Adoption in South Africa: trends and patterns in social work practice

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ABSTRACT
This paper reports findings from a research study on adoption in South Africa conducted in 2009. The research included secondary data analysis of the South African National Adoption Register to establish trends and patterns of adoption in South Africa between 2004 and 2009, and primary data collection through qualitative interviews with key informants in public and private social welfare services to explore attitudes, knowledge and experiences of social work practice related to adoption. The quantitative findings report the number of national and international adoptions along with trends and socio-demographic patterns of national adoptions. Qualitative findings report on social work practice, systemic barriers and social worker attitudes as barriers to improved social work practice around national adoptions. The paper highlights comparisons to adoption literature in the USA, a country with a similar legislative framework and cultural complexities, but significantly more resources for implementation. Recommendations are offered for social work practice, national data collection and policy implementation efforts to support efforts to increase adoption.

INTRODUCTION
In line with international and regional commitments such as the United Nations Convention on the Rights of the Child and the African Charter on the Rights and Welfare of the Child, South African policy encourages the uptake of permanent forms of alternative care such as adoption for children with inadequate or no parental or family care. This support is premised on the fact that unlike less permanent forms of care such as fostering and residential care, adoption potentially provides permanency and protection to the relationship between the adopted child and the adoptive family. Therefore, while there is increasing debate regarding the validity of this fact in cultural contexts where longer term family fostering may be more socially acceptable and provide as much permanency, security and benefit for children (Wrobel & Neil 2009), the current legislative framework in South Africa supports adoption over fostering or residential care. To this end, the country’s new Children’s Act (No. 38 of 2005) strongly reflects international standards and best practices by setting out principles related to the care and protection of children, and making provision for children’s courts and extensive adoption infrastructure. South Africa is also one of only five African countries to have ratified the 1993 Hague Convention on Inter-country Adoption and is an emerging leader on the African continent with regard to legislative frameworks established for the social protection of children.

Despite this robust legislative framework, very little research has been conducted on adoption in South Africa, and little is known about whether changes to legislation have proved effective or acceptable within social work practice. This paper addresses this research gap through the analysis of available statistics on the levels and patterns of court-ordered adoptions,
and by examining the socio-demographic profiles of adopted children and, to a lesser extent, adoptive parents in South Africa. Where relevant, comparisons were made to experience and literature from the USA, a developed context with similarities in legislative framework and cultural complexities, but with significantly more socio-historical experience around the development and implementation of adoption social work practice. While case comparisons with other international contexts may be beneficial, they fall outside the scope of this paper and have been explored in other literature (see e.g. O’Halloran 2006; Selman 2009; Wrobel & Neil 2009).

The analysis was undertaken as part of a larger study on adoption in South Africa. The study was funded by the National Department of Social Development (DSD) and was carried out in 2009. Ethical clearance for the study was granted by the Research Ethics Committee of the Human Sciences Research Council of South Africa (REC 2/13/05/09).

METHODOLOGY

The methodological approach took as an assumption that the social world is complex and multifaceted and that complex methodology is required in order to ensure an informed, contextualized and meaningful understanding of social work practice. A combined methodological approach encompassing both quantitative and qualitative research techniques was thus implemented.

The main quantitative data source was the National Adoption Register (NAR), which is kept, and annually updated, by the DSD. This register provides a continuous set of overall annual court-ordered adoptions and it was used, in this study, to establish the levels and patterns of adoption, and the characteristics of adoptees and adopters. To keep the analysis recent, and in the light of legislative and regulatory changes involved in the Children’s Act (No. 38 of 2005), data analysis was limited to the 5 years prior to the study (1 April 2004–31 March 2009).

The NAR data were complemented with qualitative data on social work practice drawn from key informant interviews conducted as part of the larger study described earlier. These interviews were held with key social service stakeholders including informants from public sector governmental services, non-profit adoption agency services, private sector adoption agency services, public child welfare agencies and legislative stakeholders such as commissioners of child welfare (child courts’ magistrates). The aim of the qualitative research was to provide insight into social work practices and systems and how these may inform national trends and patterns of adoption. A total of 15 key informant interviews were completed in four of the nine provinces in South Africa (Eastern Cape, KwaZulu-Natal, Limpopo and Gauteng). These provinces were selected to be representative of a broad geographical region and to include both urban and rural contexts.

