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To: Committee, FHS (REPS)
Subject: Submission for Inquiry into Adoption of Children from Overseas

Inquiry into Adoption of Children from Overseas

Submission 22nd April 2005

Thank you for the opportunity and invitation to express our views on international adoption.

My husband and I have two children who are not adopted and we are approved as adoptive parents for our third child who has not yet been placed with us.

We have no fertility difficulties or family medical issues and have just chosen to adopt instead of trying to conceive a third child.

1. Any inconsistencies between state and territory approval processes for overseas adoptions:

We have noticed there are huge differences between the states in regard to the processing of prospective adoptive parents and also the laws governing applicants.

We are in WA where the process for us is orderly, respectful and financially easier than in other parts of the country.

NSW has an application fee of thousands of dollars, Queensland has a very slow system with many delays where couples wait years just to apply and then the approval process is much longer than in WA.

There are also differences in the processing of applicants. I understand NSW requires fingerprinting as part of a background check on applicants (which adds to the cost), WA does not. I have heard Queensland has extensive pages and pages of questions for applicants while we only had to provide more limited information until we had our social work assessment. The social worker then covered all areas in depth to provide a complete assessment.

State differences also extend to who can apply to adopt. It seems unfair that an applicant can be too old if they live in one state but not another, or allowed to apply as a single parent in one state but not another.

While these differences may not seem that large or important on paper they have significant impacts on the lives of applicants and those who would like to apply to adopt a child.

We did not experience significant delays but we can see it is heartbreaking to speak with the department, hang up and realise the next contact/next step towards your child is months away (eg if you are waiting for a place in an education program, waiting for a single spot, waiting for a social worker to be allocated, etc)

We would like to see uniformity in the states approach to adoption but it must not impinge on the way the process is handled in WA – although improvements in timelines etc, are always welcome. We don't say this because we live here and are biased for that reason. We say it because we have been through a reasonably orderly experience, receive regular email updates from our department who are very approachable and we feel well supported in our decisions. We can see how different the experiences are in other states and it seems so unnecessary and unfair.

CLARITY AND SPEED OF PROCESS

One change we would like to see is to have the whole application process laid out to us from the beginning so we can see what documents we need and be organised ahead of time.

Often, in many states, the applicants are just given the next information or requirements bit by bit as they reach the next stage. This hinders the speed of the process and increases the control applicants feel the department has over their lives. We appreciate there is expense involved in getting copies of birth certificates etc and some of the requirements expire after a certain time (eg medicals, police checks) so we do understand applicants can't get all the paperwork organised on the first day. And not everyone who applies initially will continue on to adopt so they don't need to go to unnecessary expense. But a choice would be nice.

We would have liked the application forms and information to have been sent to us after our initial enquiry without having to wait for the next information day (months later) – we had to take time off work so we could attend a 2 hour session which was interesting but had no new information. Only then could we have the expression of interest package. It was as if each step ahead held secret information which we could only know as we went along – but as you get to each step you realise there is nothing earth-shattering or secret. It was a frustrating part of the process and has resolved now we are approved. It needs to be amended for future applicants.

We would also like to see the process move more quickly from the initial enquiry to the approval. Delays occur waiting for education spots, waiting for the allocation of a social worker, waiting for the submission of the social workers report and waiting to hear of the final approval. Sometimes delays are unexpected or unavoidable. Sometimes it is necessary to move slowly so the applicants have time to absorb the education, but many times the delays are not for these reasons. And without a good relationship with the department or without being given a clear understanding of the overall process and where you are in relation to the end of the process it can be very frustrating.

SINGLE APPLICANTS

We also feel singles should be able to adopt internationally. The children needing families are living in institutions or foster care with no parents. Whatever the views on two parent families no one can deny the positive impact on a child by having a

loving parent. All children experience cultural losses by being adopted internationally but a parent of your own provides a long term stability that even a two parent foster family can not achieve. Single parent adoptions would be seen by us to be in the best interests of the child.

BIRTH ORDER

In WA we are unable to adopt out of birth order. That is we have to adopt a child at least a year younger than our youngest child. While we can see the reasoning the fact remains that adoptions are not like having a child by birth. There are not the same natural restrictions.

In adoption we can apply for a child with specific medical needs. We can say we could not care for a child with specific medical needs. We can request a child of a certain age (as long as they are younger than our youngest child). We can express a preference for either gender.

A family with say a 10 year old child and 2 year old should, we feel, be able to adopt children whose ages are between these two instead of having no choice. Not only does the oldest stay the oldest, and the youngest stay the youngest but the children are likely to gain from having siblings closer in age.

Families are now formed in many ways and birth order is not considered when step families are created.

