

# Adoption from care in Spain

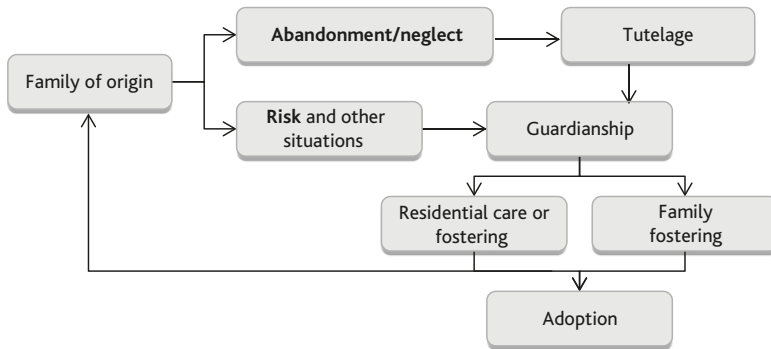
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## Introduction

In the late 1980s, newly democratic Spain needed to radically transform mechanisms and institutions inherited from Franco's dictatorship, which were imbued with a paternalistic philosophy (Ferrandis Torres, 2018). A series of bold legal reforms saw the definitive take-off of children as a group with their own characteristics and needs, and requiring special protection. Following on from the Spanish Constitution of 1978 and the Law 1/1987 (11 November), which modified the Civil Code and the Law of Civil Procedure in matters of adoption, the Law 1/1996 (15 January) as amended by Law 26/2015 and Organic Law 8/2015 (22 July) legislated for the protection of children and adolescents, including those who might be adopted (Figure 10.1). In summary, within the framework established by the Constitution of 1978, the 17 autonomous communities and two autonomous cities (Ceuta and Melilla) have delegated responsibility for the protection of minors, including in matters of adoption.

All adoptions in Spain require a judicial decision, which gives full and irrevocable status to the adopters and adoptees, and ends all existing ties with the biological family. This chapter examines social policy, legislation, assessment and decision-making processes for the adoption of children from state care. It considers system reforms over the last decade, and notes that legislative reform in 2015 opens the way for a greater number of children to be eligible for adoption from the care system. This reform requires that children be heard and introduces the possibility that adopted children may continue to be in contact with their family of origin, provided that this is in the child's best interest. Due to the high level of delegation of responsibility for care and adoption services, some detailed references are to the Madrid autonomous community (with 6,778,000 inhabitants, of which 1,256,000 are minors under 18 years old). Provisions in other parts

**Figure 10.1:** A simplified sequence of the most significant processes that have shaped the child protection system according to Law 1/1996, Law 26/2015 and Organic Law 8/2015



Source: Observatory for Childhood (2017) and Ministry of Health, Social Services and Equality (2017)

of the country are similar, and where available, data are provided for the whole of Spain.

## Adoption from care in legislation and guidelines

The framework for adoption in Spain follows the United Nations Convention on the Rights of the Child (CRC) (ratified by Spain in 1990), the European Charter of the Rights of the Child (adopted by the European Parliament in 1990) and the 1993 Hague Convention on International Adoption. Spain was the first country to ratify this convention in 1995, followed by the majority of Western countries in 1995. The Strasbourg European Adoption Agreement of 27 November 2008 completes the international legal framework for adoptions in Spain.

Article 39 of the 1978 Constitution requires the regional governments to ensure the social, economic and legal protection of the family, and, together with the 1987 reform of the Spanish Civil Code, can be said to have ‘de-judicialised’ the child protection system. It delegated the protection of minors, including responsibility for providing an adoption service (previously carried out by notaries or through charity organisations), to the autonomous communities:

After presumable abuses committed in the previous decades, the constitutional Spain turned the adoption into a public monopoly and armored against the hateful traffic of

children. This reform ended the negotiation of adoption as a business act between individuals that allowed the delivery of children by agreement between biological parents and adopters. (Ferrandis Torres, 2017: 2)

This legislation introduced two fundamental principles on which adoption is based. On the one hand, adoption results in the adopted child being fully integrated within the adoptive family. On the other hand, the role of public bodies with responsibility for child protection was enhanced and adoption from care was recognised as a child protection measure that provides a legal family to children who cannot remain with their family of origin.

