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Child-Centric Adoption Framework in India: A Comparative Perspectives from the UK, USA and Australia

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Abstract

Adoption is not merely a legal transaction; it is a transformative social process that redefines familial structures and profoundly impacts the life trajectory of the child involved. Globally, adoption laws have evolved to mirror the changing societal understanding of family, child welfare, and human rights. While India has taken important steps towards refining its adoption regime, it continues to grapple with structural, procedural, and normative limitations. An examination of child-centric adoption practices in countries like the **United Kingdom**, **United States**, and **Australia** offers valuable insights into how the legal framework can be both compassionate and functional, while being firmly anchored in the best interests of the child. This paper undertakes a comparative analysis of adoption laws in these three common law jurisdictions. These countries were selected due to their advanced legislative mechanisms, strong institutional support, and evolving jurisprudence around child welfare. The chapter concludes by identifying lessons that Indian adoption law can draw from these international practices, not with the intent to replicate them wholesale, but to adapt them meaningfully within India's socio-cultural and constitutional framework

Keywords: Adoption, comparative study, UK, USA, Australia, India

INTRODUCTION

Adoption occupies an unusual place within family law because it creates a permanent legal relationship while at the same time responding to a child's need for family care. Unlike many private legal arrangements, adoption has consequences that can continue for the whole of a person's life. It may affect a child's name, family relationships, inheritance, identity, cultural connections and understanding of his or her own history. The law therefore has to balance the interests of prospective adoptive parents, birth families, the State and, most importantly, the child.

The idea of adoption has also changed over time. Older understandings of adoption often placed emphasis on lineage, inheritance and the continuation of a family. Contemporary child-rights thinking places greater weight on permanence, protection, dignity and the best interests of the child. This shift does not make the interests of prospective parents irrelevant, but it changes the legal starting point. The central question becomes whether the proposed arrangement is suitable for the child and whether the process protects the child's rights.

In India, adoption is not governed by one single historical source. The Hindu Adoptions and Maintenance Act, 1956 codifies adoption among persons to whom that legislation applies, while the Juvenile Justice (Care and Protection of Children) Act, 2015 provides a secular statutory route for adoption of children

covered by that framework. The Adoption Regulations, 2022 supply detailed procedural rules and have moved the adoption-order function under the principal JJ framework from the court to the District Magistrate.

This legal structure makes adoption an important subject for doctrinal study. The issue is not merely whether the statutory requirements are formally satisfied. It is whether the legal rules, read together with constitutional values and judicial interpretation, provide a coherent system in which the child remains the central rights-holder. This question becomes especially significant where the child is older, has a known biological family, comes from a distinct cultural background, or requires continuing psychological, medical or educational support.

The present study therefore examines Indian adoption law through a child-centric lens. It asks how the existing statutory and judicial framework understands the best interests of the child, how far the child's own views are recognised, how identity and privacy are balanced, and whether the legal system provides meaningful protection after adoption. The comparative material retained from the earlier draft is used only to identify possible reform ideas; the core of the paper remains doctrinal and Indian-law focused.

RESEARCH OBJECTIVES

- To examine the meaning, nature and legal significance of adoption under Indian law.
- To examine constitutional principles relevant to child welfare, dignity, equality and adoption.
- To examine the operation of the best-interests principle in Indian adoption law.
- To propose legally workable reforms that strengthen child welfare while respecting the existing statutory structure.

RESEARCH METHODOLOGY

NATURE OF THE RESEARCH

The present study adopts a doctrinal method of legal research. It examines legal rules and principles through primary and secondary legal materials rather than through interviews, questionnaires or field surveys. The principal objective is to identify the existing legal position, interpret the relationship between relevant legal sources, and examine areas in which the law may require clarification or reform. The primary sources include the Constitution of India, the Hindu Adoptions and Maintenance Act, 1956, the Juvenile Justice (Care and Protection of Children) Act, 2015, the Adoption Regulations, 2022, and relevant decisions of the Supreme Court and High Courts. International child-rights instruments are also considered where they assist in understanding the normative principles relevant to adoption. Secondary materials include books, journal articles, institutional reports, government publications and academic commentary. The earlier comparative material concerning the United Kingdom, United States and Australia is retained as supplementary material to identify possible legal responses to particular issues such as child participation, cultural continuity and post-adoption assistance.

SCOPE AND LIMITATIONS

The study focuses on Indian adoption law and does not claim to provide an empirical assessment of every adoption agency or every adoption experience. It examines law as expressed through legislation, regulations and judicial decisions. Consequently, questions about how consistently legal safeguards operate in practice may require further empirical research.