During data analysis, data sources were triangulated, not necessarily towards greater validity through congruence, but in order to reveal different dimensions of social work practice and experience to enrich our understanding (Moran-Ellis et al. 2006).

RESEARCH FINDINGS

Patterns and trends in adoption

National adoption

The NAR indicates that the number of court-ordered adoptions in South Africa has remained low and static, hovering around 2000 per annum in the recent past (Table 1).

<table>
<thead>
<tr>
<th>Period</th>
<th>National adoptions</th>
<th>Inter-country adoptions</th>
<th>Total number of children adopted</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 April 2004–31 March 2005</td>
<td>2601</td>
<td>239</td>
<td>2840</td>
</tr>
<tr>
<td>1 April 2005–31 March 2006</td>
<td>2520</td>
<td>248</td>
<td>2768</td>
</tr>
<tr>
<td>1 April 2006–31 March 2007</td>
<td>2560</td>
<td>256</td>
<td>2816</td>
</tr>
<tr>
<td>1 April 2007–31 March 2008</td>
<td>2058</td>
<td>231</td>
<td>2289</td>
</tr>
<tr>
<td>1 April 2008–31 March 2009</td>
<td>1150</td>
<td>218</td>
<td>1368</td>
</tr>
<tr>
<td>Total</td>
<td>13 401</td>
<td>1402</td>
<td>14 803</td>
</tr>
</tbody>
</table>

Source: National Adoptions Register.
Relative to the number of children reported to be in residential care \( (n = 15,590 \text{ as of October 2009}) \), the number of adoptions could be considered to be particularly low. Similarly, if the number of children receiving foster care grants is taken as a proxy for the number of children in foster care, and the number of children receiving child support grants is taken as a proxy for children living in family care (see Table 2), the number of children being adopted annually is startlingly low.

**Inter-country adoptions**

As demonstrated by Table 1, there is a steady but small increase in inter-country adoptions as compared with a much larger proportion of national adoptions. This pattern is likely linked to the controls inherent in the ratification of the Hague Convention. In terms of social work practice, however, this may also be linked to attitudes regarding cultural identity and the media and public scrutiny of high profile inter-country adoptions (O’Halloran 2006). Data from key informant interviews showed that while many social workers recognized that inter-country adoptions could be a noble and charitable act, and a source of better education and other material comforts for neglected children, many had reservations about it and were not eager to encourage it. Concerns about the loss of cultural roots and the ultimate welfare of the children in the receiving country were recurring themes in the key informant interviews as the following quotations illustrate:

‘I would not allow such a thing because when a child grows up they need to know their background. But this will be difficult in the case of inter-country adoption. So because of this I am reluctant to encourage inter-country adoption. A sense of belonging is very important. Everyone wants to belong to someone. Even if I bond with those people who have adopted me, at the end of the day I want to know my roots’. (Social worker, private agency, KwaZulu-Natal)

‘... I think it (inter-country adoption) is good; it gives the child a number of opportunities. There are children who are not adopted and that would give a child an opportunity that they never had; to have a better life. But at the same time if they leave their countries they lose touch with their birth country and I think that is my only concern’. (Public sector social worker, Limpopo)

**Cross-cultural patterns**

Like countries such as the UK, New Zealand and Canada, current policy and practice in South Africa prioritizes adoption of children within their own communities. This policy is reflected in the data shown in Fig. 1, which shows that the majority of national adoptions in the period under study took place within the same culture (i.e. where a child was adopted by a person of the same racial group).