Following on from the 1987 reform, a review of child and adolescent protection services was carried out, resulting in an amendment to Law 1/1996, known as Legal Protection of the Minor, which resulted in a partial modification of the Civil Code and Civil Procedure Law. It introduced the requirement for the suitability of adopters to be approved by the public bodies, and it also regulated international adoption (Callejo, 2017).

Law 26/2015 made further detailed requirements for the assessment of the suitability of adopters. It also created the legal status of 'guardian' specifically for the purposes of adoption in order to avoid the child having to be in public care prior to the public bodies applying to the judge for an adoption to be formalised. During this period, the parents retain their parental rights and the 'guardian' decides with the child protection system where the child will be placed.

This law also introduced the new concept of 'open adoptions'. Although the adoption order extinguishes the legal links between the adoptee and the family of origin, through open adoption provisions, the adoptee may maintain a relationship with members of the original family through visits or other means of communication. An open adoption may be agreed by the judge when this is proposed by the public bodies following a professional assessment that this is in the interest of the child, and with the consent of the adoptive parents and the child who has sufficient maturity and is at least 12 years old. While 'under guardianship', the professionals employed by the public bodies must provide support to the parties, monitor relationships within the adoptive family and report on the stability of the placement, prioritising the well-being of the child ahead of the interests of the adopters and family of origin.

By issuing Organic Law 8/2015, Spain satisfied the CRC request to ensure that children's rights to protection were standardised across the

different autonomous communities. This legislation also reinforced the 'best interests of the child' as a guiding principle of child protection procedures. The legislators in 2015 also emphasised the importance of evaluation for purposes of public accountability, further opening up access for researchers (see later).

Each autonomous community has the discretion to enact its own laws, based on but adapting the national regulations. For example, the Community of Madrid enacted Law 6/1995 of Guarantee of the Right of Infants and Adolescents.<sup>1</sup> In the Community of Madrid, the body responsible for adoption is the General Directorate of the Family and the Minor of the Ministry of Social and Family Policies. However, the possibility of variability between autonomous communities does not substantially change child protection services in Spain as a whole, and since 2015, efforts have been directed at the convergence of autonomous laws and interventions. In this chapter, we will focus in detail on the Autonomous Community of Madrid as an example of how adoption works in the rest of the country.

## **The rights of children and parents in adoption from care**

As noted earlier, children's rights are guaranteed in law but interventions are also governed by guarantees on the rights of parents, who can appeal decisions of the removal of parental rights at very little cost and within an extended time frame. The Supreme Court has regard to these guarantees for parental rights, as demonstrated in several judgments stating that the removal of parental rights should be used restrictively, not as a punishment to the parent who fails to fulfil their duties, but for the benefit and interest of the child. If deprivation of parental rights does not result in benefit to the child, it should not be agreed (on the removal of parental rights, see, for example, Supreme Court Judgments of 16 February 2012, EDJ 2012/19020<sup>2</sup>).

However, recent decisions of the executive branch have challenged this legal position. Specifically, the government approved decree-law 9/2018<sup>3</sup> to introduce 'urgent measures' against gender violence. This decree-law modifies Article 156 of the Civil Code with a new article:

when there is a conviction or simply when a criminal proceeding has been initiated against one of the parents for attempting against the life, physical integrity, liberty, moral integrity or sexual freedom and indemnity of the minor sons and daughters, or for attempting against the other parent,

the latter's consent will be sufficient for the psychological care and assistance of minor children.

The convicted or suspected parent is deprived of their decision-making capacity with respect to children and will only have the right to be informed; their consent is considered not to be required, though they have the right to appeal to the judge. According to this, a social services report is sufficient to confer the condition of 'victim of gender violence'.