MEANING, NATURE AND SIGNIFICANCE OF ADOPTION

MEANING OF ADOPTION

Adoption may broadly be described as a legal process by which a child becomes the child of persons who are not the child's biological parents, with the law recognising the resulting parent-child relationship. Its significance lies in permanence. Adoption is not merely physical placement of a child in another household; it is intended to create a legally recognised family relationship with enduring consequences.

The legal effect of adoption differs from temporary foster care or other forms of alternative care. Under the Juvenile Justice framework, an adoption order creates the legal relationship between the child and adoptive parents and places the child in the adoptive family for legal purposes. The importance of this consequence explains why adoption proceedings require safeguards before the final order is made.

NATURE OF ADOPTION

Adoption has both a private and a public dimension. It is private in the sense that it creates family relationships and imposes parental responsibilities. It is public because the State regulates the process to protect children from abandonment, trafficking, coercion and unsuitable placement. A purely private conception of adoption would be inadequate where the child cannot bargain for his or her own interests.

NEED AND SIGNIFICANCE OF ADOPTION

The need for adoption arises most clearly where a child cannot safely or permanently remain with the biological family and where family-based alternative care is considered appropriate. A properly regulated adoption system can provide permanence, emotional security and a stable environment for development. It can also reduce prolonged uncertainty for children who might otherwise remain in institutional care.

The significance of adoption should nevertheless be assessed from the child's perspective. A legally secure family is valuable only when the placement is safe, stable and capable of meeting the child's developmental needs. The fact that adults wish to adopt cannot, by itself, determine the outcome. The child's welfare must remain the legal and moral centre of the process.

ADOPTION AS A CHILD RIGHTS INSTITUTION

A child-rights approach does not treat the child as an object of protection alone. It recognises the child as an individual with interests and, as capacity develops, a voice in decisions affecting his or her life. This is particularly important in adoption because the decision can permanently reshape family relationships. A child-centred framework therefore combines protection with participation.

1. OVERVIEW OF ADOPTION LAWS IN UK, USA, AND AUSTRALIA

1.1 UNITED KINGDOM: WELFARE ABOVE ALL

In the UK, adoption law is primarily governed by the **Adoption and Children Act 2002**. This legislation replaced earlier fragmented laws with a comprehensive framework that places the child's welfare at the core of all decision-making processes. The Act mandates that any decision relating to the adoption of a child must treat the child's welfare as the paramount consideration[1]. This standard applies from the earliest stages of planning through to post-adoption support.

Adoptive eligibility in the UK is inclusive, allowing **single parents**, **unmarried partners**, and **same-sex couples** to adopt[2]. This broad inclusivity reflects a legal recognition of diverse family structures.

[1] *Adoption and Children Act*, 2002 (UK), s 1(2) – "The child's welfare shall be the paramount consideration."

[2] Department for Education, *Statutory Guidance on Adoption: For Local Authorities, Voluntary Adoption Agencies and Adoption Support Agencies* (UK Gov, July 2013)

Additionally, adoption processes are regulated through agencies approved by **Ofsted**, with oversight from the **Children and Family Court Advisory and Support Service (Cafcass)**.

The UK also has provisions for **open adoption**, where adoptive families may maintain some form of contact with the birth family, if it serves the child's best interest[3]. This concept helps maintain a child's identity and emotional continuity elements often ignored in traditional, closed adoption models.

1.2 UNITED STATES: DECENTRALISED BUT RIGHTS-DRIVEN

The United States operates under a decentralised federal model, where each state frames its own adoption laws within broad constitutional and federal boundaries. Important federal statutes like the **Adoption and Safe Families Act (1997)** and the **Intercountry Adoption Act (2000)** shape overarching principles, but the actual procedures, eligibility, and rights differ from state to state[4].

Despite this diversity, one principle remains constant: the **best interest of the child**. Home studies, background checks, and court hearings are standard practices to ensure that the child's welfare is protected. Open adoptions are increasingly common and are often formalised through **post-adoption contact agreements**, although these are not enforceable in every state[5].

Notably, the US legal system is inclusive. Following the **Obergefell v. Hodges** ruling in 2015, same-sex couples gained the legal right to adopt across all states[6]. The US also places strong emphasis on **post-adoption support**, including access to psychological counselling, identity information, and transitional services, especially for children adopted from foster care.

