

Good morning ladies and gentlemen. Thank you for inviting me to speak to you and thank you for taking the trouble to inquire into the issue of intercountry adoption.

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I am here today wearing 3 hats - I represent my family, I will help Ann to represent the Adoptive Families Association of the ACT and I also represent EurAdopt Australia. Most importantly, I would also like to speak for the thousands or probably millions of children growing up in institutions throughout the world. These children need a voice because no-one allows them to speak.

I think I can safely say that the administration of intercountry adoption in Australia is a mess. During discussions and consultations leading up to Australia signing the Hague Convention in 1998 on Intercountry Adoption, parent groups were assured that signing the Hague would bring stability and consistency to the process. This hasn't happened.

We were also assured that signing the Hague would allow Australians to adopt from a greater number of countries. This has not happened either. Certainly, there have been a few countries become available under the Hague Convention, but Australia still has to go through the process of establishing a program with individual country just as we did with individual countries prior to the Hague. Other countries that Australia used to have active programs with have either stopped adopting children to Australia or have restricted their programs.

Most people in the adoption community would like to see fewer adoptions, but that needs to be caused by a lack of needy children, not by governments making it more difficult for families to adopt the children who are growing up in an institution.

children needing

On a trend basis, the Australian Institute of Health and Welfare shows that adoptions in Australia are declining each year. Adoptions of children peaked in Australia in the late 1960's at almost 10,000 per year. Most, if not all of those, were local adoptions. Intercountry adoption seems to have begun in the seventies with the adoption of Vietnamese children during the war. Those were early days and plenty of mistakes were made and people were hurt. There is a very different system in place today. Both parents and adoption authorities have learnt a lot from those mistakes. We should not let those mistakes overrule the right of every child from anywhere in the world to live in a loving, caring, forever family.

Foster care is NOT a forever family. There is a place for foster care but it is and should only be viewed as a temporary arrangement. Adoption is forever. It gives permanence to the child and allows their mind to rest about their place in the world.

I will talk briefly about my family and why we adopted. My wife and I married in 1982 and Noline came to the marriage with 2 children, one of whom had been locally adopted in 1977. We spent 13 years bringing up these children, and volunteering in various programs in the community including foster care. We enjoyed a pretty good lifestyle, especially as DINKs when the children left home.

One day in the Philippines, while on one of many overseas trips, I was accosted in my air-conditioned car by a little girl of about 6 dressed in nothing but a tattered pair of underpants, begging for money for food. That vision made me contemplate our hedonistic western lifestyle while so many in the world are starving. After long and hard thought, we

decided there was room in our lives for another 2 children and in 1995 we decided to apply to adopt. Sure, we could have simply sponsored a child, but we felt we had the resources, the ability and the inclination to adopt.

Our research showed us there were millions of children in institutions all over the world and all most of them wanted was a family to call their own. It seemed the logical thing for us to adopt 1 or 2. I don't want to dwell on the negative attitude we encountered from the ACT government at that time or speculate too much on the reasons behind it. That is history and to a large degree the attitudes and some of the practices have changed for the better. But it took us almost 5 years until February 2000 to bring our children home to Australia and their forever family.

Like most Australian families, we travelled to Romania to collect our children. I don't think I can describe the feeling we had when we met the children we were going to make a part of our family for the rest of our lives. There were lots of tears shed, mainly by us and the foster parents who had looked after them and given them their first taste of life in a family.

What I cannot forget about those few days in Romania is the 30 other children left in just one of the rooms at the orphanage, they crowded around us calling us Mummy and Daddy, asking to be held and cuddled, all in the hope that we would take them home with us too. Our children still ask what happened to them and why can't they come here too.

Our children, then aged 6 and 8, were prepared for adoption up to a fashion. But who knows what they thought of these 2 strange looking,

strange smelling, strange acting people who they couldn't understand and who couldn't understand them? They saw this as a big adventure, going on a train, on a plane, even just being outside. You see these children had been institutionalised since birth. They lived in 2 or 3 rooms with no toys, no education, no idea of how the world works and very little adult contact.

People ask if they spoke English when they came here. They didn't even speak their first language well. Because they had very little contact with adults (there was one care giver to 30 kids) they learnt to speak from other kids. Even a native Romanian from their region had difficulty understanding them. They rarely went outdoors, and spent most of their day watching inappropriate American television shows on the orphanages one TV set. When I call the minders care-givers, that was their official title. Having to single-handedly look after 30 kids who were like wild animals, it's no wonder they resorted to physical abuse to keep control. There was no excuse however for the other types of abuse that the children suffered.

Five years down the track, my children have come such a long way. But there is still much for them to learn and the early deprivation has caused scars that may never heal. But at least they now have a family and extended family to love and care for them and that will last for the rest of their lives.

For the record, my wife and I are actually putting into practice what John Howard has been urging Australians to do. We are working longer and having more kids. My wife could have retired several years ago. I am almost 55 too. But I cannot see retirement until I am at least 60

when my son finishes school. That's my decision and I do it gladly. I love the children no differently than I would love biological children and am happy to work for them.