## **Decision-making on adoptions**

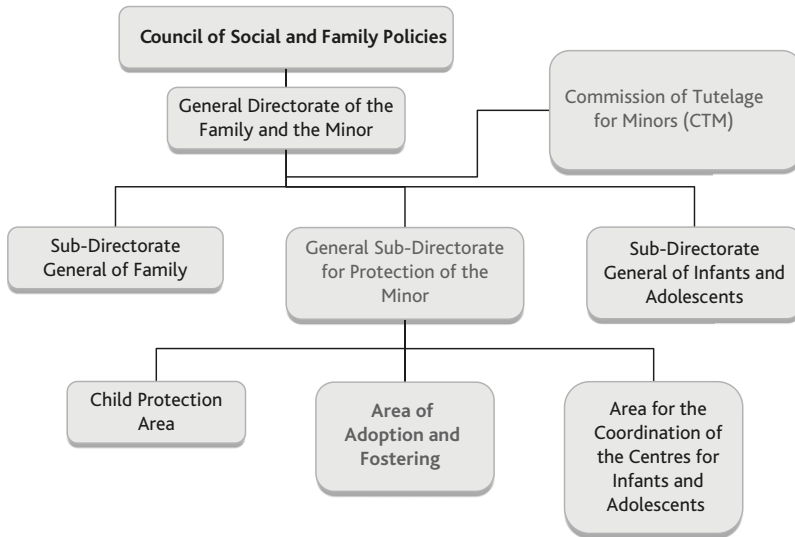
Children who are considered for adoption in the Community of Madrid will be in one of the following groupings (General Directorate of the Family and the Minor<sup>4</sup>):

- young children whose biological mother, because of adverse circumstances that prevent her from taking care of her child, freely and voluntarily decides that her child be placed under the guardianship of the Community of Madrid prior to being adopted;
- children who are abandoned shortly after birth in the hospital, without the mother having formally requested adoption;
- any other children abandoned without identifying information;
- children removed from their family because of abuse or neglect whose guardianship is then taken over by the Community of Madrid and for whom there is no plan for return to their original family; and
- children living in childcare centres, with a legal decision taken that there is no possibility for them to return to their family.

### ***The decision-making process***

The Child Protection Service (CPS) is responsible for the adoption process and services, and makes the adoption application to court through the Commission of Tutelage for Minors (CTM) – a seven-member collegiate body and the highest child protection decision-making body in the autonomous region of Madrid. Two members of the CTM are the heads of the Division for Adoption and Fostering and the General Deputy of the Sub-Directorate for Protection of the Minor (these two are civil servants and co-authors of this chapter). Both the Division for Adoption and Fostering and the General Sub-Directorate are units of the General Directorate of the Family and

**Figure 10.2:** General Directorate of the Family and the Minor in the Community of Madrid



the Minor (whose chief is a political appointment of the autonomous community government) (see [Figure 10.2](#)).

Prospective adopters have to obtain a prior declaration of suitability by applying to the relevant CPS. Although adoptions generally require the consent of the birth parents, the law provides for cases where parents are unable to consent or whose consent is dispensed with. Before the adoption process can start, the CPS must remove parental rights through an *abandonment* declaration. This may occur for different reasons: (1) when parents fail to recognise the problem; (2) when they deny the negative influence of current circumstances on the child; (3) when they reject support measures; (4) when they fail to meet the child's needs; or (5) when there is an endangerment situation for the child. The CPS workers meet individually with each party before presenting reports and recommendations for the CTM to decide on the removal of parental rights for the purpose of adoption. Parents, as well as the public prosecutor for minors, are notified of the decision. Parents have the right to appeal against the removal of their parental rights to the family court for up to two years, after which the child will either be adopted or will be in the guardianship of the state.

Following the 'declaration of abandonment', the process from child removal to legal adoption can be lengthy, especially in cases of involuntary placement. During this period, the CPS delegates custody 'for the purpose of adoption' to a childcare centre or foster family

until the judicial decision of adoption is issued. The guardian may agree to the child being placed as a foster child with the prospective adopters. Within three months of the CTM decision, the CPS sends the complete file along with a proposal to the family court to initiate adoption proceedings, which proceed even though the parents have a two-year appeal period.

Final adoption decisions are court orders issued by a judge following separate hearings with the adopting parents and the child over 12 years old, or younger if sufficiently mature. Children are heard in safe and private conditions. Although it is not mandatory to hear biological parents who have lost their parental rights, in practice, the judge usually gives them a hearing. The judge can commission any additional expert evidence required before issuing a court order ratifying or dismissing the CPS proposal for adoption. If the proposal is dismissed, the child will remain in foster care or in a childcare centre.

