



# Special Guardianship and Adoption News

Celebrating peer support, friendship, wisdom and courage in adoption and special guardianship



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Welcome to the autumn edition of SG&AT News – where we celebrate the courage and resilience of adopters and special guardianship children and families. SG&AT News is written, edited and designed by special guardians and adopters. It is a journal for all involved with adoption and special guardianship, as well as government and government institutions. The more shared understanding there is about what we deal with as families, the better we can be helped to raise children who have suffered trauma and loss.

*If you are a special guardian or an adopter and would like to join Special Guardians and Adopters Together, please complete an application form on our website. We warmly welcome new member*

WEB: [specialguardiansandadopterstogether.com](http://specialguardiansandadopterstogether.com)

EMAIL: [sgandadopterstogether@gmail.com](mailto:sgandadopterstogether@gmail.com)

TWITTER: [@SGandAT](https://twitter.com/SGandAT)

## Editorial View

Its more than 20 years since the ACEs (Adverse Childhood Experiences), epidemiological data on over 17k research participants was published. This was a hugely important study. An article by Jane Ellen Stevens<sup>1</sup> describes how the ACEs research came about and how Robert Anda, one of the lead researchers, wept when he saw the results come in with the life-long impact of childhood adversity. The way forward was clear – all systems: health, education, social care and the justice system, needed to become more trauma informed in order that they do not cause further trauma.

The links between ACEs, ill health, addictions, and premature death were so highly significant that they are rarely seen in epidemiological studies. The study found that one in eight people had experienced four or more ACEs, a scoring system the researchers developed. Looking at this scoring system and applying it to the children we are given parental responsibility for, we see that our children often experience nine, or the maximum score of ten ACEs.

The Children Act of 1989 was a landmark piece of legislation. The Care Crisis Review concluded it had stood the test of time. However, from our perspective, the best interest of children and the wellbeing of their parents and caregivers is intimately connected. It cannot be separated – particularly when our children are traumatised and need extra support. Many of us suffer secondary trauma, which is often not recognised. We feel helpless to help our children and our stress levels go through the roof if the problems and the difficulties we report, by way of help seeking, are attributed to our own inadequacies as parents or care givers.

In the UK we are finding too much is asked and not enough given. It is us and our children who have paid the heaviest price of austerity. We rely on services that have been cut to the bone. The way kinship carers are treated has been called 'Dump and Run' by the charity Grandparents Plus. Adopters appear privileged in comparison, with a fund named the (ASF) Adoption Support Fund, which many special guardians didn't even know was for them – or couldn't access because they had prevented the child from entering care. The reality is that the ASF has created a new postcode lottery. Uncertainty about the future of the ASF prevails and we are kept on tenterhooks about its continuation after 2020.

Accessing support can be hard for us all.

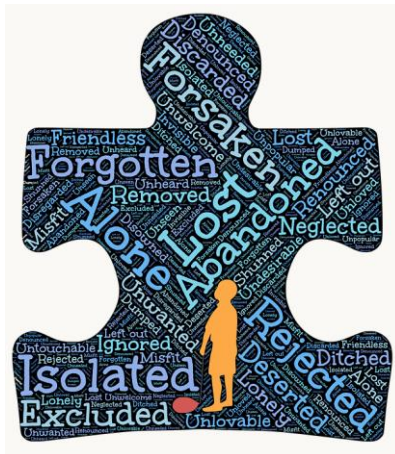
SG&AT members stand strong together, learning from each other and hoping to work with others for a better future for our children.

This newsletter is a team effort and we would like to thank Sylvia Schroer, Julie Samuels, Talib Sadikali, Kim Undy, Janet Barraclough, Dawn Henderson and Uplift Together.

We hope you enjoy the newsletter.

<sup>1</sup> <https://acestoohigh.com/2012/10/03/the-adverse-childhood-experiences-study-the-largest-most-important-public-health-study-you-never-heard-of-began-in-an-obesity-clinic/>

# SG&AT launches the Beyond Disruption Project



**We are very keen to work with other organisations and charities to help gain further knowledge and understanding, which we feel is of vital importance to help safeguard permanence for some of our most vulnerable children.**

**Please get in touch if you would like to work with us.**

**The Beyond Disruption Project is about helping permanence families survive family separation when our children are extremely hard to care for because of their early life adversity and losses.**

Children are not meant to be alone in the world, but a permanence disruption often means this is exactly what happens.

Just how many children from permanence families return to care is not known. Indications are that disruptions, a term that SG&AT members and our children do not like - when we are trying to survive a traumatic separation – may be on the rise both here in the UK and internationally.

Permanence orders have different implications in disruptions. An AO (Adoption Order), is permanent in the UK with no legal mechanism for its revocation but the SGO (Special Guardianship Order) can be annulled and it ends when the child reaches 18. The two most common legal frameworks for children returning to care in the UK are a Section 20 Care Order where adopters/guardians retain parental responsibility, or a Section 31 Care Order, where parental responsibility is shared with the local authority for adopters or annulled with other permanence orders.