You need to ask, why do families adopt? There are 2 reasons – either they desire a family and can't have birth children, or for altruistic reasons - they want to help somebody in need. I contend that either reason is valid. Why then are we penalised by governments making us pay for the privilege and discriminated against by governments and the private sector alike? It is hard enough to find you are unable to have biological children but then the alternatives are so difficult as well. At times you are made to feel like a criminal. In NSW a police finger print check is required unlike other jurisdictions where only a name check is required.

I have a theory that the social workers administering adoption, and I am not necessarily talking about the ACT here, make adoption difficult either because of a backlash from the "stolen children" fiasco. Or perhaps because they know that adopted kids are tough on families. Perhaps they think that only the toughest of couples will survive having adopted children so if they make the process equally tough, it will help ensure the adoptions are successful.

Whatever the reason, do the public servant administrators have the right to play with people's lives the way they do? Certainly, we do not want children adopted into inappropriate families but do the restrictions have to be so tight? No social worker would dare tell an overweight woman she was not allowed to have a birth child. Yet they seem perfectly comfortable telling adoptive parents the same thing. These children are

being damaged every day they spend in an institution. Are overweight or older parents going to damage them more?

And how do you explain the high and ever increasing cost of adoption? Why should adoptive parents have to pay almost \$10,000 for the privilege of having their lives laid bare to a social worker who may end up going through their cupboards to see what is in there? Education in Australia is free. Birth families are subsidised so giving birth can be free. IVF is subsidised. Yet adoptive families are expected to pay full costs. Even the Australian Government takes its pound of flesh with its visa charge of \$1250. Why should families have to mortgage their homes to pay governments to do their job?

We have outlined in our submissions a full list of rules imposed by state agencies. Surely the very stringent rules imposed by the countries we adopt from are sufficient. Why should Australian families have to sell up and move interstate just to be able to adopt children? Just last week we had dinner with a couple who are contemplating moving to Canberra from Queensland simply to have a firm idea of the timeframe for their adoption.

Australian authorities should abolish most of their rules and simply ensure that adoptive families are not going to damage the children more than they are being damaged as we speak. If you want to read a first hand account of the damage done to children in orphanages, I can recommend a book called "Abandoned for Life" by Izidor Ruckel. Izidor was adopted to the US at age 11 and grew up in such an orphanage. His descriptions of the life there and the abuse are quite graphic.

Australia had 370 children adopted from overseas in 2003-04, a rise of 92 over the previous year when it was almost the lowest since intercountry adoption started. Our rate on adoption is very small compared to other western countries. In most countries the rate is rising, probably in line with the rising rate of couples with infertility problems. But it is also because of the attitude of the authorities.

In most countries, adoptive families are recognised and appreciated. President Bush recently gave adoptive families very public praise. In the US adoptive families are recognised with a US\$10,000 tax credit scheme. Many US State governments also give benefits to adoptive families. Many US employers give adopting employees recognition and cash benefits. Most western countries give tax benefits of some description.

The US system of allowing any licensed adoption agency to arrange the adoption (I understand there still has to be state government approval of the documentation) is not perfect. There are some shonky operators there. I believe the government system here is OK but **regulated** NGO's should be allowed to administer the paper work for them. This system had proven workable in South Australia until April 2005.

I read the SA Minister had given a reason for abolishing the NGO process in SA as being "to bring SA into line with the other states". Another reason given was that there had been a number of adoption breakdowns in SA, although I have not seen any evidence that the rate is higher than in others states. My belief is that SA had pressure put upon it by other states who are unwilling to relinquish their monopoly on administration of adoptions and the associated revenue raising.

Lastly, I would like to reiterate that I can't understand why the governments have such a reluctance to investigate programs with other non-Hague convention countries. They spend valuable time, sometimes years, establishing programs with countries where there will only ever be a few children a year available to Australians to adopt. Yet there are many countries where there are thousands of children available for adoption.

I have discussed this so many times with various state and territory government officials and get reasons like "Russia is so far away" or "how many parents would take their children back there for a visit" or "why can't you look at adoption in our own region"? Surely, these are not reasons a public servant should be giving. Are they not employed to serve the public? It is up to adoptive families not public servants to choose on ideological grounds the country they wish to adopt from - all possible countries should be made available.

Russia has signed but not ratified the Hague Convention. This demonstrates a willingness by Russia to adhere to the Hague process. All adoptions in Russia are administered by the government. Its not like there are semi-regulated private agencies like in the US. Yet Australians have adopted from the US in the past. Such is the reluctance and the dithering on the part of the Australian government that so far we have been unable to convince the them to even make an approach to the Russian government to ask if they intend to ratify the Hague Convention, let alone ask if Australian families can adopt Russian children.

reactions she received by parents who had adopted **only** older children from Romania.

To summarise: I see the main issues which the Australian government could address as being

- The cost of adoption to parents
- The shambles of different rules between states and territories
- The inflexibility of governments in establishment of country programs
- The inflexibility of allowing accredited agencies as agreed under the Hague convention
- Differences in incentives available to adopted and birth children.

Thank you.