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Final Report

**Updated information  
on counselling regarding confidential birth  
as well as  
on the impact of the Act Expanding Assistance  
for Pregnant Women and Regulating  
Confidential Birth on anonymous forms of child  
handover**

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Contracting authority

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## 1 Background

Within the framework of the evaluation of the Act Expanding Assistance for Pregnant Women and Regulating Confidential Birth with which the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth (*BMFSFJ*) commissioned INTERVAL GMBH in 2014, analyses were carried out based on the data available at the time of the evaluation period. These analyses referred to the use of the new legal options for pregnant women, for instance, to the introduction of women wishing confidentiality/anonymity to the support system. Moreover, the analyses referred to the effects of the option of confidential births on anonymous forms of child handover (baby hatches, anonymous births, anonymous person-to-person handovers and cases of abandonment).

The analyses of counselling on confidential birth, for example, which were included in the report of the evaluation completed in the middle of 2017<sup>1</sup>, are mainly based on surveys from the years 2015 and 2016. The analyses regarding the number of anonymous forms of child handover were based on special analyses by the child and youth services statistics on adoptions until the year 2015. Thus, conclusions regarding the births of children to unknown parents were only possible up until 2014. Especially in the latter case, only the period of time directly following the entry into force of the Act Expanding Assistance for Pregnant Women and Regulating Confidential Birth was documented. Any conclusions concerning the long-term effects of the Act were unreliable. Communication and public dissemination of these statistical results was also made difficult, since the Act Expanding Assistance for Pregnant Women and Regulating Confidential Birth was only in force eight of twelve months in 2014. Therefore, correction factors had to be taken into account for the analyses which made the results less clear and less transparent.

With regard to the five-year anniversary of the entry into force of the Act Expanding Assistance for Pregnant Women and Regulating Confidential Birth in May 2019, the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth commissioned INTERVAL GMBH with updating selected data. The results of this update are presented in this report. The update comprises three fields of analysis:

1. The quantitative use of confidential births. It was determined by means of the certifications of parentage deposited at the Federal Office of Family Affairs and Civil Society Functions (*BAFzA*) for each confidential birth (cf. chapter 2).

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<sup>1</sup> Sommer, J. / Ornig, N. / Karato, Y. (2017): „Evaluation zu den Auswirkungen aller Maßnahmen und Hilfsangebote, die auf Grund des Gesetzes zum Ausbau der Hilfen für Schwangere und zur Regelung der vertraulichen Geburt ergriffen wurden“ (Evaluation regarding the impact of all measures and support services implemented in accordance with the Act Expanding Assistance for Pregnant Women and Regulating Confidential Birth“). URL: <https://www.bmfsfj.de/blob/jump/117408/evaluation-hilfsangebote-vertrauliche-geburt-data.pdf>

2. The impact of the new option of confidential births. On the one hand, this includes the intended decrease of anonymous child handovers, on the other hand, it also includes the increasing number of births where the parents are unknown (at least during the first 16 years) which must be accepted in turn (cf. chapter 3).
3. Introducing pregnant women wishing anonymity to the support system, in particular to the two-stage counselling by pregnancy counselling centres pursuant to section 2 (4) of the Act on Assistance to Avoid and Cope with Conflicts in Pregnancy and section 25 of the Act on Assistance to Avoid and Cope with Conflicts in Pregnancy (cf. chapter 4).

## 2 The quantitative use of confidential births

For each confidential birth, a certification of parentage is deposited at the Federal Office of Family Affairs and Civil Society Functions. Two facts need to be distinguished in this regard:

1. Due to several multiple births, the number of mothers deviates from the number of children born confidentially.
2. Not every confidential birth stays confidential. In 7.8 per cent of the cases (or roughly one in thirteen) between 2014 and 2017<sup>2</sup>, the mothers decided to relinquish their anonymity again after a confidential birth - either after deciding in favour of a life with their child or due to other reasons which made a standard release for adoption possible.

In the years 2014 to 2018, a total of 536 children were born confidentially, as can be gathered from chart 1. Their number being below average in 2014 may be due to the fact that the Act Expanding Assistance for Pregnant Women and Regulating Confidential Birth had been in force only eight out of twelve months at that time. The annual number of confidential births has not increased anymore since 2016 (127 at that time). The relatively **stable number over three years** contradicts the thesis that the option of confidential birth would increasingly replace standard releases for adoption – respectively, that more and more women whose social and mental resources make a standard release for adoption possible would unnecessarily choose a confidential birth.

