



Committee Secretary  
Standing Committee on Family and Human Services  
House of Representatives  
Parliament House  
CANBERRA ACT 2600  
AUSTRALIA

**Submission No. 260**  
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*Industrie*

27 September, 2005

**Supplement to Submission 100**  
**Inquiry into the Adoption of Children from Overseas**

Dear Ms Bishop and members of the Standing Committee

Thankyou for the opportunity to speak at the Inquiry into the Adoption of Children from Overseas, in Hobart on Friday the 16<sup>th</sup> September. I would like to submit the following advice to supplement AACASA's written and verbal submissions to the Inquiry.

**Adoption assistance in Victoria**

Feedback from AACASA members in Victoria over the past two years clearly indicate that there is a culture of anti adoption and intimidation towards applicants in the Victorian Department of Community Services (DOCS), with many applicants fearful of Departmental and social workers. Feedback also suggests that DOCS is specifically anti the Ethiopian adoption program.

These claims have been rejected by a spokesperson for the Minister for Community Services who, in the *The Age, Sunday 25<sup>th</sup> September*, cited a rise in applications for intercountry adoption. However an increase in expressions of interest in Victoria does not in any way indicate support for DOCS or its overly bureaucratic processes, but is predominantly due to an increase in the prominence of international adoption and the scarcity of children available for local adoption - a pattern reflected in every state and territory.

Adoption is a complex and emotional journey and it is important that applicants be totally open and honest with their Department and social workers, to ensure they receive the optimum level of support and guidance. This is difficult in an environment fraught with suspicion, intimidation, power play and red tape.

There is also a need for considerable work and effort to improve relationships between key DOCS managers and parent support groups like AACASA, to ensure

cooperative and positive working relationships - as are the norm in most other states and territories.

### **Adoption assistance in Queensland**

If Victoria is considered the worse state for their compassion in dealing with applicants, Queensland is clearly the worst state for its draconian and antiquated adoption legislation. The Queensland Act (*Adoption of Children Act 1964*) requires those considering inter-country adoption to put forward expressions of interest after a call for these has been advertised. This process works against best practice and is one of the most important issues to be addressed as a matter of urgency.

### **Need for consistency in eligibility for adoption**

AACASA's submission (Submission 100) to the Inquiry calls for national standardisation of eligibility criteria for adoption and procedures for assessing eligibility, using recognised best practice policies and procedures.

To this end, AACASA would support involvement from the Commonwealth in creation of a uniform standard for assessment, to be used in every state and territory. It seems ludicrous that each state has different rules regarding age, health and marital status. Regardless of what state or territory we live in, we are all Australian and as such the eligibility criteria should be consistent across the country.

### **Proposal for the Commonwealth to take responsibility for the management of intercountry adoption**

While AACASA is supportive of consistency in eligibility for adoption, we are **not** supportive of calls for the Commonwealth to take responsibility for assessment of applicants or processing of files. This model would require major change and would likely cause significant disruption to programs in the short term and may also cause an increase in levels of bureaucracy. Legislation would have to be revised in every state, and the Commonwealth legislation would also have to change. New Commonwealth offices would have to be established, and staff recruited, trained and skilled.

To move towards a centralised model would be detrimental to smaller states and territories such as Tasmania, ACT, NT, SA and WA, where departmental workers take a personal interest in ICA and provide significant support to adoptive parents.

For most states, adoption units sit appropriately within Health Departments, Child Welfare Departments or similar. Moving them out of these Departments to a Commonwealth Department will inevitably reduce linkages to local support services and local information.

National eligibility criteria, processes and guidelines, a national website and federal funding would be welcomed with open arms, but please let the states and territories continue to manage the programs.

### **Call for more involvement of the Commonwealth in establishing more programs**

AACASA's submission (Submission 100) to the Inquiry calls for an increase in the number of countries from which Australians can adopt children.

AACASA now also calls for the Commonwealth to take more responsibility, financially and in practice, in pursuing and establishing new programs. If adoption is, as is so often stated, a service 'for the best interests of the child' then programs should be sought with countries regardless of whether they are Hague Convention countries. In non-Hague Convention countries bi-lateral agreements could be established along the lines of Hague guidelines, as is the current case with China and Ethiopia, thereby increasing the number of children able to come to Australia.

### **Call for the establishment of private agencies in Australia**

AACASA is not opposed to agencies seeking accreditation in Australia to facilitate international adoptions. However AACASA has serious concerns about the way private agencies operate in other countries and in the way private agencies locate children available for adoption in rescinding countries.

We believe that the best facilitators for private adoptions are those organisations that have no conflicts of interest in their ability to process adoptions.

For this reason, AACASA does not support private, organisations operating as businesses in the processing of adoptions. This includes organisations that need to institute cost recovery in order to process an adoption. International adoptions should not be used to support a business in any way.

Use of non-government agencies (e.g Centacare) for facilitation of adoptions can be appropriate and effective when the agency does not require cost recovery in order to process adoptions but processes adoptions purely as a service for children.

### **Call to establish representation of parent support groups at Hague meetings.**

AACASA's submission (Submission 100) to the Inquiry calls for the establishment of an Adoption Ministerial Advisory Committee with broad representation from adoption support groups to facilitate consultation with adoptive families.

It should be recognised that parent support groups such as AACASA are legitimate organisations with expertise in many aspects of international adoption. Every current inter-country adoption program in Australia has been established because parents from organisations like AACASA have lobbied, travelled overseas and dedicated time and resources to establishing programs.

AACASA calls for representation of NGOs at future Hague Convention meetings as well as representation at national Central Authority meetings.

Thank you for accepting this supplement to AACASA's submission to the Inquiry.

**In regards to Australian Ethiopian bi-lateral agreement**

I understand that the committee has read the minutes of the ICA departmental heads meeting, where the Ethiopian Program and its Power of Attorneys, Mr Lakew Gebeyehu Likelew and Mrs Misrak Getahun Zewde, were mentioned and have perhaps begun to form an opinion on the Australian Ethiopian program.

AACASA represents the vast majority of applicants seeking to adopt from Ethiopia and has many members who have completed adoptions from Ethiopia. AACASA has had a working relationship with Lakew and Misrak for many years and has the utmost respect for both of them. AACASA believes we are extremely lucky and blessed to have such dedicated and ethical people representing our members in the Ethiopian adoption process, and caring for the majority of Ethiopian children who are allocated to Australian parents.

Thank you for accepting this supplement to AACASA's submission to the Inquiry.

Yours truly,

**Ted Sherrin**  
**AACASA President**

*AACASA Inc. is a national organisation that helps applicants on their journey to adopt children from Africa - specifically at this time Ethiopia – and provides support to families post adoption. Nationally AACASA has around 400 members.*