-Short, cited Doughty, 2015). Conversely, for adoption advocates this is a clear moral (and sometimes wider societal) imperative rather than an instrument of oppression.

Luckock and Broadhurst (2013) concluded from a file analysis of contested cases that local authority plans for adoption appeared reasonable in the circumstances and that the legal framework for decision making was 'robust with regard to parents' rights' (:8), including legal representation. However, they also noted familiar issues regarding lack of support to birth parents during the process, their perception that contact was primarily used to gather more evidence against them, and scope for more proactive engagement with other birth relatives.

The government's promotion of 'fostering for adoption' – where a child is placed with a foster family who then become (prospective) adopters once that plan is agreed in the court -

has been particularly contentious. The rationale is clear for the child and adopters in terms of continuity and attachment, but critics argue that this arrangement may work as a 'fait accompli' preventing reunification or placement with relatives (Nickols, 2014) and particularly when the original entry into care is on a voluntary basis, that it can jeopardise parents' legal rights (Gupta and Lloyd-Jones, 2016).

Pivotal moments in child welfare typically arise from child protection 'scandals' of under- and over-intervention, but in the adoption reform process, such a moment came from court judgements. Ostensibly about birth parents' legal rights to oppose adoptions, the cases of Re B [2013] UKSC 33 and Re B-S [2013] EWCA Civ 1146 prompted a much wider judicial overview of adoption practice (Doughty, 2015). In the former, it was emphasised that adoption should be regarded as appropriate 'when nothing else will do', while the latter was widely (if not universally) perceived as lowering the threshold for parents to oppose adoption orders (Munby, 2013). More significantly, the judgement in re B-S was highly critical of 'sloppy' social work, deemed often to lack reasoning and evidence for adoption recommendations, and suggested that it was time to 'call a halt' to such practice (Doughty, 2015: 342).

Its impact appeared dramatic, with sharp falls of 20 per cent in the number of adoptions from care from the 2014-15 peak and a 45 per cent decline in placement orders between 2012-13 and 2016-17 (DfE, 2017). Unsurprisingly, this change was greeted very differently – from a clear move in the direction of human rights and social justice (Gupta and Lloyd-Jones, 2016) to reintroducing delay into the system and jeopardising children's chances of adoption (Masson, 2014).

What was undoubted was the emergence of a major new front in the adoption wars, with a 'philosophical gulf' opening between the courts' 'last resort' emphasis and the government's

drive to radically and rapidly increase the scale of adoption (Bainham, 2015). As the effects of re B-S became apparent, the Adoption Leadership Board issued a 'mythbuster' which emphasised that the law had not changed, but in further guidance, President of the Family Division LJ Munby pointedly chose not to endorse this document (Doughty, 2015). Moreover, speeches given by senior judges have continued to display a degree of scepticism towards adoption (McFarlane, 2017).

Openness and the 'legal fiction' of adoption

As noted earlier, the emergence of openness is a key marker of the shift from 'old' to 'new' adoption. In both the UK and the US, it has remained a focus for conflict between 'traditionalists', who regard it as holding little value for children and threatening placements through destabilisation (Morgan, 1998), and 'progressives' for whom open adoption is more aligned with 'communicative openness' and family diversity and generally beneficial for all members of the adoption triangle. In a 1990s academic skirmish, Ryburn (1998) argued from this position that adoption should mirror the 'negotiated' practices in divorce cases. In response, Quinton et al (1998: 3) accused Ryburn of an idealised view, characterising open adoption as a 'social experiment'. Interestingly, adoptive parents in Sykes's (2000) study highlighted differences of class and income as barriers to openness. An enduring methodological problem in open adoption research has been that of self-selection bias, which makes it difficult to generalise the broadly positive findings to wider populations (Neil et al, 2015).

This has led to an uneasy stalemate, whereby commentators question why the research has not led to wider practice of open adoption (Sales, 2012; Jones, 2016), yet it is clear that professionals frequently keep this to the fairly minimal level of periodic 'letterbox'

exchanges of information. When involved in research, and though often ambivalent (Biehal et al, 2010), children have typically expressed either a desire for increased contact or the status quo (see Jones, 2016 for summary).