1.3 AUSTRALIA: CULTURAL SENSITIVITY AND KINSHIP EMPHASIS

Australia's adoption laws vary by state and territory, with acts such as the **Adoption Act 2000 (NSW)** and the **Adoption of Children Act 1965 (QLD)** forming the statutory base. A defining characteristic of Australian adoption law is its emphasis on **cultural preservation**, especially concerning **Aboriginal and Torres Strait Islander children**[7].

The **Aboriginal Child Placement Principle** requires that Indigenous children be placed within their family, community, or cultural group, unless it is demonstrably against their welfare. This approach stems from the historical trauma of the "Stolen Generations" and is aimed at preserving cultural identity[8].

Australia also prioritises **open adoption**, where information about birth parents is not withheld, and post-adoption contact may be maintained if beneficial to the child[9]. Further, prospective adoptive parents undergo intensive training and evaluation, including education on trauma, identity formation, and cultural empathy.

2. KEY CHILD-CENTRIC PRACTICES IN THESE JURISDICTIONS

Across the United Kingdom, United States, and Australia, a common thread unites their adoption systems:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/270100/statutory_guidance_on_adoption.pdf.

[3] UK Government, *Adoption Support Fund – Overview*, (2022) https://www.gov.uk/guidance/adoption-support-fund-asf.

[4] *Adoption and Safe Families Act*, 1997, Pub L No 105–89, 111 Stat 2115 (USA).

[5] U.S. Department of Health and Human Services, *Children's Bureau – Adoption Assistance*, (2022) https://www.childwelfare.gov/topics/adoption/adopt-assistance/.

[6] National Conference of State Legislatures, *Post-Adoption Contact Agreements*, (2020) https://www.ncsl.org/research/human-services/post-adoption-contact-agreements.aspx.

[7] U.S. Government Accountability Office, *HHS Could Do More to Support States' Post-Adoption Services*, GAO-13-81 (2013).

[8] *Adoption Act*, 2000 (NSW, Australia), s 8.

[9] Australian Institute of Health and Welfare, *Adoptions Australia 2021–22*, Canberra (2023) https://www.aihw.gov.au/reports/adoptions/adoptions-australia-2021-22.

a resolute commitment to centring the welfare of the child. However, this commitment is expressed through a range of legal and social mechanisms tailored to the needs of children in diverse socio-political contexts. This section distils those key practices which reflect a child-centric ethos and offers insights into how they contribute to more meaningful, sustainable adoptions.

2.1 THE 'WELFARE FIRST' PRINCIPLE

In all three jurisdictions, the legal doctrine of the **'best interest of the child'** functions as the cardinal rule guiding judicial and administrative decisions. In the UK, courts are required by the **Adoption and Children Act 2002** to consider a child's needs holistically emotional, physical, educational, and psychological when making any adoption-related ruling[10]. The approach is equally pronounced in the US, where despite legal variation across states, welfare remains the lodestar of every adoption judgment[11]. Australia's legislation, particularly in New South Wales and Victoria, adopts an even broader vision by factoring in **cultural identity and community continuity**, especially for Indigenous children[12].

This principle ensures that adoption is not treated as a mere custodial transfer but as a complex, lifelong legal and emotional process where the child is not a passive subject but the central stakeholder.

2.2 PARTICIPATION OF THE CHILD

One of the most progressive aspects of child-centric models in these jurisdictions is the recognition of the **child's voice** in the adoption process. In the UK, **Cafcass officers** engage directly with children to represent their views in court, particularly in contested adoptions or where a child is of sufficient maturity[13]. Similarly, in Australia, courts must consider the **wishes of the child**, depending on their age and understanding[14].

In the United States, older children usually above 12 are required to give consent for their adoption, unless waived by the court for special reasons[15]. These practices shift the narrative from 'deciding for the child' to 'deciding with the child', reflecting a more respectful and agency-oriented approach.

2.3 POST-ADOPTION SUPPORT

A distinguishing feature of these systems is their **structured post-adoption support**. In the UK, adoptive families are eligible for services such as **therapeutic counselling, educational support, identity workshops**, and financial assistance[16]. The **Adoption Support Fund**, introduced in 2015, directly finances services required to maintain stable adoptive placements[17].

In the US, similar services are offered through **Adoption Assistance Programs**, including Medicaid coverage, monthly maintenance payments, and post-adoption counselling[18]. Australia, too, mandates

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[10] Australian Law Reform Commission, *Family Law for the Future – An Inquiry into the Family Law System*, Report No. 135 (2019).