The pattern in Fig. 1 is similar to low levels of trans-racial adoption found in the USA (Roby & Shaw 2006), where research has shown that social workers often still view in-race adoption as preferable (Fenster 2002). The low levels of trans-racial adoption in South Africa are however surprising, given the favourable legislative framework and South Africans’ generally positive attitudes to trans-racial adoption. For example, a study by Moos & Mwaba (2007) among students at a predominantly black university in Cape Town revealed that 87% of the respondents indicated support for trans-racial adoption by disagreeing with the statement: ‘Black children should be raised by Black parents only’. Only 9% indicated that they believed that black children adopted by white parents were likely to lose their culture. By the same token, data from the key informant interviews showed encouraging attitudes towards trans-racial adoption, as the following quotations illustrate:

‘I don’t have a problem with that (trans-racial adoption). Children socialize when they grow up due to taught values and norms. As long as they are told where they come from, they know their culture, and they are given the opportunity to interact with other children. I don’t see it as a problem’. (Public sector social services official, Limpopo)

### Table 2: Number of child grants and types of placements in South Africa, 2004–2009

<table>
<thead>
<tr>
<th>Period</th>
<th>Foster care grants</th>
<th>Child support grants</th>
<th>Total number of children registered to receive social support</th>
</tr>
</thead>
<tbody>
<tr>
<td>2004–2005</td>
<td>195 454</td>
<td>2 996 723</td>
<td>3 192 177</td>
</tr>
<tr>
<td>2005–2006</td>
<td>317 434</td>
<td>4 165 545</td>
<td>4 482 979</td>
</tr>
<tr>
<td>2006–2007</td>
<td>400 503</td>
<td>7 075 266</td>
<td>7 475 769</td>
</tr>
<tr>
<td>2007–2008</td>
<td>454 191</td>
<td>7 863 841</td>
<td>8 318 032</td>
</tr>
<tr>
<td>2008–2009</td>
<td>474 459</td>
<td>8 189 975</td>
<td>8 664 434</td>
</tr>
</tbody>
</table>

Source: SASSA 2009.
'I don’t think culture should be a deciding criterion in any adoption because all that matters is what will benefit the child’. (Non-profit sector social services official, Gauteng)

Some of this variance between low levels of, and the positive attitudes towards, trans-racial adoption may indicate that the positive attitudes held by social workers and the student population above may not necessarily translate into positive attitudes towards cross-cultural adoptions among currently adopting populations in South Africa, raising issues requiring further research.

When cross-cultural data for national adoptions are compared with inter-country adoptions, the opposite pattern is observed: (i) black children making up the bulk (92%) of inter-country adoptions in the period under study; (ii) coloured (this term is the official South African classification of people of mixed-race and is used herein with no derogatory intentions); and (iii) white and Indian children follow, respectively, but with very small numbers. This likely relates to the Hague Convention regulations, social worker attitudes and beliefs, as well as demand and supply variables, which fall outside the scope of this paper, but are reported in more detail elsewhere (see e.g. Davel 2008).

**Family type patterns**

The NAR categorizes national adoptions in South Africa into four groups: (i) biological adoption (adoption of a child by his biological father who was not married to the child’s mother when the child was born); (ii) family adoption (adoption of a child by relatives such as uncles, aunts and grandparents); (iii) foster adoption (adoption of a child by a legal foster parent); and (iv) step adoption (adoption of a step-child by a step-parent). The ‘stranger adoption’ categorization often found in international literature is subsumed under foster adoption. A social worker from the national DSD explained, in a key informant interview, that this is because almost all national ‘stranger’ adoptions start off as foster care cases. Thus, based on the NAR categorization, data from the Register show that in recent years, the most consistently popular form of adoption has been the adoption of stepchildren. This may reflect a particular interest in securing paternal rights among South African step-parents. The step adopting group is followed closely by foster family adoption, which has increased substantially in recent years (Fig. 2).

When viewed individually, adoption within fostering families makes up the majority of the national adoptions in the 2006–2007 and 2007–2008 periods. The increasing number of children adopted out of a fostering family may reflect bottlenecks in the adoptive system. These delays may result in children being fostered by prospective adoptive parents, in advance of adoption being finalized as a mechanism for ensuring that children do not remain unnecessarily institutionalized. This is common practice both in South Africa and in the USA.

