



Decoding #ImmediatePlacements

Sep 26, 2016 became a red letter day in the history of adoptions in India. On this day, Central Adoption Resource Agency (CARA), the apex policy making body on adoptions in India introduced a new category of children for Prospective Adoptive Parents (PAPs, as they are called), to adopt a child– without compromising seniority in the registration or adding to their long wait. This new category is called #ImmediatePlacement category of children, where any PAP, irrespective of their seniority, can opt for a child from this category, on First Come First Serve basis – without any wait – and can take home the child after completing due procedures.

So what exactly is this #ImmediatePlacement category? Given that there is almost an year long wait to adopt a child in India, where is the catch? Is it a premium service for the rich and mighty? A shortcut to bypass the legal process that would otherwise take months to complete? Or as someone asked – a Tatkal scheme? Far from it. We need to understand the Indian adoption scenario before we can appreciate the efforts behind and the far reaching impact of #ImmediatePlacement.

Adoption in India is closely linked to childlessness. So much so that the adoption laws too were largely influenced by this doctrine of **need of the parent**. Until a few years back, only Hindus could adopt legally under the Hindu Adoptions and Maintenance Act, 1956 (HAMA). Non-Hindus such as Muslims, Jews, Parsis, Christians could only take guardianship of a child under the Guradian and Wards Act, 1890 (GWA). There is world of a difference between adoption and guardianship, but that is a separate discussion. It will suffice to mention here that the parent centric regulatory environment created indelible biases in the adoption process. Till date, adoption in India attempts to find a child for PAPs (mostly childless) – and not finding parents for a child. This is evident from the registration of parents for adoption, and finding (read *matching*) children for them. Any child centric system would register children and find **suitable** parents for them. The bias continues with parents being offered multiple chances to finally agree on the child they wish to adopt, and

there are umpteen stories of parenting opting for a fair, healthy, gender specific child – sometimes even asking for a child from a given caste or region!

A milestone was achieved with the passing of the Juvenile Justice Act, 2000 (JJ Act) that allowed parents of any faith to legally adopt a child. But the JJ Act was not designed to support adoptions and has undergone multiple iterations in crafting adoption friendly legislation. It continues to evolve as we speak, the latest 2016 guidelines expected anytime –that will further safeguard the interests of the child.

Notwithstanding the progression of the JJ Act, anomalies continue to exist on ground, with several children missing a family due to whims & fancies of the ill-informed, unprepared and often misguided parents. A perfectly healthy child who may retain a post-surgery scar on the face, or a child that has a less-than-perfect ear lobe, or a child with a remedial medical condition that does not pose any health risk are “rejected” by PAPs because most PAPs seek a perfectly healthy and normal child. Then there are children who tested HIV (false) positive initially, and have subsequently (& repeatedly) tested HIV Negative – but the stigma remains and the PAPs stay away from such referrals. There have even been cases of under nourished children “rejected” by PAPs merely because of their looks and weak condition – which would dramatically improve in the loving and caring environment of a family.

All these children, who couldn't find a home, continued to languish in the child care institutions. The sooner a child got “rejected” the “certain” was its fate to remain in the institution, for the word of mouth ensured that PAPs did not accept the child. Before the current CARINGS platform was launched by CARA many institutions wielded discretion over which child to be presented to which parents, and which children to be filtered out. Such children, when “rejected” below two years of age, soon crossed the two-year mark, and their chances of finding a family dropped by 80%, as 80% of PAPs want a child below 2 years of age. Such children would then no longer even show on the radar for 80% of the PAPs, and fade into oblivion – never ever to find a family! They became children at risk. At risk of disease, abuse, racism and even death. CARINGS ushered in a lot of transparency and made it difficult for adoption agencies to perpetrate such invisible pools of children. Now that this pool became visible, a change in statute was just waiting to happen.

Two years ago, an adoptive parent from the newly founded Families of Joy Foundation approached CARA and advised them to identify the group of children at risk and carve out a dedicated process to fast track their placement into families – in a truly child centric approach towards adoption. The usual process could do little to resolve their plight, as it continued to serve parents seeking healthy and normal children. There was even a process (however weak and ineffective) to seek parents for children with special needs, but there

simply was no process to RE-DISCOVER THE PARENTS for the set of healthy and normal children, once labelled as “unfit”(sic). There was simply no second chance.

These are perfectly healthy children, who would have had a medical condition at some point in time – but either their condition has resolved, or an appropriate family can be discovered who can support their need – we just don’t need to give up! That a batch of parents didn’t accept them while they were young or while they manifested the medical condition does not mean that nobody will accept them *for life*. We need to re-present them – re assess their health profile and re-seek parents who will decide based on reason, than hearsay. Re-seek parents, re-seek parents and re-seek parents until the last of the child is placed.

It took years of deliberation, multiple rounds of discussions and incessant advocacy for this marginalized group of children. There were plenty of naysayers. There were people who believed that no matter how hard one pushed, “Indian” parents will never settle for anything less than a perfect normal child. So why even try? After all, tweaking the process requires making efforts in all directions. The pursuit was challenging, but worth every breath spent on it. And finally our children won. They got a chance. They got a voice in getting the attention of parents *they* deserved – away from the bulk of parents to whom they had to prove! And the #ImmediatePlacement category of children was born. Much credit needs to be given to the current dispensation at the helm of affairs in the Government for being responsive to the debate.

It is a category of children who have not been placed into a family, despite multiple referrals, for insane reasons. It is a category of children waiting to go home. It is a category where parents do not have to wait. It is a category that lends a fresh perspective to adoption. It is a category where parents do not lose their seniority in the original waitlist, should they realize that they cannot support the child’s need. It is a category where the child comes first. It is a category of justice. It is a category of hope.

Till now, we were only fulfilling the needs of the parents. Now we have taken the first step in fulfilling the need of the child. For, among the 10,000 odd parents chasing 1000 odd children available for adoption in India, there sure will be some who will turn to a child from the #ImmediatePlacement category, and say I LOVE YOU – LET’S GO HOME!

And turn did they! Half of the children listed on Day 01 – on Sep 26, 2016 under this category – were lapped up by parents on Day 01 itself. For the first time, *the children found their parents!* Welcome to the new paradigm.

Welcome home the child who has waited long enough – so that you don’t have to.