Struggles over open adoption have also been present in the legal domain, especially on the question of whether contact with birth relatives should be ordered against the adoptive parents' wishes. Mandated contact has been very rare, but some legal commentators have challenged this rarity, disputing any deterrent effect on adopters coming forward and emphasising contact's child-centredness (Bainham, 2015). The apparent 'possessiveness' of closed adoption has also been questioned, with Lowe (2000) for example, asking why adoption has to entail complete legal severance from birth families and calling for more nuanced provision. Conversely, however, Smith and Logan (2002) have argued that 'possessiveness' in the sense of commitment to the child, can promote more secure parenthood for adopters, and this in turn may facilitate dealing with contact.

Contemporary battle lines have been re-drawn with the Children and Families Act 2014 (CFA14) removal of a general duty to promote contact for looked after children (including those placed for adoption) and the presumption that siblings should be placed together. Both moves were initiated by Narey and aimed to boost adoption numbers and speed. While not addressing open adoption directly, Narey (2011) makes his sentiments very clear in a rhetorical plea for adopters to be regarded as the child's 'real and only parents'. Recent judicial comment however, has questioned adopters' effective right of veto over otherwise beneficial contact for children and more broadly the viability of closed adoption in a changing landscape of social media (McFarlane, 2017).

Slaying the dragon of PC - approving adopters

For many years, the recruitment and assessment of adoptive parents has witnessed some of the fiercest fighting of the adoption wars, if often taking the asymmetrical form of mainstream media and politicians laying siege to social workers and local authorities.

There are two separate but interrelated lines of attack. The first is that the assessment of prospective adopters is unnecessarily petty, intrusive and bureaucratic, leading to delay and deterrent effects on applicants (PIU, 2000, DfE, 2012). The professional counter to this is that adoption has become increasingly complex in light of children's maltreatment and often special needs and that adopters may be naïve in that regard (Sagar and Hitchings, 2007). A second, and more incendiary, terrain is that the process of approval is beset with PC. Some aspects of this relate to health issues such as the alleged exclusion of those who smoke or are overweight, but even more heavyweight matters stem from intersections with factors such as class, ethnicity, sexual orientation and age and less so, religion, marital status and lone parenthood. Gove bracketed all the alleged restrictions as 'left-wing prescriptions' (Ali, 2014: 72) although discriminating against older applicants or single parents, for instance, might seem more conservative and traditionalist than 'left wing'.

Headlines such as 'too white, middle class and heterosexual to adopt' (Daily Mail, 5 October 2011) highlight the threat to traditional adoption, alongside approval of same sex couples as parents. However, as Cosis Brown and Cocker (2008) and others have noted the breakthrough on same sex adoption in the ACA02 was only partial, with rising numbers yet still 'heteronormative' requirements (including on gender roles) and typically matching with children deemed 'difficult to place' (Hicks, 2005).

Unsurprisingly, given the predominantly middle class status of approved adopters, evidence of bias has been overwhelmingly anecdotal, typically the product of aggrieved applicants and willing media. The accounts tend to be highly stylised and spun to emphasise the PC

absurdity of the process, with for example applicants reportedly refused because they 'had too many books' (Douglas and Philpot, 2003: 166). The sub-text is one of status and deservingness and the outrageousness of PC rejection. Meanwhile, alternative workings of class fall under the radar, as when a report for Birmingham City Council expressed concerns that the adoption process may be favouring those with higher incomes (Strategy Research Team, 2012).

Without doubt, however, race and ethnicity have been the totemic issues within struggles over PC, with the alleged proscription of transracial adoption by far the most commonly cited barrier across the adoption field. The orthodoxy of preference for ethnic matching (based on issues of racial-/ethnicised identities and the context of pervasive racism) arose from anti-racist struggles in the 1980s, but has been under regular and growing attack for its perceived rigidities and PC underpinnings (Gaber and Aldridge, 1994; author's own, 2012). In particular, it is blamed by critics for denying BME children the chance of adoption while agencies seek a 'perfect ethnic match', when what matters crucially is love. Yet this portrayal can be seen as highly simplistic, whether in terms of explaining ethnicised patterns of adoption and alternative exit routes from care (Owen and Statham, 2009), the practices of adoption agencies (Dance et al. 2010) or broader racialized dynamics within adoption (Ali, 2014).