It is also possible that particular country variables may play a role in deterring adoption of fostered children in South Africa, and this may explain some of the large variance evident between the number of children formally fostered and those adopted out of fostered populations. Relative to the number of children fostered in South Africa annually (shown by the South...
African Social Security Agency to be approximately 90,000 children newly fostered between mid-2007 and early 2010, the levels of foster adoption (between 600 and 1,000 children in the same period) are not high. The Foster Care Grant (FCG), a monthly financial remittance paid to foster parents in respect of a legally fostered child, may be playing a role in establishing and supporting this pattern. It has been widely argued that many of South Africa’s children remain in foster care because of the fact that their caregivers cannot afford to lose the FCG, which is inevitable if they proceed with adoption. This hypothesis was supported by the data in key informant interviews, where many of the respondents vigorously advocated for the introduction of some form of adoption subsidy or assistance if adoption was to be encouraged, particularly given the context of poverty.

‘I think the foster parents are not adopting due to financial reasons as they are unable to cater for the needs of the child. They opt for foster care as it has foster care grant attached to it. I think probably if they want to adopt they should be given some form of grants’. (Public sector social worker, Limpopo)

‘One of the major problems is finance. It doesn’t matter how attractive you are going to make adoption seem, if people don’t have the means they are not going to take it’. (Public sector legal services official, KwaZulu-Natal)

While concerns have been raised in developed settings such as the USA that the provision of subsidies for caregiving raises fears regarding perverse incentives, the key informants’ data reflected that social welfare stakeholders in South Africa understood the possible risks but still felt strongly that without financial assistance, permanent care such as adoption would simply not be feasible for the majority of families.

‘I think there should be remuneration that goes with it (adoption) so that people could be comfortable with it. I’m not saying money should be an issue but it is an issue, because people are very poor. Adoption should have an adoption grant. Adoption is for life; it’s not something you take today and tomorrow you bring it back’. (Public sector social worker, Gauteng)

A further hypothesis for the discrepancy between levels of fostering and adoption may be that, as in many other African societies, the majority of foster carers are extended family members such as grandparents, aunts, uncles and older siblings (Isiugo-Abanihe 1985; Save the Children 2007) who see no particular value in engaging in the extensive administrative process of adoption. With the high levels of HIV- and AIDS-related morbidity and mortality, these family carers are typically providing ‘crisis fostering’, which involves the boarding out of children as a result of the death of one or both parents, or the dissolution of the family of birth by divorce or separation (Isiugo-Abanihe 1985).

While these cultural factors may influence the preference for foster care as a placement option and act as a deterrent to adoptive practices, they fall outside the scope of this paper and are addressed in greater depth.
in a separate paper focusing on the socio-cultural context of adoption in South Africa (in press reference not currently available).

Socio-demographic profiles of adopted children

Existing research has showed that the uptake of adoption can be influenced by several individual characteristics of the child available for adoption, including demographic variables such as age, gender and race.

Age characteristics

It has been found that the likelihood of being adopted decreases with age (Cowan 2004; McRoy 2007; Snowden et al. 2008). Possible explanations for this include that older children are less attractive to potential adoptive families because of the well-documented increased risk of placement disruption following adoption (Connell et al. 2006; Snowden et al. 2008); that adolescents are generally perceived to have expensive desires and needs (Cowan 2004); and the evidence that as children outside of permanent care become older, the risk of developmental and attachment disorders increases. Children adopted as newborns are thus seen to have better outcomes in adolescence and adulthood.

One limitation identified in the current study is that the NAR does not collect data on the age of child at the point at which they become eligible for adoption and does not distinguish between adopted children by age. Qualitative data from the key informant interviews, however, did reveal that the overwhelming majority of prospective adoptive parents prefer babies, a finding that is similar to preferences evidenced in attitudinal surveys in high-income countries such as the USA (see e.g. the Dave Thomas Foundation for Adoption 2002). The following statements illustrate this:

‘We don’t normally place older children, the majority are babies . . . in the White community they want them like newborns and in the Black community there is a slight difference, some of them would prefer children not older than one year; they would be fine if a baby is 6 to 9 months and a few may even go up to two year, but the majority prefer babies’. (Non-profit sector social worker, Gauteng)