**Chart 1**      **Number of certifications of parentage listed according to year and current status**

For births in the year	Certifications of parentage received	Cases with anonymity relinquished	of which still confidential
2014	71	6	65
2015	92	4	88
2016	127	10	117
2017	120	12	108
2018	126	5	121
Number of children born confidentially	536		
Number of children whose birth is still confidential			499
Number of mothers whose deliveries are still confidential (maximum <sup>3</sup> )			495

Source: Federal Office of Family Affairs and Civil Society Functions - BAFzA (January 2019)

<sup>2</sup> The confidential births of 2018 should be disregarded in this instance, since additional relinquishments of anonymity will partly only happen in 2019.

<sup>3</sup> Due to multiple births, the number of mothers is lower than the number of children. Factoring this in, there is a resulting number of 495 mothers who received counselling. Theoretically, the number of mothers might be lower, as it cannot be ruled out that one woman had more than one confidential birth between 2014 and 2018. As long as confidentiality is being maintained, there will be no data available on this.

### 3 The effects of the new option of confidential births

#### *Methodological background*

INTERVAL was able to identify two opposing effects of the new option of confidential births already during the evaluation of the Act Expanding Assistance for Pregnant Women and Regulating Confidential Birth. On the one hand, there is the intended objective that women who would otherwise have chosen an anonymous form of child handover, opt for a confidential birth. On the other hand, there are also cases among the confidential births where women would have chosen a standard birth if there had not been the legal option of confidential birth. In individual cases, not even pregnancy counselling centres are able to reliably tell which alternative the women counselled by them would have chosen without the option of confidential birth. However, the statistics help estimate how frequently each kind of case happens altogether.

The number of anonymous forms of child handover has increased almost continuously between the years 2000 and 2013. That is why it is not sufficient to compare the number of anonymous forms of child handover before the entry into force of the Act Expanding Assistance for Pregnant Women and Regulating Confidential Birth with that after its entry into force. Rather, the current numbers need to be compared to the numbers which would have to be expected, following the trend, if the Act had not entered into force.

While confidential births are filed in a central register, this is not the case for the anonymous forms of child handover (baby hatches, anonymous births, anonymous person-to-person handovers and cases of abandonment). However, their number can be estimated with the help of the children and youth services statistics for children born to unknown parents and adopted. However, adoptions only happen with a delay, i.e. generally not within the year of birth. Therefore, a mathematical model is necessary in order to tell, for instance, how many children were born to unknown parents in 2014, if it is currently only known that 166 of them were adopted up until 2017. Thus, the assessment does not only entail counting real cases, but it is the result of calculations, assumptions and prognoses. Naturally, this complex model can be flawed. In order to make it more transparent why the model is still reliable, the methods will be described further in the annex.

#### *Previous trend*

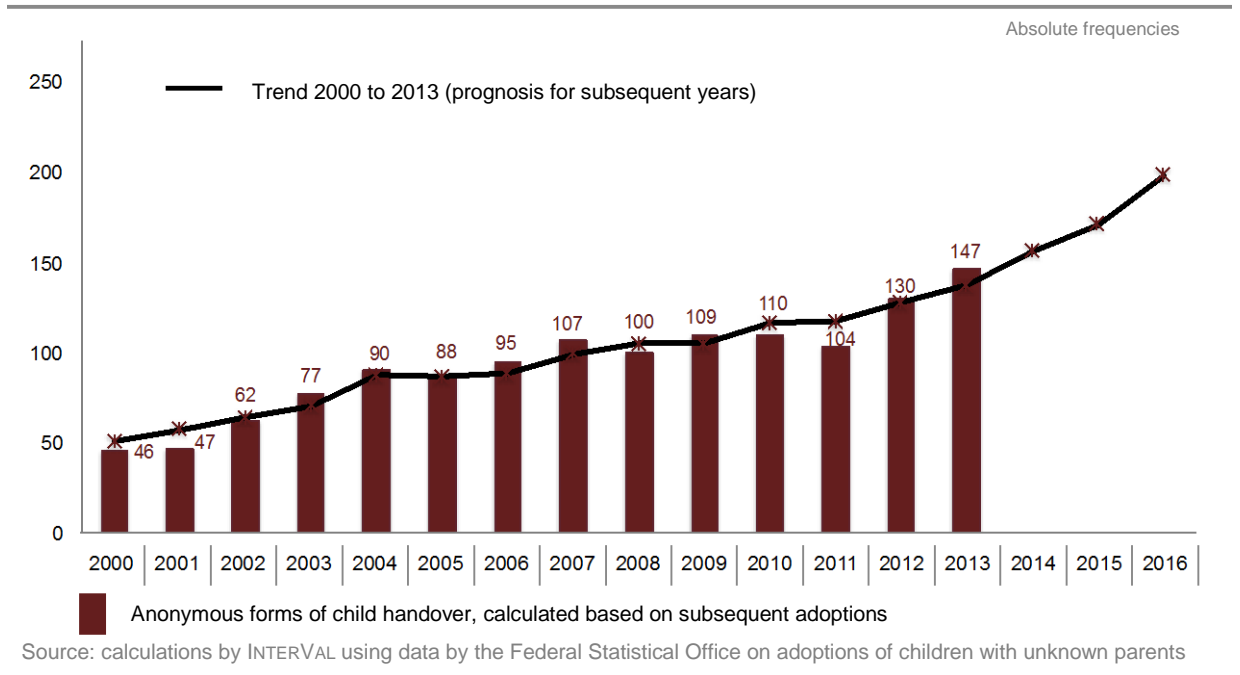
As shown in figure 1, the number of children born to unknown parents between 2000 and 2013<sup>4</sup> has risen from 46 to 147. This means it has more than tripled. The underlying trend is almost linear. Moreover, there is also a non-linear demographic factor to be considered: if the overall number of births increases, the number of women wishing anonymity will increase