Internationally, it is thought that disruption rate increase is due to improved technology speeding up the adoption process with less preparation and 'hand holding' for prospective parents. An article by Shrabonti Bagchi (The Returned)<sup>1</sup> reveals how social workers in India have become alarmed by increased returns to care. This was an issue that was previously thought to be extremely rare. Increased rates of returned children are ascribed to the development of a national digital list making it easier and quicker adopt, along with the possibility for a 'hard to place' child on the list being available for immediate adoption. There are many positives resulting from the changes, which came into force in 2015, but the downside is that adopters are not as well prepared and there is no one supporting the adoption - as used to happen. Children may be sent to families far from their home states, with wide cultural and linguistic differences to overcome. A child who returns to care in India will return to institutional care in their home state. Sindhu Naik, a counsellor and member of the

## SG&AT launches the Beyond Disruption Project

Karnataka State Council for Child Welfare (KSCCW), describes the impact of disruption on the child: "Firstly, the child has been separated from its biological family, either because the child was lost or was given up by the birth mother. That itself is traumatic—even if it's a two-day-old baby...Now the child has found a home. You are separating the child again from that home. So the child has gone through two instances of trauma. And in between this, when the child comes to the institution, she also bonds with the caregivers in the institution and makes friends. So one separation, second separation, third separation...this is disastrous for the child's life."

In the UK, returns to care from adoption or special guardianship will, according to current government policy, mean a return to foster care for the child, if foster carers can be identified who are willing to care for our children. This is not always the case and if no carers can be identified, the child or young person must go into residential care or supported living, which may be far from home and not be regulated.

SG&AT members have reflected on the strengths, opportunities threats and weaknesses of the Section 20 and Section 31 Care Order. We have also researched partnership working under these orders, in our Connections Survey (December 2018). We are finding that even when the parent/guardian retains parental responsibility under Section 20, it will be the local authority, who hold the purse strings, who will make decisions about the child's care and therapy provision. The situation does not improve under the Section 31 Care where good partnership working is not achieved by our efforts (see Chart 24, Connections Survey). In worst case scenarios we may find ourselves

stigmatised and marginalised – as we are considered a potential risk of serious harm to the child we sought help to care for. We can find therapy provider agencies for our children may, as part of their policies and procedures, refuse to communicate with us. This broken communication means rectification of errors and misunderstandings is almost impossible for us. Problems are compounded by legal inequities, which can put us at a disadvantage when parents and special guardians with moderate means and limited knowledge of the law are unable to access legal help or representation in the family courts in their applications to discharge a care order if the parent and or child wishes for reunification.

Our experience is that a court may be more readily convinced by adversarial parties with legal representation, which we cannot access, that a specialist assessment is 'not necessary' in cases where specialist knowledge is lacking. In one case of kinship adopters, (currently under review by the Secretary of State for Education), a Muslim child who was removed against his wishes after his adopters sought help has become addicted to drugs from the age of 13, after at least 20 foster care placements have broken down. He has now turned away from his religion, which could not be supported in foster care or residential care and he no longer wishes to return home to his devastated Muslim parents.

We believe much better understanding is needed about both the impact of a disruption on adopted and special guardianship children, and their families - and the application of the various legal frameworks, especially with more than half Special Guardianship Orders (SGOs) being granted to a child's former foster carers in 2017-18.



## SG&AT launches the Beyond Disruption Project

### **The need for reliable data from the DfE about disruption**

We would like to begin our campaign for better understanding by lobbying the Department for Education to provide statistics about disruptions under different types of legal order (section 20/Section 31/other Orders – for example Wardship), as proper understanding about disruption is hindered by a lack of reliable data: it is not known whether nearly 4,000 children entering care came from a previous permanence arrangement (source: SSDA 903 Table C1). Questions were asked in the House of Lords (on 14th May 2019 in a debate about adopted children in schools), about why figures are not kept about adoption disruptions, when it is so clear that this information is needed to evaluate the effectiveness of government policy including the Adoption Support Fund.

We are very keen to work with other organisations and charities to help gain further knowledge and understanding, which we feel is of vital importance to help safeguard permanence for some of our most vulnerable

children. Please get in touch if you would like to work with us to better understand permanence disruption.

<sup>1</sup><https://www.livemint.com/mint-lounge/features/the-returned-1569587584096.html>

### **Voices of Family Law Podcast**

We discuss the Beyond Disruption Project, the role of McKenzie friends, the difficulties encountered by Litigants in Person, and the trauma that adoptive parents and special guardians and their children face in a Voices of Family Law podcast with pupil barrister Chloe Lee, a Justice First Fellow. The Voices of Family Law podcasts offer insight into issues of concern for stakeholders in the family courts in order to highlight ways in which to improve access to justice.