‘I think most of them want babies because it is easier to handle . . . for older children, they look for a child who does not have behavioural problems; one that will adjust well . . . but their favourites are babies’. (Public sector social worker, Limpopo)

Gender characteristics

With regard to gender, a number of studies from the USA (see e.g. McRoy 2007) have noted a strong preference towards adopting girls. Theoretical hypotheses suggest that the public may perceive girls to be easier to care for, less aggressive and more submissive. In the case of inter-country adoptions, girls may be perceived to be more able to assimilate than their male counterparts (Adamec & Pierce 2000; Root 2007).

The NAR data did not, however, reflect a clear gender preference in South Africa with regard to adoptable children (Table 3). Although some key informants could recall incidents where prospective adoptive parents specifically asked for a male or female child, the majority stated that variables such as age and health were more important than gender. For example:

‘Gender is not usually the deciding factor; as long as the baby is healthy they are often satisfied’. (Non-profit sector official, Gauteng)

This is consistent with available literature showing that while the preference for male children is especially prevalent in South Asia, East Asia and North Africa (Malhi et al. 1999), in many sub-Saharan African countries there appears to be no real sex preference for children (Malhi et al. 1999; Filmer et al. 2009).

Race characteristics

The summary of NAR data in Table 3 shows that the pattern of national adoptions in South Africa heavily favours white children, with African; Indian and coloured children being less likely to be adopted. This is similar to the USA, where it has been found that, even after controlling for the age of the child, African-American children are less likely than Caucasian and Latino children to be adopted (Courtney & Wong 1996; Earth 1997; Brooks et al. 2002; Goldberg & Smith 2009). Given the generally positive attitude of South Africans towards trans-racial adoption, this finding is more likely a reflection of the generally very low adoption levels, and that where adoption is taking place, it is motivated by particular patterns of adoption already illustrated by the data on adoption types and families of origin.

Family of origin characteristics

The NAR provides data on the ‘legitimacy’ of adopted children, where they are divided into three broad
<table>
<thead>
<tr>
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<th></th>
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<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Male</td>
<td>1237</td>
<td>1306</td>
<td>1186</td>
<td>1057</td>
<td>594</td>
<td>5380</td>
</tr>
<tr>
<td>Female</td>
<td>1310</td>
<td>1308</td>
<td>1194</td>
<td>1051</td>
<td>568</td>
<td>5431</td>
</tr>
<tr>
<td>National adoptions by race</td>
<td></td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>White</td>
<td>1118</td>
<td>1106</td>
<td>1003</td>
<td>934</td>
<td>602</td>
<td>4763</td>
</tr>
<tr>
<td>African</td>
<td>989</td>
<td>898</td>
<td>1023</td>
<td>772</td>
<td>432</td>
<td>4117</td>
</tr>
<tr>
<td>Indian</td>
<td>51</td>
<td>90</td>
<td>50</td>
<td>63</td>
<td>48</td>
<td>302</td>
</tr>
<tr>
<td>Coloured</td>
<td>443</td>
<td>426</td>
<td>484</td>
<td>286</td>
<td>68</td>
<td>1707</td>
</tr>
<tr>
<td>Inter-country adoption by race</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>White</td>
<td>7</td>
<td>1</td>
<td>0</td>
<td>1</td>
<td>5</td>
<td>14</td>
</tr>
<tr>
<td>African</td>
<td>208</td>
<td>233</td>
<td>250</td>
<td>220</td>
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</tr>
<tr>
<td>Indian</td>
<td>2</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
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<td>14</td>
<td>6</td>
<td>10</td>
<td>21</td>
<td>73</td>
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<td>Legitimacy</td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Abandoned</td>
<td>413</td>
<td>378</td>
<td>381</td>
<td>343</td>
<td>175</td>
<td>1690</td>
</tr>
<tr>
<td>Illegitimate</td>
<td>1439</td>
<td>1485</td>
<td>1387</td>
<td>1233</td>
<td>702</td>
<td>6246</td>
</tr>
<tr>
<td>Legitimate</td>
<td>695</td>
<td>751</td>
<td>612</td>
<td>532</td>
<td>285</td>
<td>2875</td>
</tr>
</tbody>
</table>

