

**The Secretary of the Committee
Standing Committee on Family & Human Services
Parliament House Canberra**

Inquiry into Adoption of Children from Overseas

Via email: [fhs.reps@aph.gov.au](mailto: fhs.reps@aph.gov.au)

Re: Parliamentary Inquiry into Intercountry Adoptions and how the Australian Government can better assist Australian families who have or are adopting from overseas.

As intercountry adoptive parents of adult adoptees we wish to make comment on a number of aspects of the process and procedure in relation to intercountry adoption.

Inconsistencies between the State and Territory approval processes for overseas adoptions.

Between the States and Territories of Australia, there is quite a variation in criteria in relation to applicants. A number of these variants are:

1. Variation of upper age of children permitted to be adopted – e.g. Queensland 5 years and Victoria 9 years – We support the Victorian Governments upper age of 9 years, for those wishing to adopt an older child, being given special consideration where appropriate. Often in the placement of a sibling group the age of the older child should be taken into account as siblings cannot under any circumstances be separated.
2. Age of applicants (e.g. in Victoria there is no upper age limit)
3. Not all States work with the same countries which can cause conflict for some adoptive parents, it has been known, for adoptive parents to move to another State to enable them to adopt from their country of choice. Examples are, if living in Queensland you are unable to adopt from Lithuania or in New South Wales the Department of Community Services advises couples that India is not available.
4. The education, assessment and approval processes also vary greatly from State to State. We support that these processes should be standardised throughout Australia, this could be achieved with input from each State and Territory Department and key members of Adoption Support Groups, who have the knowledge and expertise. We do recognize that each State and

Territory have their own laws, but it would be of great benefit to those in Australia and overseas if there was standardisation.

5. Whilst Australia is a signatory to the Hague Convention and adoptions take place between Hague countries where there is an agreement, adoption should also be available with countries who are not signatories to the Hague Convention if there are children who are in need of a family. There is a wide gap in knowledge of Departmental staff and their social workers in relation to the overseas programs, laws, guidelines and cultural aspects.
6. Time frames for expressions of interest, submission of application and assessment vary considerably from State to State. In Victoria the average is 12mths but in Queensland it is between 3-5 years.
7. The fees paid for "service" vary from State to State. New South Wales, last year, increased their fees to \$9000.00 but have not increased staff or the level of service. It is most important that there be equality in service between all States and Territory Departments. High fees bring an expectation of a high service, this from our experience, is not being met. Also, with "fee for service", there is an expectation from the applicant that there will be and should be a positive outcome, a child, at the end of the process. This may not necessarily be the case.

Inconsistencies between the benefits and entitlements provided to families with their own birth children and those provided to families who have adopted from overseas.

1. **Maternity Allowance:** Due to the laws of sending countries, children are very rarely placed for adoption under the age of 26 weeks, therefore, by currently having this guideline for this Allowance intercountry parents are discriminated against. ALL adoptive parents both local and overseas should be entitled to the Maternity Allowance no matter what the age of the child or children (eg siblings) placed with them.
2. **Medicare rebates:** There is no medical rebate for any medical tests required by Australian law, whereas birth families can claim all medical test rebates for both mother and child. Intercountry adoptive parents should be entitled to full Medicare rebates.
3. **Intercountry adoptive parents** pay the full fee to DIMEA when applying for their child to come to Australia. The workload for adoptive children is much less than other migrant applications, we would like to see DIMEA create a special category for adoptive children and also a reduced rate when there is a sibling application.

4. **Family Assistance:** Adoptive parents should be entitled to claim Family Assistance from the date they accept their allocation, as birth families can claim this from the time they give birth. Part of the fee structure that families pay on acceptance of an allocation is for the maintenance and care of their child.
5. **Intercountry adoptive parents** pay fees to be assessed for adoption, whereas **Local applicants** do not pay fees at all. We feel that this is discriminatory. Those who choose IVF can claim Medicare and foster parents receive an allowance.

We support the Parliamentary Inquiry into Intercountry Adoptions and appreciate the opportunity to be able to express our opinions.

In writing this submission we have reflected on our experiences and knowledge gained as adoptive parents for the last 25 years. We have both been and are, extremely active in the parent support groups in establishing programs overseas and liaising with relevant authorities both in Australia and Overseas.

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