<https://voicesoffamilylaw.com/2019/08/12/s1-ep6/>

### **It's not the right time for therapy**

It's not the right time for therapy, we are told. Better to wait for the child to settle. But what happens if the child doesn't settle and becomes harder and harder to reach?

Ellie is a fifteen-year old adoptee who re-entered care under Section 20 to give her mother and brother a break in 2012. Ellie's case drifted. Kirsty was advised to apply for a Section 31 Care Order to enable support provision for Ellie to be put in place – and hopefully therapy would finally begin. But it didn't and Ellie's mum was only allowed very limited contact after Ellie rejected her. Several foster care placements broke down and Ellie is now in residential care some 40 miles from the city she grew up in. Within a week Ellie has had to be restrained four times in the home. Ellie's mum cannot make arrangements for her daughter to receive an evidence based trauma therapy (EMDR), because the new post adoption social worker has decided that it's not the right time, and in any case, the trauma specialists her mum has found would need to be Ofsted registered to work with Ellie.

In 2017 Dame Christine Lenehan, co-chair of the SCIE's (Social Care Institute for Excellence) Mental Health of Children in Care project, pointed out that commissioning for children in care does not happen in a vacuum. SCIE recommended a virtual mental health lead for every child in care to overcome this problem. More than ever SG&AT feel this is necessary when we cannot help our children.

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[www.uplifttogether.com](http://www.uplifttogether.com)



[www.innerworldwork.co.uk](http://www.innerworldwork.co.uk)

# The Special Guardian Hippogriff

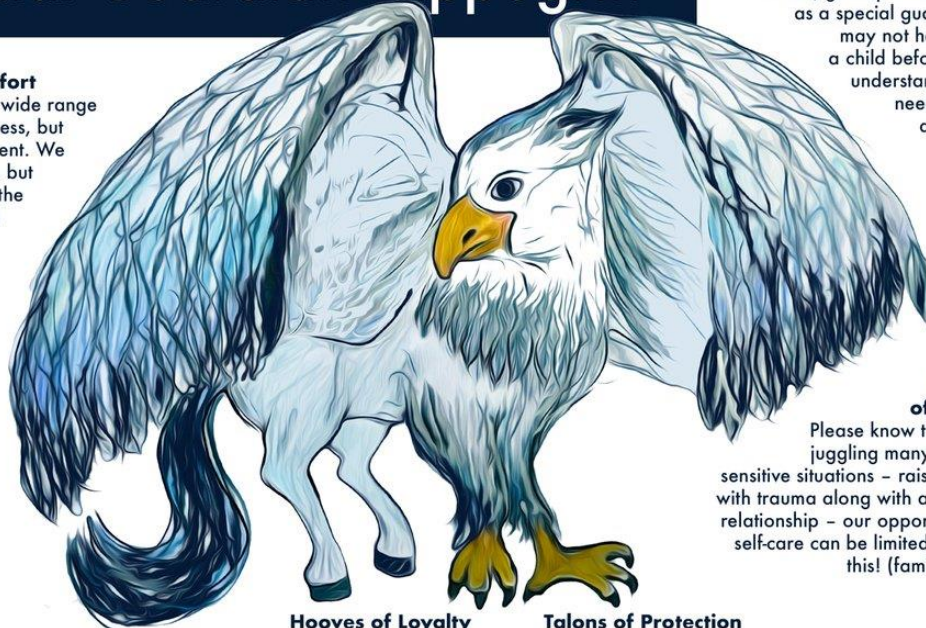
### Wings of Nurture & Comfort

Contact with family evokes a wide range of emotions – relief & happiness, but sadness, loneliness & judgement. We have developed our strength, but please do not underestimate the support we need - carers and children with an SGO need to be listened to and taken seriously.

### Tail of Trust

Trust and believe what we tell you about our child. We know our child's anxieties and pressures in this unique situation - trust that we have their best interests at heart and whatever we decide is necessary for their well-being.

**Hoooves of Loyalty**  
Understand that just because our child remains in the family, they have still suffered trauma & our journey is just as complex. Despite the fact that SG gives us a chance to build a foundation for a lifelong permanent relationship, having links to a birth family can be hard, we need a listening ear. Protect us from the judgement of those who do not understand the plight of a special guardian, who look down at us for the failings of our own family members who were unable to care for their own children.



### Talons of Protection

We may have lost out on a large part of our child's early years. Respect and understand that our journey is not any better than people may think or believe. The lack of support services limits our ability for empowerment - please be aware that we need more resources and support to protect our well-being.

### Beak of Bravery

Know that our support network is very limited. Our experiences are wide ranging, we may be aunts, uncles, grandparents etc. and as a special guardian, we may not have raised a child before. Please understand that we need bespoke advice and support.