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<sup>4</sup> Cf. the methodological notes in the annex.

accordingly.<sup>5</sup> Figure 1, on the basis of the adoptions, shows the statistically estimated (real) cases until 2013 as well as the trend of the cases which would have been expected in the years 2014 to 2016 if the Act Expanding Assistance for Pregnant Women and Regulating Confidential Birth had not entered into force.

**Figure 1** Trend of anonymous forms of child handover prior to the entry into force of the Act Expanding Assistance for Pregnant Women and Regulating Confidential Birth



### ***Development after the entry into force of the Act Expanding Assistance for Pregnant Women and Regulating Confidential Birth***

As shown in figure 2, the number of anonymous forms of child handover in the years 2014 to 2016 has sunk below the values which would have to be expected following the trend. **In that sense, the Act is effective.** There were 95 fewer anonymous child handovers than expected throughout the years 2014 to 2016.

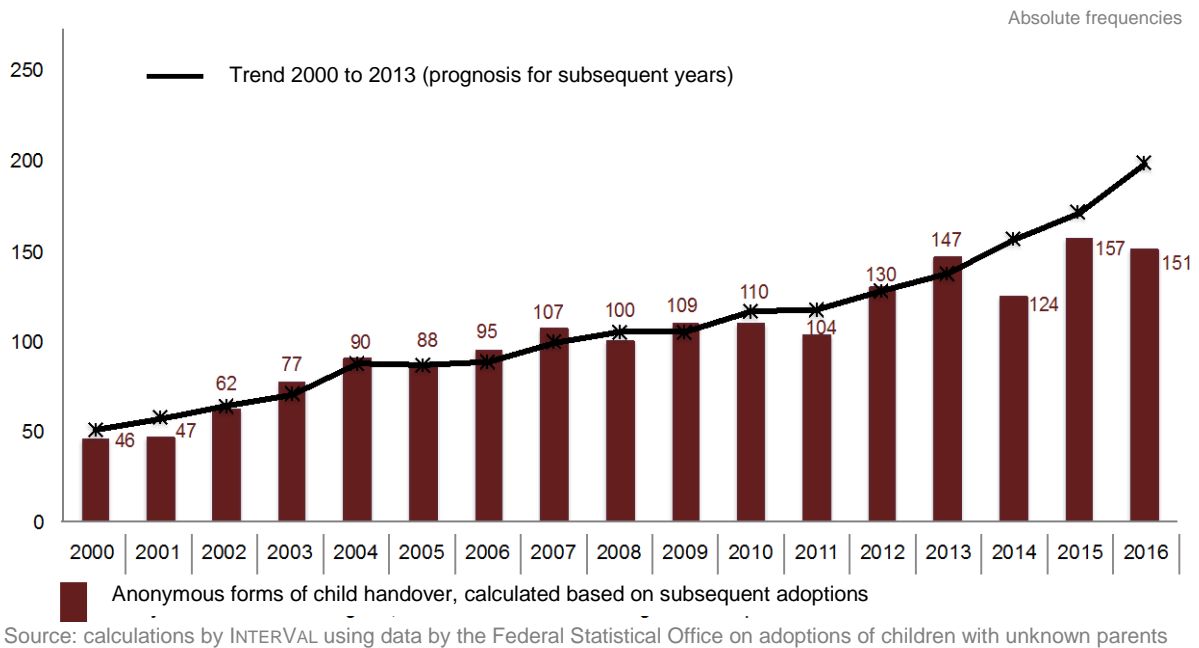
Considering the fact that the Act Expanding Assistance for Pregnant Women and Regulating Confidential Birth had not even been in force for twelve months in the year 2014 and that minor random fluctuations around the trend are possible, the time series analysis yields a statistically significant<sup>6</sup> decrease of anonymous child handovers by 33.3 cases per year (or twelve months).