After successive warnings from their predecessors about its over-emphasis, the coalition government legislated in the CFA14 to remove the duty to consider 'ethnicity' (religious persuasion, racial origin and cultural and linguistic background) in adoption decisions against significant opposition in Parliament. However, comparative rates of BME adoption have shown little change since the reform, suggesting that legislative change has had limited influence over recruitment and matching practices (DfE, 2017)

Reforming the adoption system

Having identified an 'anti-adoption culture', the coalition and Conservative governments introduced a range of counter-measures which can be considered under the headings of performance management, organisational change and adoption support.

Although generally eschewing its predecessors' compilation of 'league tables', the coalition government justified their use in the case of adoption (DfE, 2012). It was claimed that they would not distort decision making, yet the scorecard defined higher adoption figures as 'better' up to (though not reaching!) 100 per cent of those leaving care (Fenton-Glynn, 2016).

Reprising a long running campaign, local authorities were exhorted to work more closely, through partnership or commissioning arrangements, with voluntary adoption agencies. Although this is partly based on the latter's perceived good record of family finding (Groves, 2010), they have overwhelmingly been spared media and political ire over PC (e.g. lower rates of transracial placements have been framed positively, as a sign of their ability to recruit BME families). Unlike their predecessors (PIU, 2000) the coalition and Conservative governments have not openly floated ideas of (partial) privatisation of adoption services, but have supported the use of social impact bonds to boost adoption numbers (DfE, 2012). In 2015, it was announced that adoption services would be reorganised along regional lines, a process which is ongoing.

Superficially, adoption support offers a less conflictual territory, but there are important tensions, not least reflecting those between adoption as 'reparative parenting' and 'autonomous family life' (Luckock and Hart, 2005). These tensions have been prominent during the reform period, with better support being seen as a bargaining chip for increasing adoptions (Expert Working Group on Adoption, 2012), yet some reluctance on the part of

government to be seen as over-generous. Support for adopters has increased significantly over the past two decades, involving progressive harmonisation with other parents – in areas such as parental leave and pay – and foster carers, in terms of children having similar priority for school admissions and access to mental health services. As in other areas of the system, birth parents can be seen as the 'poor relations' in adoption support. Lobby groups have regularly had to challenge government omissions (Smeeton and Boxall, 2009; Jones, 2016) and on occasion explicit statements that services for birth parents would require an unwelcome diversion of resources (Cullen, 2005).

Discussion.

Around the time of completing this article, BASW reported from its enquiry into ethics and human rights in UK adoption (Featherstone et al, 2018). Based on both stakeholder inputs and focus group discussions, and attempting to be even-handed in its addressing of the adoption triangle, the enquiry nonetheless placed a very strong emphasis on the injustices faced by birth families, reflecting its instigation and balance of contributions towards critics of adoption. Key themes included the impact of austerity on poor families, lack of ameliorative resources and tight timescales. Post-adoption, the (near total) severance of relationships between adopted children and birth family members was portrayed as unjust and damaging to both. The language of ethics and human rights was somewhat vague within the report, but it conveyed a clear message that contemporary practice is lacking in these respects, especially in its treatment of birth parents/families in non-consensual adoptions. Responses from other child welfare organisations, while sympathetic to the enquiry's arguments on austerity and the need for better adoption support, were keen to defend adoption as a valid option for maltreated children and the general robustness of legal

frameworks that enshrine ethical practice and human rights (Association of Directors of Children's Services, 2018; Simmonds, 2018). Seen as a significant initiative in the worlds of adoption and social work, the enquiry attracted limited media attention (in the national press for instance, receiving modest coverage only in the Guardian) and no explicit governmental response.

Within inevitably nuanced positions, it has been argued here that opposing sides within the adoption wars show clear affinities with those in the culture wars. In a conservative/orthodox framing, adoption is typically seen as a win-win for (deserving) needy children and loving parents, superior to alternatives and fiscally advantageous. Ideally, it should enshrine the autonomy of the adoptive family and uphold conventional family forms. There is often nostalgia, whether for closed adoption or the restoration of voluntary relinquishment. By contrast, a liberal/progressive view will emphasise the impact of inequality and poverty on birth families, and the state's duty to support them through redistribution and relevant child welfare services. Here, adoption should reflect the diversity of family forms and with varying degrees of radicalism, there will be a thrust to reduce the use of (plenary) adoption. In the child welfare world, this division is complicated by those who may identify strongly with much of the liberal/progressive position yet see significant use of adoption as an appropriate 'child-centred' response to cases of maltreatment (Ward and Brown, 2016).