### Feathers of Warmth

Please know that we are juggling many difficult & sensitive situations – raising a child with trauma along with a triangular relationship – our opportunities for self-care can be limited in spite of this! (family conflict)

The lack of support for Kinship Carers is hitting the headlines. Grandparents Plus have described the approach as 'Dump and Run'

SGAT member Dawn Henderson, a passionate advocate of therapeutic parenting and trauma informed services and support says:

"The clear embedded issue is, regardless of these children being given the homes required (with family friends etc), the child who feels abandoned will feel further abandoned by a system that pays no more than a passing glance... That child will shoulder the shame, shoulder the belief that he is a failure, shoulder the failings that a system that should be honouring them is not.. how will this be interpreted? Oh yes - they are not worth it- they are worthless. they shoulder the guilt, internalise all of this".

A system that is tone deaf to the hurting hearts and minds of traumatised children is a system that compounds the trauma. What happens next?"

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### **Physical punishment of Scottish children comes to an end in Scotland**

**On October 3rd 2019 Scotland was the first UK nation to come into line with the UN Convention on the Rights of the child, and 57 other countries around the world that have already voted to end the physical punishment of children. A private members bill introduced by Scottish Greens MSP John Finnie proposed this legislation change.**

SG&AT welcomes this most positive change in the law in Scotland. We know only too well from personal experience that physical punishment can traumatise our children further – and the evidence presented in the ‘Equally Protected’ Report is clear – physical punishment of children is associated with detrimental child and adult outcomes. SG&AT would also like there to be greater appreciation that the child to parent aggression and violence we may be dealing with is a complex and difficult problem for families, who can struggle when support is hard to achieve, or not available when it is needed.

There is also a vast difference between a distressed parent, who is pushed too far, reacting to assaults, trying to protect themselves or another family member, and physical punishment being used as a form of discipline. Respite may be needed in this scenario – and if it is provided under Section 20, there must be clear guidance produced for professionals about how our children might come home with the right support in place or be well supported in care, where foster carers and care home workers are likely to experience similar problems. We do not want our children to end up criminalised. We know that many parents and guardians are putting up with physical assaults because reporting may mean the child loses the protection of the parent or guardian.





### Balancing working life with adoption/special guardianship

A major issue for adopters and special guardians is how on earth we will manage to work and care for a child where the demands made of us by our children are incredibly high. In our Health and Wellbeing Survey, which had almost 400 respondents, we found that more than half of respondents (51%), had given up work – 48% of adopters and 63% of special guardians, 44% had reduced their hours, 25% had changed to a lower paid job, 14% had changed to a less stressful job and almost half of us 46%, struggled financially (44% of adopters and 57% of special guardians). See Health and Wellbeing Survey, Table 37<sup>1</sup>.

We must think of our own lives and futures – when our parental role and responsibilities are far greater than most – because so many of our children have neurodiversity issues and lifelong conditions that delay development and can bring extra challenges as our children reach adulthood.

It can be a big worry, especially for a single parent or carer, as to how our children will manage in future – and how we will cope too – when we have had to take so much time off due to our child needing us at home. Factor in the impact of school exclusions, which many of us are having to deal with, and holiday care for a child who has severe abandonment anxieties, and it's easy to see why so many of us end up giving up work or relying on

benefits and allowances – with these being capped for special guardians when they also have birth children to care for. Any allowances will also stop very suddenly when the child is older – their needs won't change and they may well not have left home, being totally on us – but the support will suddenly vanish.

An additional issue for special guardians is there is no statutory parental leave. The Family Rights Group's recent Kinship Carers survey explores this and finds this to be a significant problem for kinship carers (page 50 of the report<sup>2</sup>).

Special Guardian Laura explains, in an article on our website<sup>3</sup>: *I had to take unpaid parental leave in a financially challenging and changing time – 54% of kinship carers will have to take unpaid leave to care*

*for a child who can't live with their parents and many will not be able to return to work – nearly half of the respondents in the Family Rights group's recent survey reported parenting children with disabilities and additional needs.*

*We are surrogate parents as special guardians with parental responsibility for the child until a child reaches 18, But the government and my employer do not recognise the role of a special guardian – and where fathers, mothers and adoptive parents receive paid parental leave, I did not. Laura felt very extremely let down because after battling to get support, she found she wasn't entitled to it because her SGO child was not taken into care and had come straight to her. She describes the last five years as "unmitigated chronic stress".*



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Adopters and special guardians can also find that many employers may not appreciate the need to take time off to care for an older school age child, not imagining how hard it will be for a child to adapt to a new family and possibly relocating to a different part of the country. They might not understand how important it could be for us to be there when the child comes home from school or is struggling because they feel isolated and different from peers.

For mothers and fathers in general (not adopters or special guardians), or people with responsibilities for children with additional needs, flexible working hours is the one thing that would most help working mums to progress their careers -according to a recent survey of 2000 mums and dads. Yet, outside part-time jobs, few have access flexible working hours.

Three government consultations are currently underway in respect of 1) parental leave, 2) neonatal leave and 3) flexibility of working hours, with a closing date of 29th November<sup>4</sup>. It is regrettable

that the Department of Work and Pensions has apparently forgotten about the particular challenges we may face, especially special guardians who have no parental leave, and we encourage all adopters, special guardians and kinship carers to complete these surveys.