<sup>5</sup> The estimation of the trend was triangulated, since the correlation between the number of all births and the number of children born to unknown parents is not statistically recognisable in the first years and even after 2004 it is barely above the usual statistical quality criterion (significance of 0.069). That is, the mean was taken of a first scenario/trend which takes the total number of standard births into consideration, and a second scenario/trend which disregards the total number of standard births.

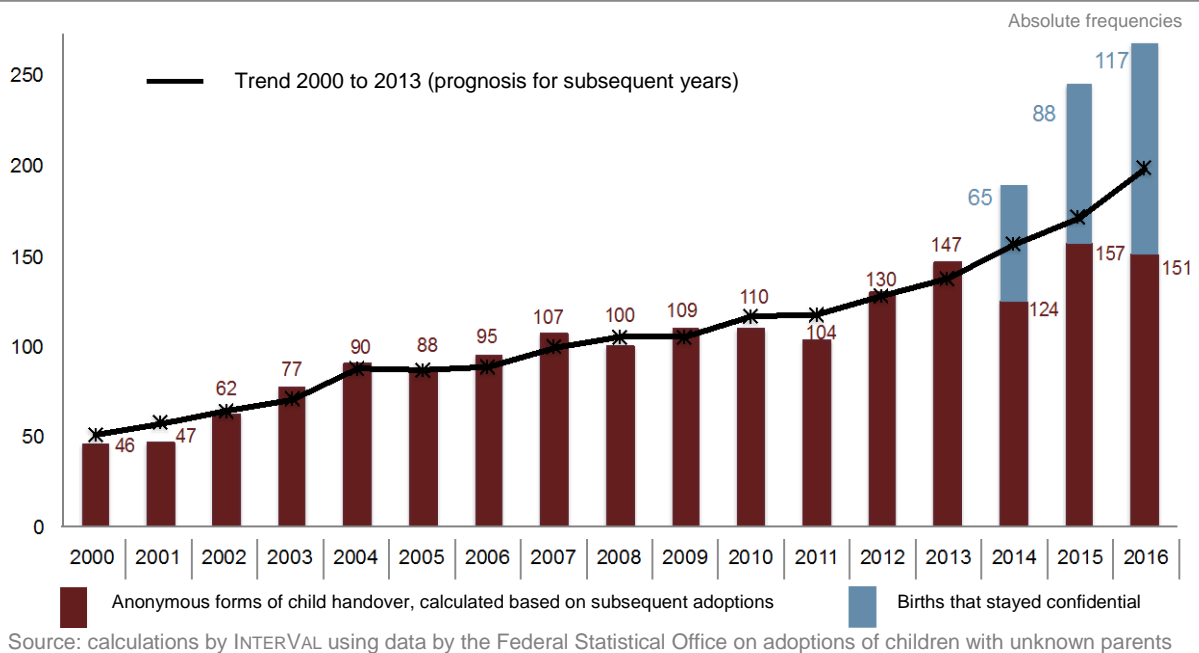
<sup>6</sup> The significance level is at 0.000.

Since the evaluation has shown that hereby also the number of child handovers in baby hatches is declining, the share of women who receive medical support for their delivery despite their wish for anonymity or confidentiality is rising accordingly.

**Figure 2 Anonymous forms of child handover after the entry into force of the Act Expanding Assistance for Pregnant Women and Regulating Confidential Birth**



**Figure 3 Number of anonymous forms of child handover and of confidential births**



However, figure 3 illustrates that the number of anonymous forms of child handover has **decreased less than there were confidential births**. Thus, the time series suggests that



some of the women who opt for a confidential birth, would have chosen a standard birth (alternatively with standard adoption or with a life with the child), if there had not been the option of confidential birth.<sup>7</sup> The number of children who are born to unknown parents (respectively, who will later be adopted) has increased significantly upon entry into force of the Act Expanding Assistance for Pregnant Women and Regulating Confidential Birth.

