

1st May 2005

SUBMISSION NO. 180

AUTHORISED: 15-06-05 *hollis*

The Secretary
Standing Committee on Family and Human Services
Inquiry into Adoption of Children from Overseas

Dear Sir/Madam

We are currently in the process of adopting twin baby girls from Taiwan, and I understand that the current adoption process is unnecessarily lengthily, to the detriment of our children. Our girls were born prematurely at 29 weeks. They are now strong and healthy (aged 4 months). Our Paediatrician strongly advises that we try our best to get them home to us and out of their orphanage as soon as possible, to enable normal healthy development and bonding.

I believe that the Australian Government can better assist Australian families who are adopting children from Taiwan and that, of more importance, the Federal Government should take the opportunity to help these children adapt more easily to their new environment and bond earlier with their new families here in Australia.

I would like to draw the Committee's attention to the difference in waiting time between allocation and travel for children placed with Australian families and those placed with Dutch families during the course of an adoption from Taiwan.

The average period of waiting from allocation until travel home, for an Australian adopted child in Taiwan, is about 23 weeks.

During this time, the case is applied to the Supreme Court, the Family Court and the Child Welfare Foundation. The Child Welfare Foundation evaluates the suitability of the adoptive parents, interviews the relinquishing parent/parents and makes a recommendation to the Family Court judge. After the case has been approved by the CWF, the relinquishing parents personally appear in the Family Court and submit a waiver of their right to appeal the decision. The Family Court judge, being in agreement that the adoption is in the best interest of the child, issues the Initial Court Decree 4 - 6 weeks later.

Dutch authorities allow children placed with Dutch couples to travel home to be with their families at this stage of the process – when the Initial Court Decree has been issued.

Australian authorities, however, do not issue a visa for the child to travel until a further 4 to 6 weeks - when the Final Decree is granted and the documents have been translated.

The earlier visa approval for Dutch families is based on the approval of adoptive parents from the Dutch authorities, their permission to adopt being granted by the Ministry of Justice in the Netherlands. This, along with the child's name and date of birth, is sent to the Dutch Trade Office in Taipei through official channels.

Christian Salvation Service (the agency in Taiwan) includes a copy of the Initial Court Decree and the child's household registry with the visa application. The visa is issued and the child may travel with the understanding that all adoption documents and translations will be sent to the adoptive parents and made available to the Dutch authorities within six months of the child's arrival in Holland.

Christian Salvation Service informs the birth family of the child's planned travel and the birth parents confirm their understanding that the child will be leaving Taiwan. As in Australia, Dutch adoptions are finalised 12 months after the child has been placed with the family.

It is my understanding that the Australian Commerce and Industry Office in Taiwan use the adoption documents to verify the child's eligibility to depart from Taiwan legally.

I would like to suggest to this Inquiry that other documentation be used, such as the Initial Court Decree and an Affidavit of release for travel from the relinquishing parent.

If, like the Dutch authorities, the Federal Government is able to authorise Australian children to travel home to be united with their adoptive family **after the Initial Decree has been granted**, there would be many benefits for these children.

The average age of Australian babies leaving Taiwan to commence life with their family is 27 weeks. Dutch babies are usually 4 - 6 weeks younger when they leave Taiwan. At this stage of an infant's development, 4 - 6 weeks can mean a great deal of difference.

There is documented evidence to suggest that the first and most persistent bond of all is that of a child to its parents and that the earlier this bonding occurs, the better for the child.

Please, we urge the Committee to consider the fundamental needs of our daughters and investigate the processes pertaining to visa requirements for Taiwanese children who are adopted into Australian families and to make a recommendation that these children travel after the Initial decree has been granted.

Yours Faithfully

Bryan Emerson