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January 2026 | R2601



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Reforming Jamaica's Adoption System



Children who experience stable, nurturing care in their earliest years are more likely to succeed in school, form healthy relationships, and grow into emotionally regulated adults.



Adoption can provide stability and permanence for children in state care, reduce reliance on institutional and temporary care, support family formation, and underpin lifelong development.

This report examines adoption in Jamaica as an underutilised tool of public policy, beyond a private act of care, with direct implications for child protection, human-capital formation, and long-term social order. It presents evidence that a timely, well-governed, and adequately resourced adoption system is one of the few interventions that can permanently alter life trajectories for children who cannot safely remain with their birth families, while also reducing the long-run fiscal and social costs associated with institutional care, poor educational outcomes, and adult dependency.

The study focuses on non-kin adoptions of children who are wards of the state, and investigates why, despite hundreds of approved adopters on a waiting list, only a small number of children are placed with families each year. It shows that Jamaica's low rate of adoption is not the result of cultural resistance or lack of demand, but of institutional failures that leave children in prolonged care during the most developmentally sensitive years of their lives. These delays erode cognitive, emotional, and social capacities that underpin later educational attainment, labour-market participation, and social integration.

Drawing on legal and policy analysis and international comparisons, the report identifies three interlocking constraints: outdated legislation, institutional ambiguity, and chronic under-resourcing. The 1958 Adoption Act operates alongside, but is disconnected from, the 2004 Child Care and Protection Act (CCPA), which governs the wider child-protection system. This misalignment creates contradictory standards and



blurred mandates. The Adoption Board, which holds statutory authority, exists largely in name, while the Child Protection and Family Services Agency (CPFSA) carries out adoption functions without explicit legal authority or oversight.

Administrative practice further entrenches delay. Social workers manage caseloads far above international benchmarks, limiting their ability to move cases forward efficiently. The result is a system in which children who could be adopted remain in state care for years, sometimes for their entire childhood.

Both the CCPA and CPFSA policy prioritise reunifying children with their birth families, even where it is unlikely or unsafe; adoption is deferred until other options have been fully exhausted. Though compassionate in intent, scarce resources are expended pursuing absent or unwilling parents and sustaining reunification plans that ultimately fail, keeping children in prolonged uncertainty, often in a facility. In practice, the child's best interest is subordinated to the preferences and rights of adults—birth parents, extended family members, or prospective adopters—rather than assessed in terms of the child's long-term development and prospects.



Jamaica's continued adherence to a closed adoption model is another impediment. The absence of a legal framework for post-adoption contact or information-sharing reflects a secrecy-based approach that conflicts with international evidence showing that structured openness supports better psychological and relational outcomes for adoptees and families. At the same time, foster care is unregulated in statute, with no requirement that long-term placements be systematically reviewed for adoption eligibility. The absence of permanency planning and concurrent planning entrenches temporary care arrangements and feeds directly into the adoption bottleneck.

The report finds that cultural factors are not the primary barrier to reform. The most decisive constraints are legal, institutional, and procedural, and therefore amenable to policy change. These same constraints also limit intercountry adoption and prevent Jamaica's accession to the Hague Convention on Intercountry Adoption, isolating the country from global standards and further reducing pathways to permanent family care.

The cumulative effect of weak governance, statutory gaps, and administrative delay is that children spend formative years in institutions at high fiscal cost and with diminished life chances. Adoption reform, properly designed, is therefore not only a child-protection measure but a development strategy: one that strengthens human capital, reduces long-term public expenditure, and aligns the child-protection system with the state's broader obligations to future citizens.

Recommendations

1. Strengthen CPFSA Capacity for Adoption and Permanency Case Management
2. Improve Data Collection, Monitoring, and Follow-up
3. Clarify Governance and Accountability between the CPFSA and the Adoption Board
4. Re-orient Foster Care toward Permanency and Enable Concurrent Planning
5. Establish Administrative Permanency Timelines
6. Pilot Structured Openness and Early Placement Models
7. Operationalise Oversight through the CCPA Advisory Council
8. Integrate Adoption into a Revised Child Care and Protection Act
9. Clarify Legal Standards for Consent and Abandonment
10. Remove Gender- and Marital-Status Restrictions in Adoption Eligibility
11. 11. Accede to the Hague Convention on Intercountry Adoption