Considering the fact that the Act Expanding Assistance for Pregnant Women and Regulating Confidential Birth had not even been in force for twelve months in 2014 (and that minor random fluctuations around the trend are also possible here), the time series analysis yields a statistically significant<sup>8</sup> increase of births with unknown parents, namely by 68.3 cases per year (or per twelve months).<sup>9</sup>

When **assessing this effect**, it has to be taken into account that the parents are still unknown at the time of the adoption,<sup>10</sup> but that, at the age of 16, the children are given the opportunity to learn about their parentage. Furthermore, the evaluation of the Act Expanding Assistance for Pregnant Women and Regulating Confidential Birth was able to show that in the case of confidential births there can even be an early (anonymous/confidential) exchange of information between the biological mother and the adoptive parents thanks to pregnancy counselling centres.

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<sup>7</sup> That the number of confidential births is higher than the number by which anonymous forms of child handover has decreased must not exclusively be attributed to that. This fact can partly also be attributed to women choosing a confidential birth who would otherwise have chosen to have an abortion. The evaluation was able to give a rough estimate of how often such cases occur. At the time, the survey of pregnancy counselling centres revealed that in an extrapolated number of 30 cases, the women would have decided against termination of pregnancy “also” because of the option of confidential birth. Based on the, back then, 245 confidential births, this constitutes 12 per cent of the cases. However, the word “also” implies that some of the women might have refrained from a termination of pregnancy even without the option of confidential birth. That means it has to be assumed that the share of confidential births that would have been a termination of pregnancy without the Act, is lower than 12 per cent.

<sup>8</sup> The significance level is at 0.000.

<sup>9</sup> These undesired effects were already pointed out during the evaluation of the Act Expanding Assistance for Pregnant Women and Regulating Confidential Birth. However, during the evaluation this effect could only be assessed for the first eight months of the Act Expanding Assistance for Pregnant Women and Regulating Confidential Birth. Now having the data for two years and eight months, we have to assume that this effect is even a lot bigger than could be foreseen based on the data available before.

<sup>10</sup> In case anonymity is not relinquished in the period between birth or the shipping of the certification of parentage and the adoption.

## 4 Introduction to the support system

### 4.1 Number of counsellings

It is the objective of the Act Expanding Assistance for Pregnant Women and Regulating Confidential Birth to support women in distress and to introduce them to the support system if they believe that they have to hide their pregnancy due to their emergency situation. The number of women who have received counselling on confidential birth at pregnancy counselling centres is an important indicator for its success.

Already by evaluating the Act Expanding Assistance for Pregnant Women and Regulating Confidential Birth, it could be assessed that between the entry into force of the Act Expanding Assistance for Pregnant Women and Regulating Confidential Birth on 1<sup>st</sup> May 2014 and the end of September 2016, 1,277 women received extensive counselling on the topic of confidential birth at pregnancy counselling centres.<sup>11</sup> Based on a survey by INTERVAL GmbH of net 1,140 pregnancy counselling centres (response rate of 70.9 per cent) at the beginning of 2019 there are now updated figures available on how the number of counsellings on confidential birth has developed since that time (cf. chart 2).

**Chart 2**      **Number of counsellings on confidential birth**

During the period ...	Extrapolation
May 2014 to September 2016	1,277
2017 and 2018	878
including cases that started before October 2016 (double counts)	13
Plus counselling cases exclusively from October to December 2016	107
<b>Total from May 2014 to December 2018</b>	<b>2,249</b>

Source: Sommer/Ornig/Karato (2017) as well as survey on pregnancy counsellings 2019, n = 1,140

In total, far more than two thousand women received counselling on confidential birth between May 2014 and December 2018 (extrapolated 2,249).