Source: Computed from data on the National Adoptions Register.
categories: (i) abandoned (children who are given up by their parents and whose parents cannot be traced, e.g. children who are left at hospitals and streets by their parent); (ii) illegitimate (children born out of wedlock, born of unmarried parents); and (iii) legitimate (children born within marriage). Data in Table 3 show that the largest group of adopted children are listed as ‘illegitimate’, while those who are abandoned make the smallest proportion. It must be considered that the Register only reflects successful adoptions, and as such this may reflect current adoption biases or data collection biases. Register data do not in any way reflect the ratios of children in need of, or available for, adoption (see e.g. Meintjes et al. 2009 on the extent of the orphan crisis), but instead they simply record the characteristics of groups of children who are currently more successful than others in terms of completed adoption. Even given these limitations, it does appear that similar to developed countries, abandoned children are particularly vulnerable to institutional care given their lowered level of adoption. In international research, there is evidence that children who are abandoned are less likely to be adopted, as prospective adoptive parents may feel uncomfortable with the absence of medical and family background, and have concerns that children may have a history of abuse and neglect and thus be more likely to present emotional and behavioural problems that may lead to disruption of the adoption (Dhami et al. 2007; Snowden et al. 2008).

Single motherhood among adult women (South African Institute of Race Relations 2009) and lowered marriage rates in South Africa (Kalule-Sabiti et al. 2007; Hosegood et al. 2009) may also influence these patterns of adoption. It has been shown that many of these single mothers lack support from their partners, as the fathers of the children commonly refuse any responsibility in terms of emotional, financial and practical support during pregnancy and child rearing (Swartz 2003; Cooper et al. 2004). As a last resort, given this weakened extended family support for care responsibilities, many mothers abandon their children or voluntarily give them up for adoption. This hypothesis is supported by recent investigative media reports in South Africa suggesting that there is anecdotal evidence that young mothers are driven to child abandonment and adoption by poverty (Mail & Guardian 2009). Thus, the high proportion of illegitimate children being successfully adopted may also reflect high rates of non-marital childbirth and teenage parenthood in South Africa.

Previous legislation (the Child Care Act of 1983) also ensured that ‘illegitimate’ children whose fathers were not actively involved in their lives were easier to adopt. The Act required the consent of both the mother and natural father unless one of the parents had abandoned the child, if the whereabouts of that parent could not be established or if the identity of that parent was unknown. Therefore, if a father was not actively involved in a child’s life, his consent was not needed, thus making the adoptive process easier to facilitate. This is however likely to change with the new Children’s Act (No. 38 of 2005).

Profile of adopting parents

An important limitation identified in the current NAR is the limited socio-demographic data on adoptive parent characteristics. During this research, e.g. only two main variables (race and marital status) were available. Data on marital status show that in recent years, the majority of adopters have been single or unmarried. While this study did not interrogate the reasons for this, it may reflect the low marriage prevalence described earlier. With regard to race, the Register suggests that Africans (who make up about 80% of the population of South Africa) are markedly under-represented in the adoption statistics. Against these limited data available in the NAR, qualitative data elicited in responses to the question, ‘What types of people usually adopt or are usually interested in adopting children?’ offered some insight into adopting parent characteristics. In particular, several age, economic, fertility and cross-cultural characteristics were noted as important by respondents:

‘There is a quiet a big difference from our Black adoptive parents and White adoptive parents. With the White parents, the age group is much younger and there are quite a number of them in the high economic sphere. The Black adoptive parents, it is older people, and when I say older I mean 55 years and upwards. The majority are in the low socio-economic level and their education is also not that high [as the White adoptive parents]’. (Non-profit sector, Social services manager, Gauteng)

‘Most of the Black people that want to adopt are employed, over 40 years of age, educated and they usually wait to find out that they cannot conceive before they consider adoption. In the White community, they have been exposed to adoption and have vast amount of knowledge about it, their reasons for adopting are totally different from Blacks. They are much younger and some of those who want to adopt have children of their own. There are a lot of single people applying and most of them are highly educated’. (Public sector social worker, Limpopo)
These patterns may reflect a trend towards social responsibility adoption being popular among white, middle class families who already have children or single adults who are financially secure and choosing adoption as a route to family building, rather than traditional routes such as marriage and biological childbearing. This would suggest lowered stigma towards adoption within these populations.