Adoption appeals are made to the family court in the first instance and to the region's court in the second instance. An appeal may be made on all grounds, and the case will be heard by four or five judges at second instance. In general, observers (including researchers and the media) are not allowed during the proceedings, but an access permit may be requested from the General Council of Judges stating the importance of that observer being present. The written decision is sent to the parents, the adoptive parents, the public prosecutor and the CPS but is not publicly available.

All case files, including those from the CPS and the final adoption decision from the court, are stored by both the regional CPS and the family court. Before 2015, it was difficult to access these decisions on the grounds of children's privacy but, as noted earlier, this has been relaxed to allow for researcher access. From 2015, there is no requirement for parental agreement to adoption if two years have passed without a parent taking steps to revoke the CPS declaration of neglect. Also, with respect to newborn infants, the mother's consent may not be given until six weeks have elapsed from delivery. The length of the adoption process is greatly reduced for consensual newborn adoptions, where the process may take only six weeks. This could be seen from various angles as a measure of protection more for women than for babies, since at the point when parental rights are given up, the 'abandonment' has not been legally certified, something that is necessary to start the adoption process. On the other hand, it could also constitute an act of protection of the minor, since being a mother who does not initially wish to be a mother increases the possibility of parental failure.

## *The roles of different parties and service providers*

### *The adoptive parents*

Prospective adoptive parents must follow a complex path before achieving adoption. This path has the following steps:<sup>5</sup>

1. *Submit the application and attend an information meeting.* When more adopters are needed in the Community of Madrid, a time-limited public call is made by order of the Council of Social and Family Policies. However, because of the difficulty of placing children with special needs due to illness and/or disability, there is no deadline for submitting applications to adopt. Any offers that imply prejudice on the part of the applicants based on sex, race, ethnicity or other circumstances of the children to be adopted are not accepted (Law 6/1995 of March 28 on Guarantees of the Rights of Children and Adolescents). The applicants are then invited to an information meeting in strict order of entry onto the register of potential adopters.
2. *Training course.* Applicants are required to attend mandatory training organised by the public body or by an approved collaborating agency (Art 176 Civil Code).
3. *Psychosocial study.* The psychosocial study builds on the information from at least three interviews with professionals from the specialist adoption team and a home visit. If necessary, additional information may be requested. The CPS then submits a report to the Child Custody Commission, which may accept or reject the application to adopt. If accepted, the proposed adoption will be entered in the Family Registry for Adoption as an 'accepted offer'.
4. *Guardian delegation for adoption purposes.* Once a child is matched with an adoptive family, the Child Custody Commission will delegate guardianship (usually to the prospective family) until the judicial hearing, when all the parties to the adoption can be heard. Parents who are deprived of parental rights will be notified of this decision. The prospective adopters have the same rights and obligations as foster family members. However, those actions that exceed the scope of everyday life (such as surgical operation) must be authorised by the Child Custody Commission.
5. *Judicial process.* For adoptions from care, the judicial process takes place while the child is already placed with the prospective adopters. The adoption proposal is submitted to the judge by the General Directorate for the Family and the Minor (see [Figure 10.2](#)) in the

shortest time possible and, in any case, within three months from the day on which the guardian delegation has been agreed.

6. *Monitoring.* During the period in which the judicial procedure is carried out and until the adoption order is made, caseworkers of the General Directorate will carry out follow-up checks in order to assess the child's adaptation to the family.

### ***The child***

Since 2015, the best interest of the child must always be evaluated by child welfare professionals and lawyers, as well as by institutions (whether public or private), courts and legislative bodies. Key requirements in the protection of minors in Spain are: first, that when making a decision about a minor, their best interest has been previously evaluated; second, as a general principle, when different interpretations of a rule arise, the one that reflects the best interests of the child will always be chosen; and, third, a procedural rule is that if the procedure stipulated for each case is not followed, the best interest of the child is likely to be prejudiced and an appeal to court will occur (see Moreno Torres, 2015). Consequently, the measures adopted must be in the child's best interest, regardless of what is requested by the parties. As part of each decision, resolution or technical report, professionals and decision-makers must specify the criteria and values that have been considered.

However, finding an agreed way of acting upon these principles is one of the most complex tasks judges face, and although they are included in legislation, a uniform process for their implementation is missing. With the enactment of the (national) 2015 laws, the understanding and application of the principle has been standardised in order to reconcile the persistent differences in practice in each autonomous community. However, even today, the criteria and elements established for this concept are broad and their formulation still leaves a gap for interpretation.

