

From: [REDACTED]
Sent: Wednesday, 27 April 2005 12:15 AM
To: Committee, FHS (REPS)
Subject: Adoption

[REDACTED]
[REDACTED]

Secretary to the
Standing Committee on Family and Human Services

Subject: Inquiry into Adoption of Children from Overseas

Thank you for the opportunity to comment on how the Federal government might better assist overseas adoption. As the adoptive mother of my daughter from China, I would ask that the committee consider not only how to "assist" adoption but how they can **encourage** it.

Our experience of the adoption processes in NSW was far from satisfactory and I know personally many people who would make wonderful parents to a child who needs a family but who have chosen to not go ahead because they are put off by the attitude and non-service of the public "servants" who have been granted the monopoly on the process. The process is lengthy, stressful, full of redundancies and misinformation and at times you are made to feel abnormal for wanting to "parent someone else's child".

It should be a joy to create a family in this manner instead it is a bureaucratic nightmare. DOCS do not appear to support inter-country adoption instead they hinder it, rationalizing the delays as a means of weeding out the uncommitted. People wanting to adopt have to be very persistent and are very dependent on parent support groups to inform themselves. It took us three years and not one delay was on our side. Every document was returned by us within days. We waited 9 months just to get into the Information Session which is compulsory: an application cannot be lodged until you get into that workshop.

Adoption is a very natural way to form a family and has been practiced without bureaucratic intervention since people first walked this planet. We are thrilled that we finally have the privilege of being our daughter's parents and consider ourselves very lucky to have made it through the process.

We have friends in America who decided to adopt from China after meeting our daughter. Their experience of the process was joyful and exciting and it only took 12 months from expression of interest till travel to China. They were assessed just as stringently as us but they were welcomed and treated as individuals, supported in their decision, kept informed of where they were at in the process and it cost no more than the fees currently being charged by DOCS. DOCS often say that the American privatized system leads to more

adoption break downs as it is not as rigorous. They imply the system is corrupt. I have seen no evidence of this in my experience. DOCS state that one in 100 adoptions in NSW break down therefore by their own admission their lengthy processing times do not guarantee a perfect result. Surely it has to do with the quality of the social worker's assessment rather than some artificially imposed length of time.

DOCS are under-resourced to meet the real demands of families wanting to adopt. It is not surprising that the individual public servants have these attitudes since they are operating under a lot of pressure and therefore seek ways to minimize the workload. Adoption processes should be better resourced and this includes following through on the recent recommendations to allow private agencies to operate in the domain.

In addition to problems with state Adoption branches, there are also bureaucratic inconsistencies in other government departments. For example, there are inconsistencies in the handling of applications for passports for adopted children if born overseas, in particular those from China.

- The passport application form asks for a citizenship certificate or Australian birth certificate. We provided our daughter's citizenship certificate since she was born overseas. In order to process her citizenship we provided all her Chinese documentation plus the documentation from the Adoption Branch of the NSW Department of Community Services. If she has a legal citizenship certificate why does the Passport Office require all the Chinese documentation again?
- At the passport interview at the Post Office I took all her Chinese documentation just in case but the Post Office person said they were not required. During the interview she phoned the Passport Office to doublecheck. Then a month later I was asked by the Passport Office to fill out a Form B11 to declare that we are our daughter's legal parents. This should not be necessary.
- Chinese adopted children usually do not have a Chinese birth certificate as they are often abandoned anonymously on the day of birth. In lieu of a birth certificate, the Provincial Government in China provides a certificate stating that her birthparents and birthplace are unknown. The adoption process for Chinese children is officially completed in China with the approval of the Australian Government. Unlike adoption from many other countries, such as Korea, there is no process to be undertaken 12 months later to register the children at the Courts to obtain a birth certificate. Korean adopted children, for example, enter Australia under the guardianship of the state government and complete Australian adoption processes after 12 months if the state deems the adoption is going satisfactorily. This is not needed with children adopted from China as they are already fully adopted during the handover in China. Therefore our Chinese children cannot get an Australian birth certificate. This discriminatory practice is a legal anomaly. The programme with China has

only been in effect for 3 years so it is perhaps not surprising that there are still inconsistencies to be ironed out.

- Many adopting parents in the China programme keep in contact with each other (via an Australia-wide internet community) and in comparing stories about passport applications we are finding a lot of inconsistent responses by the responsible departments. Most have no problems getting passports for their children. Some have problems at the Post Office and some like me have no problems at the Post Office but are having problems within the Passport Office. Perhaps the Passport Office could put in writing for their officers a clear set of instructions for applications by the parents of Chinese adopted children after consultation with the state Adoption branches. Unfortunately adoption is done on a state by state basis, not nationally, however in getting the China programme started the Victorian Department of Health Services is the signatory with China on behalf of the other departments so the Passport Office could check the facts above with the Victorians. When a set of instructions has been prepared, the Passport Office could also send these to the state adoption branches so that they can provide the instructions to adopting parents. This would then save a lot of wasted time for people in the Passport Office and for busy parents. Fortunately we were not planning to travel internationally at the time of application so these delays did not cause us any inconvenience other than time but others have not been so lucky.

I hope these comments are useful. I have not commented on inconsistencies between payments made to families formed by birth and families formed by adoption as I note many of the other submissions concentrate on that.

Yours Sincerely

_____**NSW**_____