PARENT AGE RESTRICTIONS

The states have different age restrictions on the adoptive parents. A person can be too old to apply as an adoptive parent in one state but able to apply in another. There seems to be no reason for these differences. We support the lifting of age restrictions on applicants. A person's age has no bearing on their ability to parent. While a baby might not be well served by having parents in their mid 50's an older child might fit perfectly and benefit from the life experience of their parents. Particularly if the alternative is to live in an institution – this is not just adding an emotional component to the discussion this is the reality for many children. Applicants should at least be assessed on their individual cases eg an adoptive parent wishing to add a sibling to a family but being just above the cut off age. Refusing this family is also impacting the child they already have particularly if the first child is adopted and would benefit from a sibling who is also adopted.

WAITING CHILDREN

Probably outside the scope of this enquiry is the issue of adopting 'waiting children'. We are applying for a child with a medical need or background. It would greatly reduce the stress and improve the process if we were allowed to access brief profiles of children and request further information on a specific child we felt we could parent. This is common practice in America and improves the adoption chances for the children. We feel the unknown is what stops many parents from expressing an interest in children with medical needs. If they could see how well these kids really are and how insignificant the medical issues are there would be

more adoptions of these children. In many cases the medical issue is resolved but because it existed the child will not be placed on well child lists by their birth country.

At the moment we have to fill out a form saying "yes, no, maybe" to a list of general medical conditions and wait months or a year or two for a child to be matched with us. Meanwhile a child could be waiting who we would be happy to accept but we might have ticked "no" to – say developmental delay, as we don't feel able to parent a child who will not become independent. However this waiting child might be delayed for a specific reason and catching up, and by looking at the overall picture we might find the delay is not an issue.

It is daunting to sit down and discuss every possible medical/social category and what our response would be. A simpler approach is to say this particular child has a condition or background we can easily handle in our family and we would like more information.

These lists are widely available on the internet but at the moment the children are not able to be adopted to Australia.

2. Any inconsistencies between the benefits and entitlements provided to families with their own birth children and those provided to families who have adopted children from overseas.

BIRTH CHILDREN

Our two children were born to us in WA in 2001. We had private health insurance but if we had not medicare would have met the cost of the pregnancy and delivery. We were paid the applicable bonuses at the time for the births and later for their immunisations.

ADOPTION

As adoptive parents we have met all the costs of the application ourselves.

COSTS HAVE DELAYED OUR CHILD'S ADOPTION

I am at home with our three year old girls fulltime which is our choice and we are very fortunate to be in a position to do so. However it has meant our adoption has been on hold since we were approved in 2003 as financially the adoption has been beyond our reach to complete. We are approved in WA but our file has not been sent to another country for matching. We plan to send our file by mid 2005 and the adoption should be completed aprox 2007-2008. There are countries where a child would be matched with us much sooner but we are really not in a position to apply there as the financial stretch is too great.

I completely understand many families have two working parents for a variety of reasons. We don't feel it is in our current children's best interests change to two

working parents and full time daycare for the sole financial purpose of adding another child to our family. It just seems unfair to us to take a full time parent away from these two children so we can save for the adoption expenses of another child. As a parent this is a good decision. As a person it has been a very difficult decision as we long to meet our next child and have all our children grow up together.

During the delay our children here are growing up. As we would like to adopt a child two years of age or under, there will now be a wider age gap between the children than we had desired.

NO FINANCIAL ASSISTANCE FOR ADOPTION AS THERE IS FOR BIRTH

We have paid for education classes, medicals, police clearances, etc, and were lucky not to have to pay for our social work assessment although that is now being charged for applicants again. This is similar to doctors visits and tests for a pregnancy which are covered by medicare.

We will be paying all travel, child immigration visa, child passport, repeat medicals, document translation and courier fees, and later adoption fees in Australia, etc. This is similar to hospital birth and infant medical care which is covered by medicare.

We also have to pay the costs of an immigration visa for our child – aprox \$1200. We feel this should be subsidised or abolished for adoptive children. This is a charge Australia controls and is applicable across all states. Removing the cost would be an opportunity to welcome the new children on the same grounds as the Australian born children who have their births covered by medicare.

Obviously the financial pressure would be eased by tax breaks, low/no cost adoption loans, grants etc as are available to adoptive parents in other countries.

All the children whether adopted or not are going to grow up and become tax payers as our population ages. The government is encouraging us to have more children and is happily subsidising the pregnancies and births of children born to us. Our adopted children are also joining our families and becoming Australians like their siblings – just the process is different – and there are not so many of them.

The end result of an adoption or a birth to Australian parents is the same to Australia. There is a child to raise and educate to be a happy and productive member of society. In financial terms the country meets or assists with the early costs by providing family payments, medical care and education. The children go on to be taxpayers, volunteers, support the private health system etc.

If Australia recognises the future contribution of children and assists with the initial birth/raising costs, why would that be any different for children who are adopted to the country or born to the country? Australia completely recognises the legal right of adopted children to inheritance and citizenship so they are fully recognised as Australian children. It is not the same as families who immigrate here and have immigration costs for their children.