Prior to 2015, adoption ended all pre-existing links with the biological family and created new ones with the adoptive family. However, the 2015 laws raise the new possibility of 'open adoption'. According to the legislation, the best interest of the child and respect for their rights must be prioritised and must take precedence over the wishes of the prospective adoptive parents in any case of conflict. The child's participation is one way to ensure this. Children aged 12 or over (and younger if considered sufficiently mature) must consent

to adoption, and to obtain that consent, the child must be heard. However, the processes for ensuring that children are fully informed have sometimes proved to be weak (Balsell et al, 2017), and while children must be heard, their opinion is not binding. Although open adoption is now possible, there are few cases to date where this has been agreed by the courts. In part, this is because, in most cases, by the time an adoption order is applied for, there are no longer links of any significance between the parent(s) and the child.

### **Children in care in Spain and adoption from care: numbers and profiles**

The Observatory of Infancy, associated with the Ministry of Health, Social Services and Equality, provides data and has published 21 ‘Bulletins of statistics of child protection’ to date, in which data about the number of adoptions in Spain from 2010 onwards can be found (Bulletin no. 13<sup>6</sup>). Table 10.1 shows that rates in public out-of-home care (377 per 100,000 in 2015 and 426 per 100,000 in 2017) are going up but still low compared to most European countries. Also of note is that a considerably higher proportion is in kinship foster care than in most ‘high-income’ countries. Figures for 2017 show that around 40 per cent were in residential care provision and around 30 per cent were in foster family care. What is strikingly different from most of the countries described in this volume is the high proportion of foster care placements that are kinship foster placements (around 70 per cent of foster care placements and 35 per cent of all placements in care), with only around 20 per cent of all in-care placements with non-related foster carers. This comes as no surprise since Spain is a ‘familist’ country where the ‘blood tie’ is given importance. Relatives tend to stay closely connected and feel that they are bound to take care of a child that ‘belongs’ to the family. Therefore, for the CPS, it is a priority to place the child with relatives. This is relevant to the understanding of adoptions from care in Spain since, as with most countries in Europe but unlike the US, adoption by kin (other than by step-parents) is unusual.

Foster care in Spain has not had as high a profile in political and professional thinking as in some other countries, and awareness and knowledge about the need for family placement is still not widespread in the general population. For example, in contrast to the position in most Western countries, there is no funding to support foster families, which greatly discourages this alternative to residential care, and it is not an important part of the culture and training of children’s services professionals.

**Table 10.1:** Numbers and rates per 100,000 children (from 0 to 17 years old) in public out-of-home care and placements in care in Spain

		2010	2015	2016	2017	2018
Children adopted from care	Numbers	793	553	588	680	639
	Rate	10.2	6.8	7.1	8.2	7.7
Children in care at year end (number and rate per 100,000 children)			30,677 (377)	31,913	34,744 (426)	
In residential care/care centre <sup>a</sup> (number and % of all in care)			13,596 (40%)		17,527 (44%)	
In kinship foster care (number and % of all in care)			12,851 (38%)		12,748 (35%)	
In non-relative foster care (number and % of all in care)			7,321 (22%)		6,256 (17%)	

Note: <sup>a</sup> The totals for placements are slightly higher than for those in care as a small number under assessment are included.

Source: Boletín de datos estadísticos de medidas de protección a la infancia. Bulletin number 20. Report, Studies and Research 2018. Ministerio de Derechos Sociales y Agenda 2030 (last updated June 2020). Available at: [https://observatoriodelainfancia.vpsocial.gob.es/productos/pdf/Boletin\\_Proteccion\\_21\\_Accesible.pdf](https://observatoriodelainfancia.vpsocial.gob.es/productos/pdf/Boletin_Proteccion_21_Accesible.pdf) (accessed 16 December 2020)

