



Victoria [REDACTED]

17 February 2005

The Secretary  
Standing Committee on Family and Human Services

Dear Secretary

**Inquiry into Adoption of Children from Overseas**

*1. Inconsistencies between state and territory approval processes*

The main inconsistency that I am aware of is in regard to age requirements for adoptive parents. In Victoria fortunately there is no upper limit for adopting a child. We adopted our daughter (then 18 months old) from China in July 2003. At the time of the adoption I was 49 and my husband 44. Had we been living in South Australia for example we would have been unable to adopt (or adopt such a young child) due to our ages.

I am aware of at least 2 people who have moved from one State to another to be able to adopt.

The only age requirement in Victoria which caused us a bit of an issue was the requirement that the adopted child had to be the youngest in the family by at least a year. We already had a biological son, born when I was 44. This meant that we had to adopt a child who was at least 1 year younger than our son and therefore at least 45 years younger than me. This automatically ruled us out from adopting at all from a number of countries where there is a rule of "child to be no more than 40 years younger than either parent". So we were barred from adopting an older child because of that rule.

The other problem in Victoria relates to the strict requirement (at least for 2-parent families) that a parent stays at home with the child fulltime for a minimum of 12 months after the adoption. I believe this may not be the case in all States.

While I would not wish to follow the example of many Americans who return to work within weeks of adopting a child, the 12 month requirement is a costly requirement, especially on top of the adoption fees and travel costs. When my son was born I returned to work fulltime when he was 6 months old. So it seemed a little odd that my adopted 1 year old had to have twice as much bonding time at home. Since my husband and I earn roughly the same amount (we are both

accountants), we lost 50% of our income for 12 months in addition to the adoption costs.

A further inconsistency between States is that there is some variation in the list of countries from which residents of particular States can adopt.

## *2. Inconsistencies in benefits and entitlements*

I know that most people will mention the baby bonus, so I will pass on. For me the main inconsistency is in costs. I appreciate that Australia can not be expected to foot the bill for overseas travel costs, overseas government costs etc. However there are inconsistencies in local costs.

Our son was born in 1997. We did not have any private medical insurance at the time. Going the "public in private" hospital route cost I think around \$1800 out of pocket costs. This included numerous obstetrician visits and a 1 week stay in a private room at Monash Medical Centre (following a caesarean delivery). The only other costs I can recall were "gap" costs on 2 ultrasounds of around \$150. My 6 months maternity leave was half pay as I was a State public servant at the time.

In contrast, the overseas adoption from China cost more than \$5000 fees paid to DHS, Victoria, and a further (approximately) \$20000 in fees, compulsory donation and travel costs incurred on our 12 day trip to bring our daughter home from China.

Applying the "user pays" rule to adoptions seems particularly inequitable when Australian citizens are being urged to produce children in the interests of correcting the growing demographic imbalance, and are being offered a baby bonus as an incentive.

With regard to the overseas adoption costs, which are always considerable, I have noted that in the USA adoption costs are tax deductible. I am not sure whether this applies to all adoption costs or only a proportion of them. You may feel that the tax laws of a foreign country are of no relevance to Australia and this inquiry. However I should point out that since the USA is the biggest country as far as overseas adoption is concerned, the requirements of the USA tend to affect and even drive the way China and other countries run their adoption programs.

This means that if US citizens can afford higher adoption costs partly because they are tax deductible, this may lead those countries with an eye on adoption revenues to increase their fees, affecting citizens of other countries including Australia.

Finally I would like to point out that if we had opted to try IVF, this would have cost Medicare and Australia a lot of money. In choosing

instead the intercountry adoption route to completing our family, we bore all the costs of our additional child ourselves.

Thank you for this opportunity to express my opinions on this subject. I trust they will be of some assistance.

Yours faithfully,

Felicity Goldstein