We would like to see further surveys developed for us – and with us. We would prefer dialogue to consultation surveys. The more the government can appreciate our very particular stresses and difficulties in respect of our capacity to work, the more productive we can become, and the better life can be for us and our children.

<sup>1</sup><https://campaignforadoptionpermanence.files.wordpress.com/2018/04/special-guardians-and-adopters-together-interim-report-6th-march-2018.pdf>

<sup>2</sup>[https://www.frg.org.uk/images/e-publications/Kinship\\_carers\\_survey\\_analysis.pdf](https://www.frg.org.uk/images/e-publications/Kinship_carers_survey_analysis.pdf)

<sup>3</sup><https://specialguardiansandadopterstogether.com/this-is-child-neglect/>

<sup>4</sup><https://www.gov.uk/government/consultations/good-work-plan-proposals-to-support-families>

*“What’s Attachment?” asked eight-year old Sam. His attachment therapist explained: “It’s when there is an invisible piece of string between your heart and your mum’s”.*

*“Does a child need hugs?” asked Sam. “Scientists have shown that children need at least seven hugs per day to help their brains develop”, explained his attachment therapist. “Who will you get your hugs from?” she asked, looking at Sally, his adoptive mum, who he was not yet allowed to call mum. Sally made sure he had 100 hugs, every night, without fail - they would count them together.*



# Education Focus



Not Going to Plan is a new report, just issued, from the England's Local Government Ombudsman about EHC plans<sup>1</sup>. The report indicates a system in crisis with nearly 90% of complaints being upheld, compared with 57% of all complaints – excluding EHC plans.

The remit of the LGO is solely in regards to the EHC plan process. Investigations cannot look at issues where there is a route to appeal to the Tribunal - for example, a council's decision not to assess a child, or the specific content of an EHC plan.

## Local Government Ombudsman, Michael King says:

*"The problems we saw in 2017 may have been explained by a new system bedding in, which could be expected to improve. But our latest investigations, and the case studies we present here, suggest a system in crisis. They paint a picture of a system beset with serious problems, including:*

*Severe delays – of up to 90 weeks but regularly more than a year.*

*Poor planning and anticipation of needs – such as council areas simply without any specialist provision available to them.*

*Poor communication and preparation for meetings – including regular stories of nonattendance and no, or insufficient, paperwork submitted.*

*Inadequate partnership working – with EHC plans regularly issued without advice from health or social care services.*

*Lack of oversight from senior managers – cases 'drifting' needlessly and attempts to farm out responsibilities to parents.*

*One particularly concerning development over the last two years has been examples we've seen of councils putting up additional barriers to services in efforts to ration scarce resources. While sympathetic to the severe financial constraints which councils tell us they are working under, we can never accept this as an excuse for failing to meet the statutory rights of children".*

Continued..10

### **Here are some useful tips from Special Needs Jungle about EHC Plans<sup>2</sup>**

The legal test for an EHC Plan is as follows:

- (1) A child or young person has special educational needs if he or she has a learning difficulty or disability which calls for special educational provision to be made for him or her.
- (2) A child of compulsory school age or a young person has a learning difficulty or disability if he or she.
  - (a) has a significantly greater difficulty in learning than the majority of others of the same age, or
  - (b) has a disability which prevents or hinders him or her from making use of facilities of a kind generally provided for others of the same age in mainstream schools or mainstream post-16 institutions.

Once the assessment is done, and a plan is agreed, there will be annual reviews affording you an opportunity to consider whether the support is working and whether changes are needed.

### **What happens if you are dissatisfied?**

Parents and guardians who are dissatisfied -due to a refusal to assess for an EHC Needs Assessment, a refusal to issue an EHC plan, or a refusal to increase provision that the parents have requested at an Annual Review - will always be afforded the right to appeal to the SEND Tribunal. An appeal can be made by you directly or you can use a charity or local support service or specialist legal representation to help - whatever your personal circumstances allow.

If you prefer to try and work things out with the local authority Special Needs Jungle offer some helpful pointers, which may also be useful in other situations where you are trying to achieve partnership working and barriers are being put up to your access support

### **Helpful tips to work with the Local Authority to avoid or pre-empt the need for a tribunal**

1. Be clear about what amendments you would like to see.
2. Set time limits for the local authority as your Right of Appeal to the SEND Tribunal runs for two months from the date of the Local Authority's decision letter, or one month from the date of the mediation certificate (whichever is the longer). If you continue to liaise past the two-month deadline (and do not obtain a mediation certificate) and the local authority do not agree to your amendments, you are back to square one (and the potential of waiting another 10 months for a new Right of Appeal).