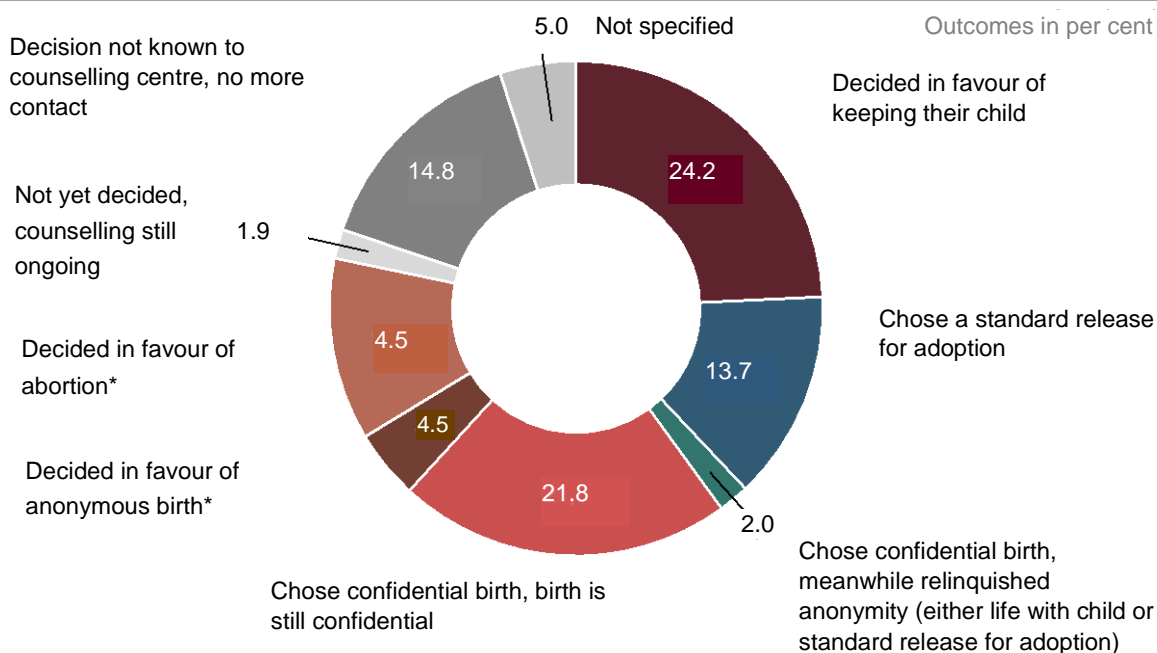
Thus, more than 480 women per year received counselling on confidential birth (plus those women who had counselling over a period of two calendar years). The trend is decreasing. During the years following the entry into force of the Act Expanding Assistance for Pregnant Women and Regulating Confidential Birth there were 529 counsellings per year (1,277 over a period of 29 months), in the years 2017 and 2018 there were still 439 per year (878 in 24 months). The reasons for this decline are unknown.

<sup>11</sup> Sometimes below a formal counselling according to level 2.

## 4.2 Outcome of the counsellings

What is crucial for the objective of the Act Expanding Assistance for Pregnant Women and Regulating Confidential Birth is that counselling does not directly serve the purpose of confidential birth, but of introducing women to the support system in order to make it possible for them to decide in favour of a standard release for adoption or a life with the child. Figure 4 shows the successes of this approach or rather what kind of decision those women having received counselling had taken in the end.

**Figure 4 Outcomes of 2,249 counsellings on confidential birth in the years 2014 to 2018**



\* cf. notes in text

Pregnancy counselling centres survey 2015 (n=761), 2016 (n=766) and 2019 (n=1,140), extrapolation

A positive aspect is that the share of those women who decided in favour of a life with the child or who chose a standard adoption - a total of 40 per cent<sup>12</sup> of the counselling cases or about 51 per cent of all cases where the outcome is known - is significantly higher than the share of women who opted for a confidential birth and for maintaining anonymity (21.8 per cent of the counselling cases or about 28 per cent of all cases with a known ultimate decision).

However, this ratio has changed compared to the first years after entry into force of the Act Expanding Assistance for Pregnant Women and Regulating Confidential Birth. In evaluating the Act Expanding Assistance for Pregnant Women and Regulating Confidential Birth, it was determined that until September 2016 for one woman deciding in favour of confidential birth

<sup>12</sup> Part of this are the cases who decided in favour of a life with the child before the child was born (24.2 per cent), who decided in favour of standard adoption before the birth of the child (13.7 per cent) or who, initially, decided in favour of a confidential birth, but who subsequently waived their anonymity (2 per cent).

there were slightly more than two women who, after counselling, decided in favour of a life with the child or in favour of a standard adoption. In the years 2017 and 2018, for one woman deciding in favour of a confidential birth there were only 1.4 women opting for a life with the child or a standard adoption after counselling.

The share of 11.9 per cent of women having received counselling on confidential birth and then opting for an abortion seems to be large and requires further clarification. While the number of abortions was comparably low during the evaluation after entry into force of the Act, this number was significantly higher during the survey for the years 2017 and 2018. According to the survey, three quarters of all reported abortions fell upon just one big pregnancy counselling centre.<sup>13</sup> Presumably, this is a counselling centre which is particularly often visited by women who primarily seek advice on terminating a pregnancy - and who also systematically are provided counselling on the possibility of confidential birth in order to give these women an additional option.

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<sup>13</sup> The share of cases having an abortion compared to all cases having received counselling on confidential birth amounted to, for instance, less than four per cent for other pregnancy counselling centres in the years 2017 and 2018.