Social work practice and adoption

Qualitative data examined social practices around adoption to identify obstacles or restrictions to adoption, to identify relevant attitudinal or knowledge issues among social workers, and to explore social worker awareness or engagement with adoption.

System- and knowledge-related barriers in the legal system

The findings showed that social workers felt there was a lack of consistency and uniformity in the interpretation and implementation of the adoption legislation. Public sector social workers particularly felt, and acknowledged, that they did not adequately understand the requirements and processes of the legislation regarding child adoption. For example:

‘I think one of the barriers is the fact that there are very few magistrates who are well-trained, who understand the process of adoption. Like, for example, when we receive adoption documents here for registration we often find lots of errors that force the Registrar to send back the document for correction, and that further delays the process.’ (Public sector social worker, Government)

‘Sometimes there is confusion as to who has to undertake the process because sometimes we’re told that adoption is a specialised service that should only be done by specialised professionals. For example, there was an intercountry adoption that we were told to handle here. We did everything – screened the prospective adoptive parents, interviewed the grandmother who was looking after the child, and interviewed the child. After that when the social worker took the child to court we were told that ‘no, you can’t do this; there is an office in Durban that is handling intercountry adoption’. So you can see that even we are not sure if we are the ones who should be doing it. Even if you consult, you find that such things are rare and there’s nobody who has got information about it. So we are doing adoption but we are not sure if we should be doing it. So we end up focusing on foster care placements.’ (Public sector social worker, KwaZulu-Natal)

Shortage of social work staff and resources

Human resource shortages and the associated burdens and risks were highly salient in the key informant interviews where they were repeatedly cited as one of the main barriers to successful implementation of all social work practices including adoption. For example:

‘The South African [adoption] process has a lot of flaws. We don’t have enough social workers and those that we have are over-worked and as new cases come in they are given priority. Things don’t get finished, things fall into the cracks. You will then find that they [social workers] are just speeding up through cases to get over their work-load and the reports are often false – meaning that children are placed on the basis of false information’. (Child Programme Coordinator, NGO Gauteng)

As a consequence of this chronic understaffing, the adoption process in South Africa is notoriously viewed, by both service providers and adoptive parents, as ‘long’, ‘painful’ and ‘complicated’.

Social worker attitudes

Given that social workers act as gatekeepers in the adoption process, several social worker attitudes that may represent prejudice against particular groups of prospective adoptive parents – most commonly those who are not married, those with low income and those of same-sex orientation – were identified. These attitudes were most prevalent among the private sector but were also featured among public sector social workers. For example:

‘People from stable families are mostly successful. Same-sex couples, I have no problem with it. But we haven’t had a successful same-sex couple adoption. I believe a child should have two role models or it might become confusing’. (General Manager, non-governmental organization, Gauteng)

‘I once attended a workshop where people with disabilities and same-sex couples complained that they were often discriminated against by some child protection organisations. Maybe that’s why they don’t come forward a lot because some organisations say “we don’t deal with such people.”’ (Government social worker, Gauteng)

CONCLUSION

This paper provides valuable preliminary insights into the socio-demographic trends and patterns of adoption and social work practice around adoption in South Africa and raises important issues for further research. Adoption in South Africa is relatively low given the high number of children currently in foster care. The levels and patterns of adoption may be influenced by several factors including socio-cultural issues around lineage among African families and
communities, which warrant further consideration and research. Similarly, there is evidence to suggest that low adoption rates may be linked to social work practice obstacles or restrictions to adoption and social worker attitudes and engagement with adoption as a heavily burdened bureaucratic practice. Lastly, low levels of adoption may simply reflect a preference for an alternative approach to child care and placements in African cultures and socio-economic context, which result in other forms of alternative care (such as kin fostering) being more common among black African populations for both economic and cultural reasons. Further research is required to test this hypothesis using large-scale attitudinal survey research.