## Education Focus

3. Make sure that whoever you are meeting with has decision making authority.
4. Prepare your evidence, do not rely on the local authority for this.
5. Consider taking a solicitor or your legal representation to meetings – if you can afford legal help. Getting agreement early on is better for the child than a drawn-out process.
6. Take a friend or supporter with you to meetings to take notes as it may be hard to do this and put your views across at the same time, in what can be quite a pressurised situation. Groups like POTATO (Parents of Traumatised Adopted Teenagers Organisation), are great as members will often come along to support each other and the group is 400 strong now with adopters who have parented children to adulthood, and often after disruption.
7. Be courteous but firm –know the law and be clear on your rights.
8. Be firm in your beliefs about what is required. Remember, no one knows your child's needs better than you.

Finally, if there are issues to discuss that are highly sensitive and cannot be openly discussed (a number of our children have experienced sexual abuse for example, which is best discussed on a need to know basis to protect a child's privacy), we suggest you talk to someone in advance about how the EHC plan meetings and reviews can work best. These meetings can leave our children feeling very exposed – we need to protect them but at the same time ensure their complex needs are thought about – which can present quite a challenge.

Further helpful guidance is also provided by <http://www.ipsea.org.uk> and other education advisers.

### **Post disruption EHC plans**

Members of SG&AT report that worthwhile post disruption EHC plans can be hard to achieve for their child for a parent or guardian. Under a Section 31 Care Order it is very hard for adopters and special guardians to know what is going on.

- Single adoptive mum Kirsty doesn't even know if her daughter, Ellie, who previously had a Statement in primary school has an EHC plan –as it was the foster carers who participated in meetings with school and EHC plans were never once discussed with her. With Ellie recently accommodated in residential care in another authority, Kirsty does not know which virtual head is responsible for her daughter's education.

- Adoptive mum Mandy was not able to achieve an EHC plan for her son Jake whilst he was in care under a Section 31 Care Order. It was only two years after reunification that she managed to achieve a post 18 EHC plan. Jake has not been able to cope with mainstream education since the age of 12 and suffers from social anxiety.

## Education Focus

- Kinship adopters Mohammed and Yasmin found themselves marginalised from the EHC plan process for their son Ali, who was also under a Section 31 Care Order. Making a complaint to the LGO is likely to be a doomed venture after a complaint, which was only partially investigated, was not upheld and a subsequent complaint wasn't investigated because it was thought not likely to succeed.

Mandy has tried to make a complaint on behalf of her son about violations of his rights of a child when he was in care, but the LGO (by coincidence the very same LGO as refused Mohammed and Yasmin's complaint), has refused to investigate it.

We have tried our best to make Mr King aware of the difficulties and pressure it puts parents and guardians under when the LGO refuses to investigate our complaints.

It is vulnerable children and families that must absorb the consequences of the multiple missed opportunities to help, and our children being unable to access education that meets their needs.

<sup>1</sup> <https://www.lgo.org.uk/information-centre/news/2019/oct/a-system-in-crisis-ombudsman-complaints-about-special-educational-needs-at-alarming-level?fbclid=IwAR3xhZT6SKaao4Mk4tKADt9FzpTfyVNZWwP3Jt5nTaqHIWcqPONdzqlv5Us>

<sup>2</sup> [https://www.specialneedsjungle.com/turned-down-for-an-ehc-assessment-read-our-next-steps/?utm\\_source&fbclid=IwAR0jLFAhIMZ7iSm5E1EiX1iUJFIr3hl6\\_7kJ3HQRf2k36CEmYBDlax7WWAY](https://www.specialneedsjungle.com/turned-down-for-an-ehc-assessment-read-our-next-steps/?utm_source&fbclid=IwAR0jLFAhIMZ7iSm5E1EiX1iUJFIr3hl6_7kJ3HQRf2k36CEmYBDlax7WWAY)

### Can you help us with fundraising?

One area we have very limited expertise in is fundraising. We need help.

If you can help us please get in touch. Our email is <mailto:sgandadopterstogether@gmail.com>

We would be very grateful for any donations you can afford to be made via our Just Giving Page for the Beyond Disruption Project. We would like to learn more about helping children cope with separation from their families – when this will be a second separation. This is a heart-wrenching situation for all involved and we would like to be there as much as possible for the children we love and cherish – wherever they may live.

[https://www.justgiving.com/crowdfunding/beyonddisruption?utm\\_term=9n9ppa2By](https://www.justgiving.com/crowdfunding/beyonddisruption?utm_term=9n9ppa2By)

### What makes you proud of your special guardianship or adopted child?



When we asked members of the POTATO (Parents of Traumatized and Adopted Teenagers Organisation) and SG&AT to give us examples of what made them proud we had a wide range of responses – from everyday things like brushing teeth and coping with school to managing to cope with powerful emotions, getting teenage drinking under control or managing to stay out of prison. Here are some of their responses:

*I am proud of my daughter for staying in school and trying to carry on with her GCSEs despite suffering with chronic pain everyday which has been directly caused by the trauma she suffered as a young child.*