Debates on inequality have pitted those who accord it a central importance in understanding the genesis of child welfare concerns and interventions against those who refute any causal link between poverty and maltreatment (though some may still recognise its significance). Both positions have their Achilles heels. Neglecting structural factors risks perpetuating the conditions for abuse and neglect and pathologising families, while too strong a focus on addressing inequalities offers only a partial story and may leave children vulnerable.

Alongside discussion of distributional justice, with its close links to poverty and inequality, accounts of social justice have also increasingly focused on matters of 'recognition' (Newman and Yates, 2008) and there have been various applications to (child and family) social work (see e.g. Garrett, 2010; Houston, 2010) including its relational aspects (Turney, 2012). While issues of (mis)recognition may be relevant to all members of the adoption triangle, they are perhaps particularly pertinent to birth family members both pre- and post-adoption.

Conceptualisations of social justice are famously divergent in their political underpinnings (Newman and Yeates, 2008) and it is worth noting that the coalition government included increased adoption as a measure of its achievement of social justice (HM Government, 2014). From a more critical and family-oriented stance, Gupta et al (2016) have explored the potential for a capabilities approach pioneered by Sen and Nussbaum to move child welfare away from what they regard as a focus on parental pathology towards providing greater support. In the US, adoption policies have been judged to fail key Rawlsian principles, on liberties and inequalities (Whitt-Woosley and Sprang, 2014) while in the UK, it has been argued that laws facilitating adoption without consent would be unlikely if Rawls's 'veil of ignorance' applied (Lawson, 1994). Interestingly, this growing literature on social justice has only fleetingly tackled tensions between children and parents/families, while the voices of children have also been largely absent from the adoption wars, as different forms of paternalism dominate.

After the hotter phases of the early coalition government years, the adoption wars seem to have cooled and reached an uneasy 'truce'. The combined effects of legislation, organisational change (regionalisation), departure of key players such as Narey, Gove and Cameron, and perhaps the preoccupations of Brexit appear to have pushed adoption reform down the list of political priorities. The decline in adoptions and placement orders was noted

earlier (although they remain at historically fairly high levels) and the once sustained media pressure for reform has abated.

What then are the prospects for peaceful resolution to the adoption wars? Competing perspectives reflect alternative 'imaginaries' of child welfare and generate divergent moral imperatives with respect to children and families. A key factor is the construction of children's 'best interests' and the degree to which these are understood as (potentially) separate from, or tied to, birth family relationships (Featherstone et al., 2018). A related question is whether child welfare outcomes are framed individually or with a more collective, structural and politicised inflection (Fox Harding, 1991). In turn, these tensions point to different models for adoptive families in terms of openness. While the attendant conflicts are unlikely to disappear, there is potential for research evidence and dialogue to narrow differences. This includes on the crucial question of post-adoption contact, while a more closely shared understanding of adoption as a 'last resort' may allow more effective upward pressure on government both to support families of children in need and adoption where it takes place. The policy and practice challenges of this should not, however, be underestimated. Studies in the UK (Child Welfare Inequalities Project, 2017) and Canada (McLaughlin et al, 2015) respectively, have found that social workers frequently struggle to see addressing poverty or promoting social justice as part of their work, some questioning their relevance to child welfare, while others cite organisational and resource constraints as barriers. Moreover, deepening local government austerity may tighten those constraints further, and beyond the child welfare domain, adoption retains a default popularity in media and political circles that make future drives highly likely. Conversely, an albeit disparate opposition has gained some traction in highlighting the problems faced by families of children in need, improving support for alternative forms of permanence and checking the government's plans for vastly increased adoption from state care. It appears safe to assume

that adoption wars will continue, but their intensity, conduct and course remain as difficult to predict as ever.

Note

1 The focus here is primarily on England, rather than the UK, because the intense conflicts described have primarily occurred in the former, while the radical nature and tone of the coalition government's reforms have not generally been replicated in other UK countries. However, the respective adoption systems are broadly similar and that is reflected in citations in the article that refer to the UK as a whole.

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