## 5 Summary of the most important findings

The key results can be summarised as follows:

- In total, far more than two thousand women received counselling on confidential birth between May 2014 and December 2018 (extrapolated 2,249). This shows that introducing women to the support system proves to be successful.
- The share of those women who decided in favour of a life with the child or who chose a standard adoption (about 40 per cent) is noticeably higher than the share of women who chose a confidential birth and to maintain their anonymity (about 22 per cent). This is a success of the counselling concept.
- From 2014 to 2018, 536 certifications of parentage were registered by the Federal Office of Family Affairs and Civil Society Functions. This shows the need for the legal option of confidential birth.
- Meanwhile, the annual number of confidential births has become relatively stable. The stable number of births runs counter to the claim that the possibility of confidential birth has increasingly replaced standard release for adoption - or it rather speaks against the claim that women whose social and mental resources allow for a standard release for adoption increasingly and unnecessarily decide in favour of confidential birth.
- Of the women counselled on confidential birth only 4.5 per cent choose anonymous child handover.
- From the time series analysis of adoptions of those children whose parents are unknown it can be concluded that the Act achieved its objective to lower the number of anonymous child handovers. The model calculation shows a statistically significant decrease of anonymous child handovers by 33.3 cases per year.
- Since, this way, also the number of child handovers in baby hatches decreases, the share of women who, despite wishing anonymity or confidentiality, are enabled to receive medical support for their delivery, increases accordingly.
- However, the time series also suggests that some of the women who decide in favour of a confidential birth would have chosen a standard birth (alternatively with standard adoption or a life with the child), if the option of confidential birth had not existed.
- The data collected for the years 2017 and 2018 confirm the key findings of the evaluation. The positive effects already shown here continued for the years to follow.
- However, the medium-term effects are slightly lower than in the first years: firstly, the number of counsellings on confidential birth slightly decreased. Secondly, there is still success in introducing women to the two options of a life with the child or a standard adoption, but to a slightly lesser extent.
- Confidential births have pushed back anonymous child handovers.

## 6 Annex methodological notes

### 6.1 Notes with regard to the number of children born to unknown parents

While confidential births are filed in a central register, this is not the case for the anonymous forms of child handover (baby hatches, anonymous births, anonymous person-to-person handovers and cases of abandonment). However, their number can be estimated with the help of the children and youth services statistics for children born to unknown parents and adopted. A certain fuzziness is unavoidable in the process, for instance if there is no adoption (for example in case of an early death of the child), but in particular due to adoptions being delayed, usually until after the year of birth. Therefore, a mathematical model is necessary in order to tell, for instance, how many children were born to anonymous parents in 2014, if it is currently only known that 166 of them were adopted up until 2017. Thus, the assessment does not only involve counting real cases, but it is the result of calculations, assumptions and prognoses. Naturally, this complex model can be flawed. The methods will be described further in order to make it more transparent why the model is still reliable.

The child and youth services statistics at first collect data on how many children born to unknown parents are adopted in the course of one year. A special evaluation of the Federal Statistical Office was able to differentiate these data with regard to when these children were born. From this, INTERVAL could, in turn, deduce at what age how many per cent of children born to unknown parents during a certain year are typically adopted. From the birth year of 2003, this has been following a very stable pattern.<sup>14</sup> While a few cases are still adopted within the year of birth, adoptions reach their peak in the second year of life. Subsequently, the number of adoptions decreases rapidly and approaches zero after a few years. However, there are always individual cases deviating from this noticeable rule. This pattern is illustrated in figure 5. To make this general trend better distinguishable, the different birth cohorts have been set to a uniform value:<sup>15</sup> the data have to be interpreted in such a way that e.g. half as many adoptions typically take place when children are two years old compared to the number of adoptions when children are one year old. When children are three years of age, the number of adoptions typically amounts to about one fifth of the number of adoptions at the time when children were one year old etc. The statistical model of exponential approximation to lower adoption figures in the years to follow is significant<sup>16</sup> - in the figure, this model is highlighted by the broad red line.