The most important contribution of the paper is, perhaps, in its illustration of the limitations in the data available from the NAR and the need for further research into the drivers and mechanism behind adoptive practices. The current Register is limited in three important ways in relation to national adoptions. Firstly, it does not provide geographic profiles of adoption by regions in South Africa, which could inform resource allocation and intervention. Secondly, it provides limited data on important child or parent characteristics, which could inform social policy and practice interventions and awareness campaigns. Thirdly, it offers no indication of the number and characteristics of adoptable children in South Africa, which could significantly inform the interpretation of current data on successful adoption and could drive planning and implementation priorities. The Register is also limited in its classification of variables such as kin relationships or age, gender or motivations of adopting parents. Based on these limitations, assumptions cannot be made that in- or inter-country adoption is a desirable response to the different groups of children needing placement in South Africa and that policy should necessarily seek to increase both in- and inter-country adoptions.

The weakness identified in the South African NAR, and the lack of adequate data to inform policy and implementation, is common in many developing countries. This lack of clear definitions and consistent data collection serves to limit our understanding of which variables may be influencing patterns of alternative care. In 2009, the United Nations, in response to these concerns, passed a resolution formalizing guidelines for the alternative care of children (United Nations A/HRC/11/L.13 15 June 2009 GE.09–14213 [E] 160609), strongly urging and providing a clear framework for improved data collection at the country level. Further, in January 2009, the Better Care Network, in partnership with the United Nations Children’s Fund, released a comprehensive manual for the measurement of indicators for children in formal care. If applied, these could bring about more consistently to in-country data collection and allow for inter-country analysis. Given that clear guidelines and methodology have emerged, these limitations require attention if policy and practice decisions are to be driven by evidence and adoptive practices are to be more vigorously supported as an alternative to institutionalization. Research is particularly needed to explore whether alternatives to adoption, such as improving cash transfer payments, better financial, practical and social work support for kinship carers, and the development of stability and connectedness within long-term stranger and kinship foster care, may be more appropriate.

While South Africa may have marked similarities to the USA in terms of legislation, current evidence from the USA also suggests that adoption is unlikely to become a popular pathway to family without specific and targeted information and awareness campaigns, and it is imperative that greater investment be made in developing data systems that can provide evidence to drive such activities within South Africa. Investments in the improvement of the Register could result in a data tool that is insightful, accurate and robust, and which allows for regular examination of the patterns of adoption in order to improve the cost-effectiveness of social welfare investments, resource allocation and to inform policy. As Stolley (1993, p. 38) has argued in the USA, ‘comprehensive national statistics would furnish policy makers and practitioners with solid information to facilitate program planning, to develop policy, and to design outcome evaluations of those policies and practices’.

Three specific recommendations are made in this regard:

- Greater inter-agency data sharing between directorates within the DSD may rapidly improve the depth and quality of data available for strategic decision-making.
- Greater investment in technology and technological expertise to ensure a comprehensive user-friendly automated interactive data system that functions as a living real-time adoption register. This should apply innovative methods to ensure that data are well-disseminated and easily accessible to social welfare practitioners who need it in order to make the adoption process more efficient.

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• Greater investment in the monitoring of statistics over time to enable reflective social welfare practices to drive improvement in adoption levels.

Lastly, as compared with the USA, given that all social welfare systems may be significantly undermined by human resource constraints, it is critical that human resource shortages be addressed, either through increased procurement and training of social workers or through recruitment of social worker assistants. The use of lay professionals within the social welfare system may prove to be a critical advantage within the South African context; however, priority setting and a clear delineation of roles and responsibilities are keys to its success. Knowledge and attitudinal training are keys to ensuring that social workers feel empowered to prioritize adoption where appropriate and do not inappropriately eliminate prospective adoptive parents as a result of prejudices.

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