

21 April 2005

TO: The House of Representatives Standing Committee on Family and Human Services  
RE: Inquiry into Adoption of Children from Overseas

Thank you for this opportunity to submit our feedback and issues regarding intercountry adoption in Australia.

My husband and I will be travelling to China in two weeks to bring home our new son. This is a dream come true for us for which we are most thankful. Through the knowledge we have learned from our own personal journey, and the friendships we have made with other couples around Australia taking the same path, we wish to bring to your attention some of the issues that we believe need to be addressed by this inquiry.

- **Discrimination in government benefits**

The maternity payment which commenced in July 2004 does not apply to the majority of adopted children due to the age restriction of 26 weeks. Whilst the money would be of great benefit to us, for my husband and I the bigger issue is that it's non-application for our son, 19 months at adoption. It should not matter by which path our family was formed, our child deserves all the benefits of a biological child born in Australia, and we see the exclusion from this payment as a form of discrimination. We recommend that the age restriction be removed, the payment is equal to that of a biological child, and that the payment be backdated for all adoptions that have occurred since the Maternity Payment took effect.

- **DIMIA visa fee**

We have to pay the extremely high fee of \$1245 to obtain a visa for our child to bring him home. The medical examination to all accounts is quite cursory - ask any recent parent, or ask us in 4 weeks time. Also a young baby or child does not have a criminal record or assets to be investigated therefore there would not be much work effort required to process such a visa. We recommend that this fee is waived for adoptive children.

- **Adoption costs**

The costs that we incur overseas are obviously determined by the country to which we have applied to adopt however they can be significant and should be noted by government. However the State based fees which are controlled by state governments are extremely expensive in some cases i.e. Victoria, NSW and SA. Why can WA, ACT and Qld do the same job for a 1/3<sup>rd</sup> of the cost?? And why do local adoptions pay a fraction of this amount?

Fees should be substantially reduced so that more parents can adopt children who desperately need families. Some of the costs that we have encountered include Department of Human Services fee \$6250, police checks x2 adults x 2 times, post placement visits \$1000, additional DHS workshops and manuals \$60, notarisation of documents, translation of documents (multiple times), immigration stamping, courier fees, international airfares and accommodation for 2 weeks, orphanage donations and Chinese government fees.

Every child deserves the love and attention of a family and governments, both State and Federal, should do as much as they can to encourage more people to adopt. The Treasurer has called for Australians to have one child for the father, one child for the mother, and one for the country, but adopting 3 children from China would cost around \$100,000 when the Australian dollar is high, and oodles more if the exchange rate drops.

New Zealanders pay virtually no government fees to adopt internationally.

- **Tax relief**  
It is our understanding that in the past adoption costs have been tax deductible. We believe that this should be reviewed. The United States of America provide tax relief up to \$10,000 per adoption which can be claimed over multiple years.
- **Discrepancy in age restrictions between States**  
We are extremely lucky that we live in Victoria and that our adoption legislation does not discriminate on the age of the parents. However friends in SA, WA and Tasmania are not so lucky. Approval should be based on the capability of the parent not the year of birth of the potential parents. Many children are missing the opportunity to have a loving home because of this antiquated legislation, or a first adopted child is not allowed a sibling because of this rule.
- **Inconsistencies in State based processes**  
There is an amazing variation in the length of time of the process, criminal record checking (i.e. NSW does finger printing!), medical assessments (Qld does chest x-rays!) for seemingly no logical reason. The process to adopt should be consistent across the board in terms of timeframe and process.
- **Lack of information by Government**  
Yesterday I heard an interview (ABC 774 Melbourne) with Senator Kaye Patterson where she acknowledged that information that was being provided to biological parents was not being sent to adoptive parents. Something about 'falling between cracks' comes to mind. This has meant that adoptive families have not known about their eligibility for Family Allowance B. The pack of information sent to new birth parents should also be sent to new adoptive parents.

- Freedom of Speech

We have sometimes been amazed at the things we have learnt during this journey and also wonder what country and century we are living in. The appalling manoeuvre by the SA government to gag its citizens is a disgrace. This came to light when the SA government announced its move back from a private agency-based approval process to State based. (Are we being too cynical to say that it might have something to do with the revenue being earned by this private agency? SA does have one of the highest, if not the highest, per capita adoption rates in Australia). However sending media releases to potential international adoption applicants warning them about \$20,000 fines if they speak out about their experience with adoption was in fact a gag order. What is the SA government trying to hide? And where was the Federal government in protecting the rights of its citizens to freedom of speech?

### Summary

It is our understanding is that it is the Federal Government that signed the agreement with the People's Republic of China that allowed Australians to adopt children from China. Since that time the federal government has been a silent partner in the international adoption process and we feel that this is wrong. The inconsistencies in costs, processes, timeframes, legislation etc highlights to us that international adoption policy and process should be overseen by the Federal government whilst being administered at a state level. This would ensure consistency and visibility for international adoptions. Because at the end of the day these children are becoming Australian citizens first and foremost, and Victorian citizens (or Tasmanians etc) second.

Yours sincerely

Laureen F. Chivell and Stephen J. Hind