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Tasmania [REDACTED]

Dear Committee Secretary,

I request that my name and any potentially identifying information be withheld and not published. ✓

I am a current member of ACCASA Inc (Australian African Children's Aid and Support Association Inc.) which is a national parent support group established to help applicants through the adoption process when adopting children from Africa. I strongly believe in adoption as it focuses on the needs of children, and plays a hugely important role in society around the world. Intercountry adoption is particularly important, it provides children who would otherwise have virtually nothing the chance to grow up in a safe, loving home with opportunities to reach their potential. From a personal perspective my husband and I have chosen to adopt rather than have biological children, we believe that we are all part of a global community and it is inappropriate for us to be bringing extra children into the world when there are millions of children in Ethiopia needing families – and a chance at life.

The costs to adopt from Ethiopia comprise of:

- costs charged by State Governments, to process adoption applications and provide adoption services: \$2,052 - \$9,700
- adoption processing fee (paid to Ethiopia): \$750 US
- Power of Attorney Fee (paid to Ethiopia): \$2,000
- the cost of medical care of the child post allocation but prior to joining the family
- foster care for the period between allocation and travel (usually 3 – 4 months, while HIV tests are undertaken, passports issued and immigration clearance is granted): \$840 – \$1,120.
- fees paid to the Department of Foreign Affairs and Trade: \$80
- immigration fees: \$1,245
- Ethiopian Consulate fee: \$250
- airfares, visas, travel insurance and accommodation: \$8,000 (approximate, assuming 2 adults flying to Ethiopia, 2 adults and 1 child flying home, 10 night stay in Ethiopia at average hotel)
- 6 -12 months income forgone, depending on the State.
- Court costs of finalising adoption.

I request the Government to:

1. Seriously consider ways to reduce discrimination against adoptive families and better financially support couples seeking to adopt children, through:
 - a) abolition of immigration fees for children allocated for adoption by Australians.

- b) introduction of paid and unpaid adoption leave equivalent to maternity leave, but irrespective of the age of the child when he or she joins the family.
 - c) removal of the age limit for eligibility for the Maternity Payment, so that adoptive parents are eligible for assistance irrespective of the age of the child when he/she joins the family.
 - d) modification of the Immunisation Allowance, so adoptive parents are eligible for the allowance if their adopted children are fully immunised within 18 months of arrival in Australia.
 - e) tax credits, as are available in the United States, Canada and Quebec.
2. Establish an Adoption Ministerial Advisory Committee, with broad representation from adoption support groups, to facilitate consultation with adoptive families.
 3. Increase the number of countries from which Australians can adopt.

I believe the State Governments should:

1. abolish fees for assessment, processing and follow-up support of adoptive parents.
2. standardise eligibility criteria and procedures for assessing eligibility to adopt, using recognised best practice policies and procedures for adoption.

WHY IS INTERCOUNTRY ADOPTION IMPORTANT?

1. Australia needs population growth

Population growth is considered vital for a strong economy into the future, especially as Australia copes with an ageing population. The number of Australians aged 65 and over is expected to double in the next 20 to 30 years, while our fertility rate is below the replacement level of 2.1 births per woman. With fewer people of working age there will be greater shortage of labour, higher welfare and health costs, and lower economic growth. The likely result is a lower standard of living for Australians. This is why the Treasurer Peter Costello has told us to "have one for your husband, one for your wife and one for Australia".

Competing with the need to boost Australia's population are the environmental challenges the world faces as world population rises. Can and should Australia ignore what is going on around the planet, and push ahead to boost our own fertility? As I have previously mentioned, we are all part of a global community, and this brings responsibilities as well as the many benefits Australia receives. The United Nations Population Fund claims that "population growth is contributing, along with high resource consumption by affluent populations, to increasing stress on the global environment." (*State of World Population 2004, Introduction: Long Way to Go*, United Nations Population Fund, 2004) and that "environmental stress is increasing, due to both unsustainable consumption and production patterns (including high resource consumption in wealthy countries and among better-off groups in all countries) and demographic factors such as rapid population growth, population distribution and migration. (*State of World Population 2004, Population and the Environment*, United Nations Population Fund, 2004).

3. Over 100 million orphaned children

The number of orphaned children in the world, predominantly Asia and Africa, is staggering, and growing. There are also many children who are not orphans, but are unable to be cared for by their living parents. Each of these 100,000,000 + children has a sad and tragic story to tell. Each has the potential to be successful, to make a difference, to live a productive and happy life – if they are given a chance. We are among thousands of Australian couples wanting to give some of these children a chance, to give them love and a “fair go”. We have been in the adoption process for 27 months and as yet, our file has not left Australia. We have been caught up in State Government department application delays. Whenever the department has asked us for paperwork they have had it within 24 hours of the minimum time frame (some items such as criminal checks require a few weeks to process).