*I am proud of my youngest daughter who can now tell me when she is feeling overwhelmed with anxiety and fear as she trusts I will help her to deal with it. Her response before she learnt to trust me would of been her physically lashing out at us to keep us away.*

*I am proud of my daughter for being caring and for being good company despite everything. And my son has finally overcome his fear of trying (in case he fails), and has now got into the Royal Marines.*

*I am proud my son has a job and is not in prison, which a few years ago was pretty likely. I am proud my daughter got out of long- term domestic abuse and is surviving as a single parent with her own high moral standards.*

*I am proud of my daughter for getting out of bed each morning when this is a hard choice to make with how she feels.*

*I am so proud of my son for overcoming massive social anxiety to go to art college.*

A special guardian wrote to tell us about her child managing to get back into mainstream provision, which has had such a positive impact on his identity and sense of self:

*My nephew, to whom I am a special guardian for four years been at a specialist provision.*

*Due to trauma from his past, his poorly formed neural pathways , constantly firing fight/flight brain and resultant defensive, fearful, behaviours it was impossible for him to access a deeper educational learning. Trauma was running the show. No new information would be retained , learned or understood because the trickery of trauma meant his brain was not wired for learning but for fear , pain and survival.*

*By learning and applying Therapeutic Parenting, with a large dose of compassion, understanding, patience, massive effort - and willingness on his part, with many bumps, tears, panics, frustrations and fears on the journey, he has now been able to fully access mainstream provision once more.*

*It is rare that a child will move from specialist provision to mainstream. But he has done it!*

*He is still a child of trauma, this will be lifelong, but with Therapeutic Parenting, and time, care love and attention, he has thrived, not just survived.*

We would like to have a regular feature when parents and guardians can share their stories of our children's courage and successes. Please send in your stories to

<mailto:sgandadopterstogether@gmail.com>



# Research Focus

Since our last newsletter several important reports have come out about special guardianship. The Nuffield FJO (Family Justice Observatory) has produced some helpful reports, which can be accessed on their website. There are now more than 21k children where care proceedings have concluded with the making of an SGO (Special Guardianship Order).



We have spoken with Karen Broadhurst and Lisa Harkin of the Nuffield FJO and we are hopeful that SG&AT might be used as a resource in future, able to contribute, as stakeholders, to future research that is undertaken and to its development.

It was abundantly clear to the SG&AT membership that the child's journey into special guardianship does not see their carers as well prepared and supported as adopted children's parents will be. When a child is matched with an adoptive parent a panel, which includes experts by experience, takes time to consider the support that is to be offered to the new parents and family. Decisions are given great consideration by a large number of people, including professionals with experience of adoptions. Our own research suggests that issues of trust and confidence, which are so important for any

helping intervention relationship to succeed, are problematic after court and when resources are rationed; when there is no statutory requirement to provide help (as with Lack of LAC), and when there is poor infrastructure for support provision.

The key messages from the Nuffield FJO SGO research (from page 18 of the summary report<sup>1</sup>), were that the majority of SGO children fared well; SGO children fared better than looked after children at key stages 2 and 4 of education; carers who were better prepared had better outcomes, and that many carers report inadequate preparation and support for their role, which is life changing – particularly in the area of managing what can be emotionally difficult contact with birth parents. No interventions have been developed for special guardianship children and there are many areas where further research is required to better understand the impact of this order and the legislation surrounding it.

## Research Focus

What does it mean, for example, that higher rates of disruption (as measured by returns to court up till five years after the granting of the SGO), are associated with the making of a Supervision Order, which is meant to protect and support the child/family? We feel our experiences of trying to achieve partnership working with local authorities and bring a multi-disciplinary team together to consider how to support a vulnerable child, might be able to shed some light on why this order is not necessarily helping after what may have been extremely difficult and adversarial court proceedings prior to the SGO being granted.

<sup>1</sup> <https://www.nuffieldfjo.org.uk/app/nuffield/files-module/local/documents/NuffieldFJO-Special-Guardianship-190731-WEB-final.pdf>

### Child trafficking and county lines

Adopter Sally Donovan's recent Guardian article on child trafficking and slavery<sup>1</sup> should be a wake-up call to government about the vulnerabilities of our children to exploitation, particularly when they live miles away from us after re-entering care, and we cannot protect them. "This isn't a bit of small-town drug dealing, it's The Wire, with fewer police", says Sally, "and £20 billion won't stop it".

The number of potential victims who are UK Nationals, and who are often children, has grown from around 600 in 2016 to over 1600 in 2018<sup>2</sup>. The percentage has also increased – with nearly a quarter of all slaves being UK nationals. These figures are likely to be underestimates and the true scale of the problem is likely to be much greater. Austerity measures and spending cuts have had a devastating impact on our lives and the BBC's Sangita Mysta explores the scale of modern slavery in Britain where county lines and child sexual exploitation are both discussed<sup>3</sup>.

We will look at adopter's experiences of their children being groomed and exploited in our next issue of SG&AT News.

