

INTERCOUNTRY ADOPTION BILATERAL PROGRAM: FIJI**1 Scope of Intercountry Adoption from Fiji**

Traditionally, the adoption of Fijian children by approved Australian prospective adoptive parents has occurred under existing bilateral arrangements since the late 1980s. The working arrangements occur directly between each State and Territory authorised adoption agency and the Fijian Department of Social Welfare.

Queensland has the responsibility for the program between Australia and Fiji in relation to policy and legal requirements. The number of adoption applications to Fiji each year is small and has varied over the years.

In 1986, it is understood that the Standing Sub-Committee on Intercountry Adoption endorsed Fiji as an approved country.

In 1996, Fijian Authorities advised Australia that they were anxious for the adoption of Fijian children to occur according to the principles of the United Convention on the Rights of the Child (UNCROC) and the Hague Convention on the Protection of Children and Co-operation in Respect of Intercountry Adoption) the Hague Convention.

The program has historically been small with 56 children being placed with Australian families in the years 1995-96.

	92/93	93/94	94/95	95/96	96/97	97/98	98/99	99/00	00/01	01/02	02/03
Adoptions from Fiji	0	0	0	13	0	18	12	5	3	5	0
Total Intercountry Adoptions	227	222	224	274	269	245	244	301	289	294	278
% of Total Adoptions	0	0	0	5	0	7	5	2	1	2	0

- Data obtained from Adoptions Australia AIHW reports (Canberra)

2 Overseas Adoption Process from the Fiji Perspective

Only a small number of children are placed overseas each year mainly to Australia and New Zealand. Advice provided by Fiji in August 2004 is that 10 – 12 children are placed with overseas adoptive families each year.

Generally Fijian Authorities do not like to have more than twenty four prospective adoptive couples with their names on the list awaiting placement at any one time. The waiting period is in the order of two years from the time that the documents are received by the Fijian Authority although some couples have waited for longer.

Most of the children placed are infants under the age of two years, with both male and female children being placed only when no family can be found in Fiji. Most of the children are healthy with few medical conditions. In many cases there is little known about the children's backgrounds as they have been abandoned by their birth parent/s.

3 Adoption Process and Requirements in Fiji

The adoption process in Fiji is administered through the Department of Social Welfare (DSW). Australian applicants must meet the requirements of Fiji and the Australian State and Territory in which they reside in order to be eligible to adopt a child from Fiji.

DSW is responsible for identifying the most suitable adoptive placement for each child. The placement proposal is forwarded to the relevant State or Territory authorised agency with as much information as is available about the child.

3.1 The Fijian Eligibility Requirements for Adoptive Parents

Lower age for applicants

The minimum age for intercountry adoption applicants is twenty one years of age.

Upper Age for applicants.

DSW advises that persons between 21 and 50 years will be considered providing the one of the persons is 25 years of age and at least 21 years older than the child being placed with them.

Marital status and divorce

There is no stipulation on the number of years a couple may have been married for rather, it is the responsibility of the overseas authority to determine the stability of the relationship. Previously divorced couples may adopt providing they meet all the other criteria. Couples in a defacto relationship are ineligible under Fijian requirements.

Single Applicants

Single applicants are only accepted in certain circumstances. Single persons may be considered however, single male applicants may not adopt an unrelated female child.

3.2 Other Requirements and Notes

All applicants are expected to financially stable, have 11 years of formal educations, clear police checks and be physically and mentally well.

Children Requiring Adoptive Placements

Children requiring adoptive families overseas are usually under two years of age. On occasion, there are children in sibling groups and older children for whom local adoptive families cannot be identified.

Length of Stay in Country

A minimum of a week to ten days is expected.

Post placement supervision

DSW requires four post placement reports over twelve months or until the finalisation of the order, whichever occurs earliest.

Contact with biological parents

DSW advise that they will keep information about the child on file for birth parents to access.

Post adoption contact arrangements

Requests for information or contact are made to DSW through the Australian State or Territory Department.

Fees and Costs

The fees consist of F\$1500 payable to DSW at allocation will cover medical expenses, passport, photographs, birth certificates and administration. These fees are subject to review by the DSW.

Couples can expect to pay accommodation and living expenses while in Fiji. They may wish to make a donation to the institution which cared for the child. Such a donation may be in the vicinity of A\$300.

4 Compliance of program with Hague Convention principles and standards.

The program is compliant with the principles and standards of the Hague Convention.

DSW are clear in relation to their position regarding contact occurring at government level and applicants are directed not to contact them.

More recently babies are being placed into foster care prior to an adoptive placement and adoptive families are asked to make a A\$300 donation to contribute to the costs of care for the child during that period.

A number of the principles and standards of the Hague Convention and how they are reflected in the Fiji program are as follows:

4.1 Establishing that the child is adoptable.

In Fiji children placed for adoption are under DSW guardianship. DSW provides a pre-adoption service where a mother wants to relinquish her child. When a child is

abandoned, the Director of DSW makes an application to the court to become the child's guardian.

Any proposal for a child to be placed overseas must be approved by the DSW.

4.2 Intercountry Adoption should only be considered if a suitable family cannot be found in the State of Origin.

As noted above only children for whom no family can be found in Fiji are placed for overseas adoption.

4.3 That all the necessary and appropriate consents to the adoption have been obtained and given freely without inducement of any kind. The abduction, sale and trafficking of children must not be permitted.

All applications for overseas adopters must be approved by DSW. They also approve the matching of all children and finalise the legal process in Fiji

There is no evidence that the children being placed for overseas adoption are not legally available in accordance with Fiji Law and requirements of DSW.

4.3 No improper financial gain is to be obtained from Intercountry adoption.

Prescribed fees are payable to DSW for intercountry adoption. There is no evidence of applicants being asked for additional amounts of money.

4.4 Preserve information on the child's origins and ensure access to that information.

DSW provides a report on each child being placed for adoption. This includes background and social information and a medical report. Post placement reports are provided to DSW for the first twelve months of placement. These reports are retained by DSW which also manages post adoption enquiries.

4.5 Ensure adequate information and a background report on the child is provided (in accordance with the terms of Article 16 of the Convention).

DSW provides any available information about children at the time a placement is proposed. The reports include medical information, background, social information and photos as may be available.

5 Summary

The program with Fiji is very small and commensurate with the resources available in DSW to facilitate intercountry adoptive placements. At this time there are no major concerns or issues with the program. There is a desire on behalf of DSW to review the program and further enhance the bilateral arrangements between Australian States and Territories and DSW to ensure that the interests of children remain the underpinning principle of intercountry adoption.