A Solution?

Facilitating inter-country adoption is an obvious solution to the current problems. Inter-country adoption is a win-win-win – and there are no losers. If Australia needs to boost its population and be mindful of world population pressures, then surely inter-country adoption is the answer. Yet, instead, the Australian government chooses to spend millions of dollars supporting IVF - with its relatively poor success rate - and provides no support or encouragement of inter-country adoption. Quite the contrary, state and federal governments charge high fees and discriminate against adoptive parents and their children.

IN WHAT WAYS ARE ADOPTIVE COUPLES DISCRIMINATED AGAINST?

I believe that all families, regardless of their choice of method to become a family, should be treated equally. We are told by Government that Australia is a multi-cultural, egalitarian society tolerant of difference and supportive of those that are vulnerable. Yet Australian families who choose to adopt children are discriminated against, time and time again, by the Family Assistance Office, by Medicare and by State Governments. Until this year, people on a PhD scholarship who adopted were only entitled to 5 days leave to collect their children from their birth country, settle them back into Australia and bond with them. Although this changed for 2005 so that adoptive parents are now entitled to 'Maternity leave' (why is it not called 'Parenting leave'?), the fact that it existed until this year reflects the lack of support for adoptive parents.

Why does the Australian Government support couples and individuals who build families through pregnancy (natural and IVF), yet does the opposite to couples seeking to provide a loving home to an existing child? Medicare pays millions to enable women to undergo fertility treatment (including some women who are not infertile) with relatively low success rates. There is no limit to the number of IVF treatment cycles a woman can have, and some women have over twenty cycles, each costing the Government thousands of dollars. The Government, through Medicare, also highly subsidises antenatal, obstetric and post natal services for families. But Medicare does not even cover health assessments of couples applying to adopt (couples need to pay full fees, worth hundreds of dollars), let alone any of the other expenses like health care of children who have been allocated for adoption but waiting to travel to Australia. Why are adoptive parents not treated the same as other would-be parents?

Why are adoptive parents charged full immigration fees for their children? Why are orphaned children entering Australia not able to enter under Humanitarian visas that attract no fees?

Why are adoptive parents not eligible for the Maternity Payment? In theory they are, but the fact that children must come into the care of the adoptive parents prior to 26 weeks of age for their parents to be eligible, counts nearly all adoptive parents out. In our situation we are planning to adopt siblings, thus we will have two children join our family yet we will be (most likely) ineligible for the maternity payment because they will be 'too old'.

Why are most adoptive parents not eligible for the Immunization Allowance? This is despite most adoptive parents placing high priority on immunization and getting their children fully immunized through a catch up schedule as soon as possible after their arrival in Australia.

Legally, an adopted child has the same status as he or she would have had if they had been born to their adoptive parents. Biological and adopted children have the same status and the same rights, except in the eyes of the Australian Government.

INTERCOUNTRY ADOPTION IS IMPORTANT

Research has shown that being an only adoptee in a family (especially when that child is adopted from overseas) can make it harder for that child to feel part of the family. Adoption is more likely to be successful if there is more than one adopted child in the family – thus, our reason for adopting siblings.

Better financial support can be provided through:

a) Abolition of immigration fees

The Australian Government currently charges \$1,245 in Visa application fees for each child adopted from overseas. Yet the Australian Government highly subsidises birth, through assisted fertility, antenatal, obstetric and postnatal care.

Given the small number of inter-country adoptions in Australia, abolition of immigration fees would not be expensive to Government. But the saving to families would be significant, especially those who adopt sibling groups.

More important is the underlying message given to families and their adoptive children, about how welcome the children are in Australia. The outpouring of emotion and aid following the Asian tsunami provides an indication that Australians are compassionate towards children in need and supportive of the Australian Government providing assistance. By waiving immigration fees, Government gives the message that "we support you, we think you are doing a good thing and your child is welcome." We believe that is the "Australian Way."

b) Removal of the age limit for eligibility for the Maternity Payment

The Australian Government claims that the Maternity Payment recognises the extra costs incurred at the time of a new birth or adoption of a baby but it doesn't if you adopt a child from overseas. Children adopted from overseas are discriminated against in relation to this payment, because nearly always, they are over 26 weeks of age when they arrive in Australia. In the situation of siblings,

unless they are twins, there is also virtually a guarantee that both of the children will be over 26 weeks of age.