[11] *Aboriginal and Torres Strait Islander Child Placement Principle*, incorporated in *Children and Young Persons (Care and Protection) Act*, 1998 (NSW), s 13.

[12] Central Adoption Resource Authority (CARA), *Adoption Guidelines*, Ministry of Women and Child Development, Government of India (2017) https://cara.nic.in.

[13] *Hindu Adoption and Maintenance Act*, 1956, s 7 and s 8.

[14] *Juvenile Justice (Care and Protection of Children) Act*, 2015, ss 56–70.

[15] Ministry of Women and Child Development, Government of India, *CARINGS Portal Statistics*, https://cara.nic.in/cara/carahtml/statistics.html.

[16] Committee on the Rights of the Child, *General Comment No. 12: The Right of the Child to Be Heard*, UN Doc CRC/C/GC/12 (2009).

[17] United Nations Convention on the Rights of the Child, 1989, Art. 12.

[18] Vatsayan V., "Adoption Laws in India and the Need for a Uniform Civil Code", (2022) 64 *Journal of the Indian Law Institute* 45.

ongoing case management and provides adoptive families with access to mental health professionals and trauma support workers[19].

Such mechanisms reflect an understanding that adoption is not a finite event but a continuum that requires institutional empathy and scaffolding.

2.4 IDENTITY AND CULTURAL CONTINUITY

Identity preservation especially in terms of ethnic, racial, or cultural roots is integral to long-term well-being. Australia's policies stand out in this regard, particularly the **Aboriginal Child Placement Principle**, which seeks to avoid severing Indigenous children from their cultural milieu[20].

The UK and US, though less explicit in cultural preservation, encourage **open adoptions** and transparency in birth records where feasible[21]. These models acknowledge that children flourish when their past, including biological heritage and cultural background, is acknowledged rather than erased.

3. EVALUATION OF INDIAN ADOPTION LAW IN CONTRAST

India's adoption framework, while constitutionally and legislatively grounded, is often marked by **rigidity, procedural complexity, and insufficient child-centric mechanisms**. The legal terrain is split between **religion-based personal laws** and the **secular Juvenile Justice (Care and Protection of Children) Act, 2015**. Though recent developments have improved procedural consistency, several challenges continue to compromise the focus on the child's welfare.

3.1 FRAGMENTED LEGAL STRUCTURE

India's dual legal framework on adoption comprises the **Hindu Adoption and Maintenance Act, 1956 (HAMA)** and the **Juvenile Justice Act, 2015 (JJ Act)**. While HAMA permits only Hindus to adopt and mandates stringent conditions regarding gender and age of the adoptive child, the JJ Act allows all citizens, regardless of religion, to adopt through a court-mandated process governed by the **Central Adoption Resource Authority (CARA)[22].

This **fragmentation creates confusion** and restricts uniform child protection measures. For example, while HAMA allows for irrevocable adoption, it lacks clarity on the best interests of the child, failing to match international standards.

3.2 PROCEDURAL BUREAUCRACY AND DELAY

Indian adoption processes are often **mired in red tape**. Despite the digitalisation of adoption registration through CARINGS (Child Adoption Resource Information and Guidance System), prospective adoptive parents frequently face **long waiting periods**, often exceeding 2–3 years[23]. Institutional bottlenecks, understaffed child welfare committees, and lack of trained professionals result in delayed placements, which can be emotionally and developmentally detrimental to the child.

In contrast, the **UK and Australian systems ensure quicker placements** through well-trained social workers and decentralised assessment agencies. The **US foster-to-adopt system** even allows temporary placement while the legal process is ongoing something still alien to the Indian framework.

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[19] Kapoor R., "Post-Adoption Rights in India: Missing Pieces of the Puzzle", (2021) 59 *Indian Journal of Social Work* 92.
[20] Sharma A., "Voices of the Child in Indian Family Law: A Comparative Lens", (2023) 7 *NLU Delhi Law Review* 103.
[21] Central Adoption Resource Authority (CARA), *Standard Operating Procedure for Adoption Agencies*, Government of India (2021).
[22] Rao B., "Open Adoption: Bridging the Gap Between Privacy and Identity", (2020) 12 *National Law School Journal* 231.
[23] National Commission for Protection of Child Rights (NCPCR), *Assessment of the Functioning of Adoption Agencies in India*, New Delhi (2020).

