

Points of view in relation to intercountry adoption

Preamble

This attachment provides some thoughts based on the perspectives of the child involved in intercountry adoption to South Australia to bring into sharp relief their perceived needs and expectations.

Given the underpinning principle in adoption of the paramountcy of the best interests of the child, it is critical that the Inquiry has regard to the position of the child in the process. Usually, the voices of children for overseas adoption are silent, yet they are the most affected and least powerful in the process.

Similarly, the guardian and or parent (whether known or unknown) in the overseas country is not in a position to submit to this Inquiry. These are their children. Further, these people need to make extremely difficult decisions about their children, often from a position of considerable disadvantage and limited power.

People who have already adopted or who are seeking to adopt children from overseas have significant needs that must be taken into account in developing the most appropriate model of service delivery in the intercountry adoption process. The South Australian Government is mindful of these needs and here provides a view from their perspective also.

Intercountry Adoption is the most profound thing that the State does to a child

- ▶ Adoption is irreversible and the effects on a child last for their life time and beyond into future generations
- ▶ Intercountry adoption takes a child from their country of birth to a foreign country. It changes the citizenship status of the child; it changes their language; it makes future contact with family members or country of birth difficult
- ▶ Intercountry adoption places a child in a new family, legally severs their relationship with their family of origin and makes permanent their legal relationship to the new family
- ▶ The consequences for the State are far reaching. Given the knowledge gained through the Stolen Generations and the British Child Migrant and other such experiences, intercountry adoption must be engaged in with the greatest caution and with impeccable standards in its operation.

POINT OF VIEW OF THE CHILD

I am a child who is going to be adopted to a South Australian family. This is what I want the people arranging my adoption to know:

- ▶ I'm not in a position to be able to voice my opinion, but I'm counting on you to make the best decision for me
- ▶ I need my new family to be prepared to accept me for who I am, to help me to grieve for my losses, and understand what I have been through
- ▶ I need my new family to have a deep and genuine regard for my culture, the country I came from, and my birth family
- ▶ I need you to be careful to keep safe all the information about me and my background and my birth family, because in the future it is likely that it will be really important for me
- ▶ I need you to make really careful decisions about me, having as much information as possible about what I am going to need, so that you can arrange for my needs to be met as well as possible now and into the future
- ▶ I need you to be really careful not to overlook anything about my new family that might mean they aren't safe and stable and loving for me forever. Especially, you need to be careful to make sure they are not abusive or racist
- ▶ The people arranging my adoption need to be able to do their jobs well; they must be well-informed, well-supported and well-resourced and understand that this is one of the most significant things that will ever happen to me
- ▶ When I come to your country you will be my guardian and I want you to be the best guardian you can be. At least I want you to be as good as the guardians of other children in your State
- ▶ If I am old enough to talk, you need to ask me in the language that I understand, what I think about what is happening to me
- ▶ If I am old enough to talk when I come to your country I need access to people who understand me
- ▶ If I have any questions as I am settling into my family and new life, I want to have them answered honestly and as well as possible
- ▶ If I have queries, questions or ideas about my adoption into the future, even when I am an adult, I want to have information that is honest, thorough and given to me with understanding
- ▶ I want people to understand that I am the same as everyone else and also that I may have some different things about me because I am adopted and come from another place and culture
- ▶ If you give me a family who is abusive or unkind or unsafe, I will hold you accountable for that
- ▶ If you have taken me from my country and culture of birth, and put me in a family who doesn't respect that, or doesn't help me to maintain a connection with my birth country, I will come to you as an adult and get you to help me reconcile with my birth country and culture. I might need financial help to do this
- ▶ I will grow up in a culture of litigation and compensation. If you let me down, I will make sure you pay for that.

POINT OF VIEW OF THE PARENTS/GUARDIANS OF THE CHILD IN THE CHILD'S COUNTRY OF ORIGIN

I am the parent or guardian of a child who is going to be adopted to a South Australian family. This is what I want the people in South Australia arranging the adoption to know or do:

- ▶ We need you to have an organisational system that we can understand. You need to be aware that we already deal with many overseas countries and when we deal with Australia we have to understand the laws, practices and services of 8 States and Territories. I need yours to be as easy as possible to understand
- ▶ We need you to provide information about prospective adoptive families that we can trust; these are our children and we need to know that the families they go to will be able to meet their needs
- ▶ We want you to have excluded from adoption, families who might present a risk to the safety and well being of our children
- ▶ If there are risks in the family you are presenting, you need to tell me about those risks
- ▶ You need to understand that we will make decisions regarding our children and you do not have a right to pressure us or try to influence our decisions. We know our child best
- ▶ We need you to be honest with us when things go wrong so that we can sort out any difficulties together
- ▶ We need to make sure that you commit to having regular dialogue and discussion with us, so that we understand each other and our respective roles
- ▶ We need you to respect our system and ways of doing things
- ▶ We need you to understand that we will try as hard as possible to place our children in our own country first and that this may impact on the number and kinds of children who need family placements overseas
- ▶ We need to know that when you become the guardian of our child, you will take that responsibility seriously in every way. We expect you to be a guardian which is as responsible as the guardians of other children in your State
- ▶ When we need to know about the ongoing welfare of our children; we expect you to provide us with information
- ▶ When our children want to reconnect with our country or seek out their birth origins in the future, we expect you to help them to do that
- ▶ When the birth parents of the children come to us in the future looking for information about, or contact with their relinquished child, we will expect you to help us to mediate this communication or contact.

POINT OF VIEW OF SOMEONE IN SOUTH AUSTRALIA WHO WANTS TO ADOPT A CHILD FROM OVERSEAS

I am the adoptive parent of or intending adoptive parent of a child from overseas. This is what I want the people arranging the adoption to know or do:

- ▶ You need to understand that considering adopting a child is really personal for me and that I might have come to adoption as the last chance I have of becoming a parent
- ▶ I need to be able to understand the system which I must negotiate
- ▶ I need you to give me information which is accurate and balanced
- ▶ I need to know what can go wrong as well as what can go right, and can therefore make my decisions based on reality and knowing the risks involved
- ▶ You need to respect the sensitivity and confidentiality of the information about me that I am required to disclose
- ▶ I need you to be experts in intercountry adoption
- ▶ I need you to be highly ethical
- ▶ I need to be able to trust that the process by which I adopt my child is absolutely thorough and proper, and that nothing improper has occurred such as bribery or corruption or trafficking
- ▶ I want you to be there for follow through because adopting a child means that I might need information or help for a long time
- ▶ I need you to be careful to keep safe all the information about my child and his or her background and birth family, because in the future I think it will be really important for him or her and me
- ▶ I need you to communicate with me honestly, even if the information is not what I want to hear
- ▶ I need to be able to complain or give feedback if I am not happy about something and I need to be sure that this would not disadvantage me in any way
- ▶ I need you to be accountable for the money that I pay for the services I receive
- ▶ I need to be able to proceed at my own pace; to not go faster than what I am ready for, and to not have unnecessary delays in the process
- ▶ Because I have trusted you and your processes in adopting a child into my family, I will hold you accountable for the decisions you have made that affect me or my child into the future
- ▶ When my child wants to search for their birth family, or has issues relating to their identity in the future, I need you to be there to help.