

Friday, April 22, 2005

Secretary,
Inquiry into Adoption of Children from Overseas,
House of Representatives,
Parliament House,
Canberra ACT 2600

SUBMISSION NO. 97

AUTHORISED: 25 05 05 *Indy Ryle*

Dear Secretary and Committee Members,

My husband and I are the parents of 8 children currently aged 23 to 10 years. Two daughters were born to us, and five sons and a daughter were adopted from Korea, Taiwan and India. Our adopted children joined our family as:

- a son aged 5 months from Korea in 1989,
- a son aged 2 years 6 months from Taiwan in 1991,
- two brothers aged maybe 10 and 5 years from India in 1995,
- a brother and sister aged 5 and 3 years from India in 1998

I have been a committee member of the Adoptive Families Association of the ACT Inc. for 18 years, holding the positions of Secretary, Vice-President and President. I am no longer a committee member but continue active involvement in the intercountry adoption community through membership of the AFA and my role as a speaker and group facilitator at education seminars run by the ACT government Adoption Unit.

This history has given me the opportunity to watch the evolution of the intercountry adoption program in the ACT and compare it with practice in other states. I feel the ACT now has a positive, productive Adoption Unit staffed by professionals who have a commitment to the best interests of children in need of families and those families that adopt them. Our Adoption Unit is friendly, accessible, and staffed by dedicated workers who do the best they can with available resources. This means that families in the ACT interested in adopting a child from overseas can expect a courteous reception and as timely service as is possible.

This has not always been the case, and it is not the current situation in many states of Australia. I have two sisters who have also adopted children from overseas (ten of my mother's twenty grandchildren are intercountry adoptees) and my sister in Queensland has had to battle obstacles in her adoption that my other (ACT-based) sister and I avoided. I can also look back at the adoptions of our first children and see how much more user-friendly and timely the current ACT process is than the one we encountered when we first applied to adopt in 1988.

In the 1980s and early 1990s I would describe the intercountry adoption process in the ACT as adversarial. The Adoption Unit at that time seemed to consider its primary role was to act as a gate-keeper and obstacle to the adoption of children from overseas. Applicants could not view their homestudy reports and were kept waiting a protracted time to start the application process. Our family had to wait 22 months from application to begin our homestudy process for our first adoption, whereas this is now started, and completed, in well under a year. The relationship between the Adoptive Families Association and the ACT Adoption Unit was unfriendly at that time, and we were seen as having opposing positions on the welfare of children. If families later encountered challenges in parenting their children, not an uncommon feature given the trauma, neglect and abuse many of our children have suffered, the last place they would have turned for help would have been our Adoption Unit.

Following years of complaints and a hostile relationship between our organisations, changes of staff and progression of attitude led to a significant improvement in relations. The ACT Adoption Unit began to slowly see the AFA as a resource they could utilise for the betterment of all concerned and we became allies in the intercountry adoption process. We established a Memorandum of Understanding between our organisations. Openness in adoption became the norm, and applicants could view their homestudy applications and feel they had some ownership of this highly stressful process. Applicants were encouraged to feel they were active participants in the adoption process, and were working in partnership with the Adoption Unit to ensure best outcome for the children and families concerned.

I am happy to say this climate and attitude have continued. Families now more readily seek out the advice and support of our Adoption Unit professionals. I regard the ACT Adoption Unit as the best in Australia. Although we still disagree on some matters, at least these issues are now open to discussion in an atmosphere of mutual respect.

The ACT appears to have the highest per capita rate of intercountry adoptions. Earlier this year I calculated the following comparisons using 2004 state population figures from the Australian Bureau of Statistics at www.abs.gov.au/ausstats/abs@.nsf/Lookup/6949409DC8B8FB92CA256BC60001B3D1 and intercountry adoption figures for 2003/04 from the Australian Institute of Health and Welfare at www.aihw.gov.au/publications/cws/aa03-04/aa03-04.pdf

	Population	Intercountry adoptions	One adoption per...
ACT	324000	26	12,461
SA	1534300	72	21,309
TAS	482100	22	21,913
NT	199900	5	39,980
WA	1982200	44	45,050
VIC	4972800	86	57,823
QLD	3882000	49	79,224
NSW	6731399	66	101,990

Although numbers of intercountry adoptions may vary because of demographic features (differing incomes, education, etc.) it is clear that it is far easier to adopt in some Australian states than in others. NSW is a state with a population more than 20 times that of the ACT, yet they managed less than 3 times the number of intercountry adoption placements in the year to 2004. If NSW residents adopted at the same rate as ACT residents there should have been approximately 540 intercountry adoptions in NSW that year instead of 66.

The ACT Adoption Unit manages to operate a reasonably timely, professional adoption service that maintains the interests of the child as paramount. They are able to do this using legislation (ACT Adoption Act 1993) that does not discriminate on the basis of age, marital status, or sexual orientation of applicants, nor a policy that discriminates on family size or weight limits. Rather, these and other issues are left to the adoption professionals to discuss, seek professional medical advice if needed (for example, if an applicant is significantly overweight) and to make recommendations regarding individual applicants. At the most recent Information Day for people interested in intercountry adoption, they were surprised to have double the usual number of attendees. Instead of restricting or extending the application process, the Adoption Unit has instead scheduled

an additional Adoption Seminar to cater for this unexpected and sudden increase in prospective applicants.

My family could not have existed in a number of other states. My husband would not have been able to adopt our youngest children as he would have been past the maximum age eligible to adopt (he was 51 years old when our youngest two children joined us), I would have been considered too overweight, and our family would have had too many children. Instead the ACT adoption process allowed us to make our case and assessed us on our individual merits. Also, our 10 year old would have been considered too old to be adopted in some Australian states. He has been a member of our family for 10 years now and is a wonderful, courteous and loving young man. He completed his Year 12 certificate last year and he is now working full time as an apprentice refrigeration and air-conditioning technician.

I know adoptive families who have moved from Queensland to the ACT to complete an adoption, as the waiting time in Queensland was too long and they would have encountered problems with the weight restrictions on applicants. In the ACT they were considered suitable to adopt, and they moved back to Queensland having succeeded in adopting three children. I also know a family who adopted a child while living in the ACT. They then moved to an estate 10 minutes from their previous home but it happened to be over the state border. This meant their second adoption application had to go through NSW, and it was initially refused as the husband was considered too overweight. This was despite the fact that the ACT had not seen his weight as an issue at all and they were already successfully parenting a young child from overseas.

Over the years I have heard many similar stories, often apparently based on "best interests of the child" but without supporting evidence supplied to show why these restrictions are necessary or even useful. The cost of adopting in some states is now prohibitive. I am certain that having more than one adopted child in a family is an asset to the children, as only another adoptee can truly understand the experience of adoption, but costs in some states make this option difficult or impossible. We certainly could not have adopted our six children, on one income, if we had lived in a state with a high adoption application fee.

Regards,

Julia Rollings

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