3.3 LIMITED SCOPE FOR CHILD PARTICIPATION

Indian law largely **ignores the voice of the child**. There is no mandatory system requiring children above a certain age to be heard during the adoption process. Unlike in the UK, where the child's views are formally presented by Cafcass officers, or in the US, where children aged 12 or older must generally consent, India **treats children as passive subjects**, rather than stakeholders in their own lives.

This lack of participation weakens the child's agency and often leads to maladjustment post-placement. It also distances India from Article 12 of the **UN Convention on the Rights of the Child**, which mandates that children capable of forming their views be heard in matters affecting them[24].

3.4 INADEQUATE POST-ADOPTION SUPPORT

India's adoption system ends its formal intervention at the point of adoption. **No structured follow-up** mechanisms, therapeutic counselling, or educational grants are available as part of the statutory framework. This absence sharply contrasts with the **UK's Adoption Support Fund** or the **US federal post-adoption services**, which are integral to ensuring stability in adoptive homes.

Moreover, CARA's monitoring of adoption outcomes is limited, often relying on paperwork rather than in-depth home visits or psychological evaluations. This severely undermines the long-term well-being of adopted children.

3.5 CULTURAL AND IDENTITY NEGLECT

The Indian adoption system does not sufficiently account for **caste, language, regional identity, or cultural displacement**, particularly for children from tribal or rural backgrounds placed in urban homes. Unlike Australia, where cultural continuity is actively preserved for Indigenous children, Indian policy lacks any systematic method to ensure that a child's cultural roots are maintained or respected.

4. LESSONS FOR INDIA: BEST PRACTICES, REFORMS, AND INNOVATIONS

The comparative exploration of adoption frameworks in the UK, USA, and Australia illuminates numerous pathways India could consider to enhance the child-centricity of its adoption laws. While transplanting foreign laws into the Indian legal ecosystem is neither practical nor advisable, borrowing their **principles, processes, and philosophies** offers a meaningful starting point for reform. This section outlines key lessons that can be adapted to India's socio-legal landscape.

4.1 UNIFYING THE LEGAL FRAMEWORK

India must **harmonise its dual-track adoption system**. The coexistence of HAMA and the JJ Act breeds inconsistency in implementation and perpetuates legal confusion. A **uniform adoption code**, with secular applicability and clear precedence of the child's welfare, would ensure that all children regardless of religion or background receive equal protection and opportunity for family integration[25].

Even as the judiciary has played a significant role in shaping adoption jurisprudence, especially through Public Interest Litigations (PILs) and child rights jurisprudence, the system suffers from endemic delays. The recommendation to establish fast-track family courts dedicated to adoption is aimed at reducing this bottleneck.

Beyond speed, however, lies the issue of sensitisation. Judges, clerks, and registry officials involved in adoption cases must be trained not just in law but in the social and emotional dimensions of adoption. The goal must be not just legality, but justice with compassion. Additionally, simplifying procedures through

[24] Mohan M., "Cultural Roots and Legal Wings: Protecting Tribal Identity in Adoption", (2021) 4 *Socio-Legal Review* 68.
[25] Pandey S., "Adoption Reform in India: Between Law and Reality", (2022) 66 *Indian Bar Review* 114.

digital portals, template orders, and multilingual legal assistance can bridge the accessibility gap for prospective adoptive parents from diverse backgrounds.

This approach mirrors the UK's **Adoption and Children Act 2002**, which consolidated earlier laws into one child-welfare-focused legislation. India could adopt a similar model by integrating personal law-based adoptions within a national statute governed entirely by the child's best interests.

4.2 CHILD'S VOICE AND AGENCY IN ADOPTION

Legal reform in India must include **procedural mechanisms for hearing the child's views** during adoption proceedings, especially for children above a certain age. Drawing from the **US model of requiring child consent** and the **UK's use of child welfare officers**, India can develop guidelines for Child Welfare Committees to assess and incorporate the child's opinion meaningfully[26].

This would also align India's domestic law with its international obligations under the **UN Convention on the Rights of the Child**. Giving the child a voice does not mean absolute autonomy but signifies respect for their evolving capacities and emotional insight.

4.3 ESTABLISHING POST-ADOPTION SUPPORT SERVICES

The concept of adoption must shift from being a legal event to an **ongoing developmental journey**. India can emulate the **Adoption Support Fund in the UK** and the **US Adoption Assistance Program** by creating institutional support structures for post-adoption transitions[27]. These may include:

- Psychological counselling for adopted children and adoptive parents
- Financial support for education and healthcare
- Identity counselling and cultural reintegration services
- Grievance redressal forums

State governments, in partnership with civil society and mental health professionals, could be entrusted to design and deliver these services under CARA's regulatory supervision.