With the help of this model, it can be estimated that, for instance, in addition to the 166 children already adopted by 2017 who were born to unknown parents in 2014, an additional

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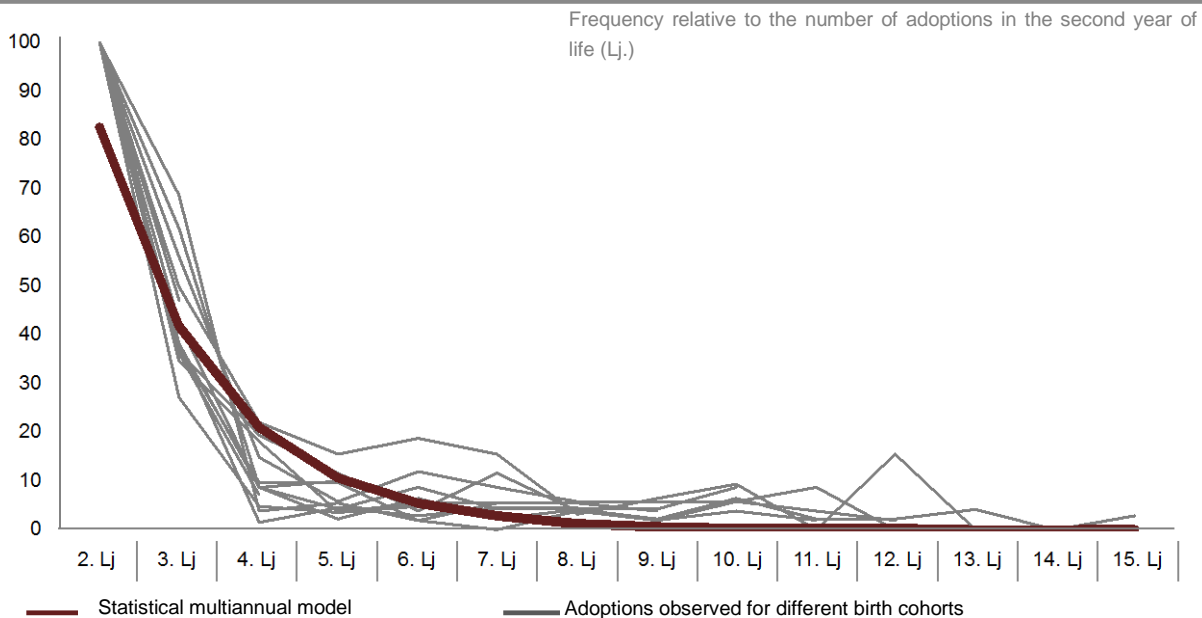
<sup>14</sup> This pattern cannot be confirmed in a similar way for the birth cohorts from 1997 to 2002. Most of all, a significantly larger share of children was only adopted in later years.

<sup>15</sup> They are "indexed" in such a way that adoptions within the second year of life (i.e. at their peak) are placed at a value of 100 respectively.

<sup>16</sup> The significance level is at 0.000.

23 to 24 children of this birth cohort are only adopted in the following years. Corresponding assessments are possible for all other cohorts for whom at least the number of adoptions are known when the children are one year old - this applies to the births until 2016.

**Figure 5 Chronological sequence of adoptions for the birth cohorts from 2003 to 2015**



Source: calculations by INTERVAL using data by the Federal Statistical Office on adoptions of children with unknown parents

## 6.2 Notes with regard to the extrapolation of data received from pregnancy counselling centres

With the help of publicly available data from pregnancy counselling centres, at the beginning of 2019, 1,609 pregnancy counselling centres were identified and, depending on the location, contacted by mail and/or by e-mail. 1,130 questionnaires were filled in and submitted. 1,140 pregnancy counselling centres were represented, due to several counselling centres acting as headquarters and submitting their data consolidated for multiple branch offices. This constitutes a response rate of 70.9 per cent.

The data of all pregnancy counselling centres which had sent at least one certification of parentage for births in the years 2017 to 2018 to the Federal Office of Family Affairs and Civil Society Functions were weighted with the factor 1.1 for the extrapolations, since in this manner the number of 246 certifications of parentage for the years 2017 to 2018, which had already been known to the Federal Office of Family Affairs and Civil Society Functions (BAFzA), was reached. All other pregnancy counselling centres that had responded were weighted with the factor 1.5 in order to arrive at an extrapolation for the total of 1,609 pregnancy counselling centres. The differing weighting reflects that there was greater

readiness to take part in the survey if pregnancy counselling centres had accompanied confidential births.

For the illustration in figure 4, data from the evaluation and the newly collected data were consolidated. The concrete questions were not phrased identically in the different surveys.<sup>17</sup> Despite that, the data could be combined because the key data (for instance on the number of shipped certifications of parentage and on the number of confidential births where anonymity was waived) were known to the Federal Office of Family Affairs and Civil Society Functions at the same time. These known data of the Federal Office of Family Affairs and Civil Society Functions were used for the respective extrapolation and for the differentiation of the illustration.

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<sup>17</sup> The survey of the evaluation, for example, did not explicitly differentiate between births that stayed confidential and births where anonymity was relinquished.