<sup>1</sup> <https://www.theguardian.com/commentisfree/2019/oct/04/child-slavery-county-lines-criminals-provincial-towns>

<sup>2</sup> <https://www.bbc.co.uk/news/uk-49508981>

<sup>3</sup> <https://www.bbc.co.uk/sounds/play/m00081ss>

# Section 20

## Use of Section 20 for respite in adoption and special guardianship

Workload and pressure for the judiciary and all professionals involved in family law proceedings is described as 'remorseless and relentless' with the Honourable Mr Justice Keenan being asked by the President of the Family Division to chair a Working Group on Public Law. Stakeholders were invited to comment on Interim Report of 57 Core recommendations and 16 long-term changes in a consultation process that closed at the end of September.

A Guide to Good Practice: a guide for accommodation of children under Section 20 is presented at Appendix H of the Interim Report. It is difficult for us to see how this guide, which explains it is appropriate to use Section 20 for respite provision, tallies with the Selwyn Report's recommendation (see page 289), for Section 20 legislation to be examined in adoption: *"Examine legislation and guidance to ensure that respite care can be provided without making the child 'looked after'."*

Without respite, our health and wellbeing suffers, as it is very hard on us to live with the consequences of early life trauma, which can have such a significant impact on family life. But getting a break may mean our children's sense of permanence is undermined if it is necessary for them to become looked after.

No guidance exists for the support of traumatised adopted or special guardianship children in care or for their reunification with safe nurturing parents and guardians. Successful reunifications after a Section 20 respite break appear to be unusual and rarely achieved. SG&AT believe that such guidance is **urgently needed** about supporting children and families where children cannot safely live within the family home through no fault of the parents or child, alongside the use of Section 20.

We would welcome the opportunity to contribute to the Working Group as we can provide many examples of Section 20 respite leading to court proceedings and our children being permanently separated from us – whilst not receiving the help we hoped they would get during their childhood and adolescence to help them heal.



## Special Guardianship and Adoption News

### **Case Study – Refusing a Section 20 Care Order**

*Adoptive mum Alice reported to the head of safeguarding and deputy Director of Children's Services that her 12-year-old son Lucas who was refusing school had attempted suicide. Alice wanted Lucas, who was under CAMHS, to receive a psychiatric assessment and for Lucas (he already received Disability Living Allowance), to become a Child in Need so that she could access respite without the need for a Section 20 Care Order.*

*The local authority asked the police to issue an EPO (Emergency Protection Order), when a Section 20 was refused. They would not accommodate Lucas as a Child In Need. A Carer's Assessment for Alice was also refused. The EPO said that Alice was mentally abusing Lucas. When Alice got to court, she was confronted with false allegations that she was mentally ill and abusing substances.*

*Alice had worked as a therapist in a drug and alcohol project for ten years before adopting and had no record of mental illness. It was five months before Lucas could come home. The Judge, taking a dim view of Alice's refusal of Section 20 and her preference for a Family Assistance Order over a Supervision Order, considered that the threshold was met*

*for a Care Order due to Lucas refusing school in Alice's care. Lucas was reunified but under Placement with Parents regulations.*

*The next time Alice reported a problem Lucas was removed. Lucas never went back to school in care and sunk into a deep depression. He self-harmed frequently. Alice had three meetings with senior managers to try and find a way forwards – they gave her no alternative but court. There was no partnership-working with Alice under the Section 31 Care Order. The Care Order was finally discharged three years later, when Lucas was allowed his own solicitor to represent his views and explain his wishes and feelings to the court.*

Assessments of our children, and us as parents/guardians, need to be undertaken with great care and only undertaken by professionals with specialist adoption/special guardianship knowledge and expertise. This is crucially important for court proceedings. They should properly involve the child and parents/guardians – being assessed together, and recognise that a child's attachment trauma may have an impact on how a child relates to us, especially when separated from us.

### *A poem by Janet*

*(an adoptive mother)*

*Was it ever right that I tried to be  
your mummy?  
How could you accept that when I  
wasn't 'tummy mummy'?  
She made you and she bore you,  
and she loved you from the start,  
She just didn't have the  
wherewithal to keep you in her  
heart.*

*I wanted to replace her  
And give you all I could,  
I wanted you to be secure  
And make your life feel good.*

*We took you in our family  
A daughter and a sister,  
We loved you and we cherished you  
But still you really missed her.*

*No love nor understanding  
Could take away your pain,  
No therapy nor counselling  
Could make us both feel sane.*

*We battled and we struggled*

*And I tried to keep you near,  
But it wasn't really possible  
Because of all the fear. It all went  
wrong, we asked for help  
But no one really cared,*

*Or maybe they just didn't see  
We both were really scared.*

*I let you down, I should have  
had  
The strength to battle on.  
I never will forgive myself  
Now that our chance is gone.*

*But even now, there is a bond  
Of that I feel quite sure  
I only hope you feel it too  
And leave ajar the door*

