

To- Standing Committee on Family and Human Services

From- Steve and Louise Nielsen (Queensland)

Inquiry into Adoption of Children from Overseas

Background

Louise and I were overjoyed to finally add to our family through Intercountry Adoption (South Korea) in October of 2002. The journey home had been a long one due to the inefficiencies of our state government agency, now under the Department of Child Safety. We are active in the Queensland support group and are aware of numerous inconsistencies between our regime and other state offices and more widely programs around the world.

1. Inconsistencies between State and Territory Approval Processes for Intercountry Adoptions.

Government Body

Queensland recently moved to an Expressions of Interest system, and called for Expressions of Interest in October 2004. This signalled the re opening of ICA in Queensland after a two year closure to new applications. Ostensibly, this two year break was to allow some progress to be made into the huge back log of applications that had built up. During the hiatus, the Department of Child Safety was formed. Despite assurances to the contrary, Intercountry Adoptions was transferred into the responsibility of this new Department in March 2004. All support groups voiced concern at this move. Adoption is all about building communities and surely should not have been included into a department who's main purpose is to investigate child abuse and juvenile justice issues. We continue to be concerned at this department's lack of resources to put towards adoption when there are very real (and quite justified) demands on these resources by the children who need to be protected. We still believe that this is a poor use of government resources and a poor fit for Intercountry Adoptions compared to our counterparts interstate.

Fees and Timing

Assessment fees for Queensland Intercountry Adoptions are still subsidised by the Department of Child Safety. This means that only limited numbers of files can be assessed in any one year due the budget constraints and conflicting responsibilities of this department mentioned above. For a number of years the support groups have signalled to the responsible minister that we would pay more for the assessment (currently the parents share is \$ 2,000) to facilitate faster processing. This is evidenced with projections that the government will only be able to process 75 files this year of the 300 or so that meet the initial criteria from September's EOI process. Our department continually tells us that the number of files processed is driven mainly by the number of children overseas requiring a placement. We know for example that China would take many more files and South Korea only has to be asked to extend its quota. So our department's argument is and remains inaccurate.

Process

Despite visits to Korea by other Australian agencies, our department has never been, and seems unwilling to undertake a trip to familiarise itself with the country and processes. Our support group has offered to part fund the trip given the drain on departmental resources for the other side of its responsibilities (it would be great to have a department that didn't view Intercountry Adoption as a part time job!). Other states seem to have faster application times and more streamlined communication with other countries as a result of personal visits. We have also raised the possibility of our Department dealing with other countries that have signed to the Hague Convention as a means to getting more files processed. Our department

doesn't want to commence any action of its own back in this area, deferring this responsibility to the department of Immigration and multicultural Affairs at the federal level. We are aware that other state bodies are working collaboratively with the federal government to introduce new programs. Queensland seems unwilling to enter into this to the detriment of prospective adoptive parents in this state.

Our support group, the Australian Korean Friendship Group (QLD) sought a meeting with the Dept of Immigration and Multicultural Affairs last year to find out more about the visa processing process. Minister Hardgrave at the time sent a number of Canberra staff as well as staff from DIMIA in the Brisbane to sort out our concerns and allay some misinformation from the QLD Dept of Child Safety about how to deal with our Embassy in South Korea. We (the support group) established a protocol with DIMIA that ensures that our members get a better experience. Surely this type of liaison work between federal and state should not have to be driven by the support groups. Our state department seems unwilling to engage federal departments in any sense.

Photos

Under Queensland's Adoption of Children Act (1964) adoptive parents are forbidden to-

- Publish photos of their adopted children while they are under an interim adoption order (usually the first 12 months after returning from the overseas country). Further-
- Parents can never document or speak openly about the process of adoption, ever.

This is, according to the government, in the best interests of the child. It also renders the support groups quite ineffective in their ability to reassure couples through the process as they cannot relate their own personal stories. With documentaries on adoption (such as the SBS documentary "From Korea with Love"- based on a couples experience adopting from Korea in NSW) being used by the QLD Department to "educate" prospective couples, we remain confused as to their true intentions here.

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

Centrelink

Access to maternity payment and family benefits are compromised where adopted children are over six months when they return to Australia. This means that some adoptive parents (those who return before six months) will receive benefits and some will not. Government benefits are inconsistent with those paid to families formed biologically.

Subsidisation of Adoption

With Medicare subsidising the costs of natural childbirth and providing further subsidy when Assisted Reproductive Techniques (IVF, GIFT etc) are required, another point of difference with families formed by adoption is created. Adoptive parents quite often mortgage their homes in order to afford both the domestic assessment and overseas costs associated with adoption. It's a cost we gladly pay, but there is an inconsistency that needs to be addressed. Costs are significantly higher in the USA in their private system (which has its negatives-another issue), but the costs are tax deductible. This defrays the cost to adoptive parents considerably.