The Maternity Payment is designed to help with the costs of a new baby, and that is why, we are told, it is not provided to couples adopting babies over 26 weeks of age. But why is the design rightly flexible enough to enable mothers of stillborn babies to be eligible, yet not parents of adoptive children?

The Human Rights and Equal Opportunity Commission recommended that there should be **no** age restriction on the Maternity Payment in relation to adopted children. Increasing the age limit is not a solution. It needs to be abolished to ensure that all children are treated equally. Legally, an adopted child has equivalent status to biological children, so why are they treated differently by the Family Assistance Office?

Regardless of the age of the child at placement, adoptive families have high and unique costs. Adoptive parents face far higher costs than biological parents (adopting a child from Ethiopia costs around \$25,000 - \$30,000, depending on which state a couple is from) and reduced income for 6 -12 months. Adoptive parents have the same costs of setting up their homes for children (cot, car seat, clothing etc) and have the added disadvantage of not being able to breastfeed, and therefore having to purchase formula. There are adoptive mothers who do attempt to breastfeed to promote the health for their child and bonding, however there are still substantial costs - both in finances and time - involved to stimulate and maintain milk production.

For our adopted older child, we will have the additional factor of assisting them to adjust into our society, learn a new language and possibly also deal with the emotional scars left from years of neglect, hunger, insecurity, absence of love and, perhaps, abuse.

Given the relatively low number of adoptions in Australia, 370 in 2003-2004, it would not be expensive for the age limit on the Maternity Payment to be abolished, but its abolition would be very important for adoptive families who face high costs and reduced income, and would greatly appreciate their child being welcomed just as a biological child is.

c) Modification of the Immunisation Allowance, so adoptive parents are eligible for the allowance if their adopted children are fully immunised within 18 months of arrival in Australia.

To claim the immunisation allowance parents must submit their claim before their child is 2 years of age. However many adopted children arrive in Australia with no immunisation history and by the time they have the required immunisations, many are over the age of 2. Many children also enter Australia after the age of 2. The only adoptive families who receive this benefit are those fortunate enough to be allocated babies under the age of one, who start the immunisation schedule straight away on arrival in Australia. Why are parents penalised for adopting children rather than giving birth?

d) Abolition of fees for assessment, processing and follow-up support of adoptive parents.

State governments charge up to \$9,700 for processing inter-country adoptions, and up to \$3,000 for processing local adoptions. This is another case of

discrimination against intercountry adoptive children, and one that is yet to be tested under federal and state anti discrimination laws.

On top of the state government fees, inter-country adoptive parents also have to pay for airfares (airfares to Ethiopia are around \$3,000 - \$3500 per ticket); accommodation; immunisations (not able to be claimed through Medicare); Visas to enter the overseas country; and immigration fees – making intercountry adoption significantly more expensive than local adoption.

Adoption should be about placing children in families that can provide the best love and care for them, not in families that can best pay government fees.

e) Tax credits

The United States of America recognises the value of adoption to the world and local communities, and provides significant assistance to the unsung heroes – adoptive parents.

Federal tax credits of up to \$10,390 US are available to reimburse some of the costs of adopting a child. The adoption credit is an amount subtracted from a family's tax liability. In addition to the federal tax credit of \$10,390, many employers also reimburse non-recurring adoption expenses and in some states up to \$10,390 of these reimbursed costs may be excluded from gross income for further tax breaks. Qualifying expenses include reasonable and necessary adoption fees, court costs, attorney fees, travelling expenses (including amounts spent for meals and lodging while away from home), and other expenses directly related to and for which the principal purpose is the legal adoption of an eligible child.

Adoption provincial income tax credits worth up to \$6,000 are available in Quebec, and in Canada tax credits are available for eligible child adoption expenses, worth a maximum \$1,600. The stated aim of Canada's adoption tax relief is "to give adoptive parents tax relief for *exceptional costs which are unique to adoption*, including adoption agency and legal fees".

The exceptional costs, which are unique to adoption in Canada, United States and Quebec, are also present in Australia.

My understanding is that Australia had tax-credits in place for adoption until 1985-86, I was unable to locate the reasoning for these being removed, but I submit that to reintroduce them would not be cumbersome on the government, but would provide significant assistance for families involved.

Thank you for the opportunity to comment on these matters, I am hopeful that we will soon see a time when we can proudly tell our children that they are equal in every way, and the government processes reflect this.

Yours sincerely