Research teams in Spain are internationally recognised in the field of adoption. (on the dynamics of the adoptive family, see, for example, Palacios and Sanchez-Sandoval, 2006). Studies on the effects that the adoption process has had on children from the physical point of view are those of Oliván (2007), Truchis and Focaud (2010) and Callejón-Poo et al (2012), while León et al (2018) study adoptive parents' health. However, Castón Boyer and Ocón Domingo (2002) comments that there is a shortage of research that explores the 'phenomenon' of adoption and its relationship and location in past and present Spanish society (what some authors refer to as the sociology of Spanish adoption). With respect to residential care, del Valle et al (2008) have reported on long-term outcomes and del Valle and Bravo (2013) report on a comparative study of child placement alternatives. Until fairly recently, there has been little outcome research on foster care, but an important exception is the study of transitions to adulthood from kinship foster care of del Valle et al (2011). Through the 2015 legislation, the Autonomous Community of Madrid leads the way in allowing researcher access to adoption files, and this increased openness is an important step in facilitating research on child welfare decision-making and practice.

Table 10.1 shows that numbers adopted from care in Spain went down between 2010 and 2011 but then remained broadly constant at a rate of less than 1 per 100,000 children. The data show no differences with respect to sex and that, usually, 50 per cent of the total adoptions in a year are of children aged under three years, 35 per cent are aged between four and ten years, and the others are aged from 11 to 17 years. Finally, we should note that the CPS reports substantial difficulties in placing for adoption children with disabilities or sibling groups (Ferrandis Torres, 2018). In the Community of Madrid, with an approximate population of 6.5 million inhabitants and about 60,000 births per year, during the last decade, the number of babies placed for adoption was around 40 and went down from 46 in 2013 to 39 in 2017 (Ferrandis Torres, 2017).

### **The position and perceptions of adoption from care in Spain**

From Law 21/1987 onwards, the legalisation of adoption was entrusted solely to public bodies, with the overarching proviso that adoption should be a measure not to be used frequently due to its drastic nature in definitively extinguishing ties with the family of origin. As far as possible, the CPS should provide support for families so that they can assume their responsibilities, and intervention from public services should end when family members resume full care and protection responsibilities (Ferrandis Torres, 2017).

In Spain, numbers available for inter-country adoptions have progressively reduced, as occurred in all Western countries (Selman, 2018). The abandonment of babies solely as a result of poverty or the social stigma of extramarital childbirth no longer occurs, and the focus of the protection system has moved towards finding families for children with special needs who do not meet the traditional expectation of ‘a healthy baby as young as possible’. These children may have physical or cognitive disabilities, have psychological or behavioural problems, be part of a sibling group, be aged over eight years, or be from a minority ethnic group or immigrant family. Another point to note is that numbers in care who are available for adoption in Spain are likely to be lower than in some other countries, in part, because of fairly low numbers in care and also because of the lower frequency of non-relative foster carers who might apply to adopt the children placed with them.

In contrast to foster care, adoption began to have visibility among the general population because of the increase in international

adoptions over the last decade of the century, which had risen to 5,423 in 2005 (see Table 10.2). This is relevant to adoptions from care in Spain since the difficult process of adopting young Spanish children (Rodríguez Jaume, 2015) influenced the start of international adoption. International adoption in Spain started late in comparison to neighbouring European countries, though it had greater intensity once it started. The number of international adoptions dropped by 85 per cent between 2005 and 2015, and international adoption agencies predict that such adoptions will tend to disappear (*El Mundo*, 2018). In part, this is because social development in origin countries includes greater protection for homeless minors. Most of the children now available from overseas for adoption in Spain are in sibling groups or have special medical or psychological needs (*Adoptantis*, 2011).

With respect to the perception of citizens, little by little, adoption has moved from its status as a private and stigmatised event – to which little importance was attached from the perspective of society and where adoptive families considered themselves as an ‘inferior category’ for not having their own children (Castón Boyer and Ocón Domingo, 2002) – to become a phenomenon with high social acceptance. Adopters have become respected and perceived as ‘generous’ people, in large part, because of the rise in international adoption. Data about numbers of international adoptions are rudimentary but we can find reference to 2005 in Bulletin no. 13 (see Table 10.2).