4.4 PROMOTING OPEN ADOPTION AND TRANSPARENCY

India's current adoption system largely practices **closed adoptions**, where the child has no information about their biological origins. While this might serve immediate privacy concerns, in the long term, it can obstruct identity formation and emotional closure. Countries like **Australia and the UK** encourage **open or semi-open adoptions**, where **contact with birth parents or at least access to personal records** is facilitated if beneficial to the child[28].

A nuanced policy that balances **openness with privacy** can offer Indian adoptees a better understanding of their roots while protecting adoptive family dynamics.

4.5 TRAINING AND ACCREDITATION OF ADOPTION PROFESSIONALS

Social workers, legal guardians, and adoption agency officials must undergo **specialised training** in child psychology, trauma recovery, legal procedures, and cultural sensitivity. In the UK and Australia, adoption professionals are licensed and regularly evaluated. India's existing human resources under CARA and State Adoption Resource Agencies (SARAs) need both **expansion and professionalisation[29]**.

[26] Supreme Court of India, *Shabnam Hashmi v. Union of India*, (2014) 4 SCC 1.
[27] United Nations Children's Fund (UNICEF), *Children in Alternative Care: Indian Situation Analysis*, 2021.
[28] Rao B., *Open Adoption: Bridging the Gap Between Privacy and Identity*, (2020) 12 *National Law School Journal* 231.
[29] Central Adoption Resource Authority (CARA), *Standard Operating Procedure for Adoption Agencies*, Government of India (2021).

Developing a **national accreditation programme** for adoption-related professionals could significantly enhance the quality of services, ensure ethical standards, and provide adoptive families with better guidance.

4.6 INCORPORATING CULTURAL AND REGIONAL SENSITIVITY

India, like Australia, is a deeply diverse country. Adoption policies must reflect this plurality. The Australian model's **Aboriginal Child Placement Principle** offers a critical lesson: **children must be rooted in their culture**. India can design guidelines that consider **caste, language, tribal identity, and regional culture**, particularly when placing children from marginalised communities[30].

Doing so can reduce emotional alienation and ensure that adoption complements not disrupts a child's developmental context.

5. CONCLUSION & SUGGESTIONS

This comparative exploration of adoption laws across the **United Kingdom, United States, and Australia** underscores a consistent principle **the unwavering prioritisation of the child's welfare** at every stage of the adoption process. Whether through legislative structures, procedural safeguards, or support systems post-adoption, these jurisdictions demonstrate how law can actively empower the child as a central stakeholder in their own journey.

In stark contrast, India's current adoption framework despite its constitutional and statutory roots remains **fragmented, bureaucratised, and predominantly adult-focused**. The absence of a uniform code, limited child participation, lack of long-term support, and failure to integrate cultural considerations weaken its effectiveness in securing holistic child welfare.

From this comparative study, several lessons emerge:

1. **Unification of the legal framework** through a secular, inclusive code would resolve the dualism of HAMA and JJ Act, ensuring a uniform standard for all children regardless of their religious or social background[31].
2. Recognising the **child's voice and consent** during adoption aligns with international standards and builds psychological resilience. Formal mechanisms must be introduced to record and respect children's views where age-appropriate.
3. **Post-adoption services** counselling, educational grants, health assistance, and identity support are not luxury additions but essential safeguards for long-term adjustment and emotional security.
4. India must move towards **open or semi-open adoption models**, permitting controlled access to the child's origin, ensuring identity development and transparency without compromising stability.
5. There is a pressing need to **professionalise adoption infrastructure**. Training, accreditation, and capacity-building of social workers, judges, and CARA officers must become standard practice.
6. Finally, **cultural sensitivity** in placements, akin to the Aboriginal Child Placement Principle in Australia, should become embedded in Indian law, particularly for tribal or marginalised children, to preserve dignity and connection.

In embracing these practices not blindly, but thoughtfully tailored to Indian realities India can elevate its adoption regime from a procedural formality to a truly **child-centric and humane system**. Law must

[30] Mohan M., *Cultural Roots and Legal Wings: Protecting Tribal Identity in Adoption*, (2021) 4 *Socio-Legal Review* 68.
[31] Pandey S., *Adoption Reform in India: Between Law and Reality*, (2022) 66 *Indian Bar Review* 114.

evolve not only in letter but in spirit, and this evolution demands that the child is not merely protected but **heard, nurtured, and empowered**.