## Conclusion

We anticipate that adoptions from care in Spain will follow a similar pattern as in the past, where most adoptions are of children under three years old and numbers will remain fairly low. Furthermore, most of them were requests for adoption from the mother at the time of her delivery at the hospital. Among these cases of newborns, there are very few in which the initial protection measure is adoption, and these are

**Table 10.2:** Number of international adoptions and rate per 100,000 children aged 0–17

		2005	2010	2015	2018
<b>International adoptions</b>	Numbers	5,423	2,891	799	444
	Rate per 100,000	71.02	35.53	9.6	5.4

Source: Boletín de datos estadísticos de medidas de protección a la infancia. Bulletin number 20. Ministerio de Derechos Sociales y Agenda 2030 (last updated January 2019). Available at: [https://observatoriodelainfancia.vpsocial.gob.es/productos/pdf/Boletin\\_20\\_DEFINITIVO.pdf](https://observatoriodelainfancia.vpsocial.gob.es/productos/pdf/Boletin_20_DEFINITIVO.pdf) (accessed 16 December 2020)

mainly related to parental drug abuse or neglect of the child. For older children, the usual path is to have another child protection measure, including foster care or in a childcare centre.

Those children considered to be 'hard to place' (as listed earlier) will continue to have special difficulty in finding a family, either for adoption or foster care. According to the Division for Adoption and Fostering, the urgent task is to more fully develop the potential of foster family care alongside adoption as an alternative to residential care. To do so, it is necessary to explain to the population the nature and purpose of foster family care and, if not incentivising economically, at least covering the expenses generated by the foster child as a member of the family.

Progress in child protection has been very considerable in just 19 years (from 1996 to 2015). In fact, the last two laws of 2015 have undoubtedly pushed the child protection system in the right direction. The number of adoptions from care has remained relatively low since public bodies have not considered that it is an appropriate measure for 'most' of the children because it results in breaking all ties with the biological parents.

The adoption process is inextricably linked to the child's best interests, according to laws, and procedural and training manuals. However, there is still a way for finding methods to standardise the application of this principle and how it is applied in practice. Importantly, although the adoption process begins as soon as possible once the 'abandonment' is declared, and the child will often be placed in their prospective family at the beginning of the process, it takes at least two years to complete the adoption in order to allow time for parents to appeal.

The adoption process has evolved over the years, with different reviews of the 1996 law that strengthen the guarantees for all the parties. In this evolution, since 2015, an entirely new chapter is opened up by the possibility of open adoptions. It has been shown that foster children show higher levels of mental health when compared to those who are adopted (Ferrandis Torres, 2017). Knowing where you come from, and what has influenced your eye colour, height, hair colour, preferences and phobias, definitely contributes to a healthy construction of identity. Open adoptions are so recent that we still need a few years to corroborate if this measure contributes to the best interest of the child or not. Undoubtedly, the way travelled has been long and policymakers and practitioners continue to aim to improve the understanding and implementation of the best interest of children in all the cases that affect them, including, of course, in matters of adoption.

## Notes

- <sup>1</sup> See: [http://gestiona.madrid.org/wleg\\_pub/secure/normativas/contenidoNormativa.jsf?opcion=VerHtml&idnorma=484&word=S&wordperfect=N&pdf=S#no-back-button](http://gestiona.madrid.org/wleg_pub/secure/normativas/contenidoNormativa.jsf?opcion=VerHtml&idnorma=484&word=S&wordperfect=N&pdf=S#no-back-button)
- <sup>2</sup> See: <https://elderecho.com/privacion-de-la-patria-potestad-procedimiento-y-competencia>
- <sup>3</sup> This is a norm with the rank of law, emanating from the executive branch (government or administration), without having prior authorisation from a Congress or Parliament. It is dictated for reasons of urgency that prevent, for example, obtaining authorisation by the legislative branch or the enactment of a law itself.
- <sup>4</sup> See: [www.comunidad.madrid/servicios/asuntos-sociales/adopcion](http://www.comunidad.madrid/servicios/asuntos-sociales/adopcion)
- <sup>5</sup> See: [www.comunidad.madrid/servicios/asuntos-sociales/adopcion](http://www.comunidad.madrid/servicios/asuntos-sociales/adopcion)
- <sup>6</sup> See: [www.bienestaryproteccioninfantil.es/imagenes/tablaContenidos03SubSec/Medidas%20Proteccion%20Infancia%20%20Bolet%C3%ADn%2013.pdf](http://www.bienestaryproteccioninfantil.es/imagenes/tablaContenidos03SubSec/Medidas%20Proteccion%20Infancia%20%20Bolet%C3%ADn%2013.pdf)

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