



AUSTRALIAN COUNCIL FOR ADOPTION

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Secretariat,
Standing Committee on Family and Human Services,
Inquiry into Adoption of Children from Overseas,
House of Representatives,
Parliament House,
CANBERRA. ACT. 2600

SUBMISSION NO. 56

AUTHORISED: 25.5.05 *[Signature]*

With respect the Australian Council for Adoption Inc. makes the following submission.

SUBMISSION

Relevant to this inquiry are the following matters.

1. Ratification of the Hague Convention on the Protection of Children and Cooperation in Respect of Intercountry Adoption by the Federal Government in 1998.
2. Conclusions drawn by the Human Rights and Equal Opportunities Commission in relation to paid Maternity Leave.
3. U. N. Declaration on Social and Legal principles relating to the Protection and Welfare of Children with Special reference to Foster Placement and Adoption nationally and Internationally and the International Covenant on Civil and Political Rights.
4. Recommendations by the Joint Standing Committee on Treaties June 1988 and the formation of accredited bodies.
5. Adoptive parents are penalized by circumstances beyond their control.
6. The number of adoptive parents seeking assistance is very small
7. Value of adoption.
8. It is not only intercountry adoptive parents who are disadvantaged but adoptive parents whose child is adopted locally.
9. Hague Conference in September 2005 with a Special Committee considering the outcomes of the Hague Adoption Convention.

1. Ratification of the Hague Convention

In 1998 when the Hague Convention (33) of the 29/5/93, on the Protection of Children and Co-operation in respect of Intercountry Adoption was ratified by the Australian Federal Government the Central Authority became contained within the Federal Attorney General's Department. Although authority for administering the program was delegated to the states the Federal Attorney General remained and still is the Central authority for Adoption. This bounden duty has been disregarded by the Federal Attorney General who has not appointed an Officer independent of State authorities to deal with the concerns expressed by the non

government adoption support groups, or to implement and assist in the appointment of non-government accredited adoption agencies.

The Hague Convention was ratified at a time, when a strong anti-adoption movement from minority groups held a quite powerful influence over Australian adoption bureaucrats. A campaign of false propaganda against adoption, which still flourishes today, was unfortunately readily accepted by Adoption Officers in State Departments. Three independent reports from delegates representing other countries at the Hague Convention conferences referred to the distressing and disruptive behaviour and an anti-adoption stance by the Australian Delegates.

2. Human Rights and Equal Opportunities Commission

Following an inquiry which included consultation with adoptive families into the issue of a maternity payment, the Human Rights and Equal Opportunities Commission concluded that there should be no age limitation of the child at the time of Adoption when Adoptive Parents applied for the maternity payment, which is automatically available to parents following the birth of their baby.

3. U.N. Social and Legal Principles with Special Reference to Adoption. Article 16

Currently in Australia one in three adoptive families have both children born into the family and children who are adopted. Those adopted children at the time they become part of that family do not in Australia have the same rights as the children born into the family. Children born into a family are not denied the care they receive from parents who obtain leave from work, or the advantages of financial assistance provided by the government to their parents when they are born. This persists although Article 16 states;

“Legislation should ensure that the child is recognized in law as a member of the adoptive family and enjoys all the rights pertinent thereto”.

And the The Covenant on Civil and Political Rights Article 26 states;

“All persons are equal before the law and are entitled without any discrimination to the protection of the law. In this respect, the law shall prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination on any ground such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.”

4. Recommendations by the Joint Standing Committee on Treaties 1998.

This Committee recommended that as part of the implementation process of the Hague Convention on Intercountry Adoption *“the Commonwealth, in consultation with the State and Territory Governments, and with all relevant groups, define the separate roles of the accredited bodies and the parent support groups as part of the implementation process.”* Despite these recommendations in 1998 there are still no accredited agencies in Australia to implement intercountry adoptions. The only agency in South Australia was closed on the basis of “spurious figures”.

Accredited Agencies need to be under the auspices of the Attorney General’s Department with establishment funding by the Commonwealth Government. At present Agencies who arrange local adoptions and are funded by State Governments lose their independence. To maintain funding they must conform to the current policies of the state although these

agencies do not believe these policies are in the best interests of the child. Examples of this have been given at several Australian Adoption Conferences where open adoption, with continued access of birth parents is causing the breakdown of the adoption of older children with disastrous consequences for the child.

The Committee also recommended that; *“the Attorney General’s Department act to improve the consultation process regarding the implementation of this agreement so that it is timely and includes all interested parties”*

Why has the Attorney General’s Department failed to implement these recommendations?

5. Adoptive Parents are penalized by circumstances beyond their control.

Fees charged by State Governments for applications, assessments and processing adoptions vary from State to State and in some States the fees are excessive. None of these expenses are tax deductible or subsidized by the government including Commonwealth Visa fees.

State legislation compels an adoptive parent to take six months off work from the time of the adoptive placement without any compensation for loss of income.

Children may become available for adoption at an early age but by the time all negotiations, obstructions, delays and procedures have been overcome and formalized, years may have passed. Adoptive parents are powerless to hasten such procedures which are damaging to children. All Adoption Research concludes that the younger a child is at the time of adoption the greater the chances are of the success of that adoption and the ability of the child to bond to parents. Bonding is a crucial part in the outcome of an adoption.

The circumstances and adversities which have affected the lives of the children prior to becoming a member of an adoptive family are also beyond the prospective parent’s control. The child they welcome into their family may well be damaged and require specialized care and attention.

6. The number of Adoptive Parents seeking assistance is very small

In the last five years Intercountry Adoptions averaged 310 adoptions annually.

In the last five years Local Adoptions to non relatives averaged 86 adoptions annually.

Each year on average there are approx. 400 adoptive parents who are seeking some relief from charges related to giving a child in need, a loving and permanent family. The number of adoptive parents who are requesting assistance in relation to maternity payments and unpaid leave is miniscule when compared with the members of the general public who receive assistance from the government in relation to the birth of their child. Australians and their government are generous with humanitarian aid worldwide and it would seem out of character to penalize Australian parents who rescue children from a life of deprivation and rootlessness. Although the terms of reference of this Inquiry relates to Intercountry Adoptions it is important to recognize that children being adopted locally are now very rarely adopted prior to the 26 week cut off period for the maternity payment.

7. Value of Adoption

The Australian government is encouraging Australians to have children and increase the numbers of young people in the nation. This encouragement includes financial assistance
What better way could there be to increase the youth of Australia by supporting adoptive

parents who are willing to come to the aid of unfortunate children from other countries in need of permanent and loving families.

Current Research, e.g. ("Emotional health of Indonesian adoptees living in Australian families" Prof. Goldney, and others, and the landmark American Research "Growing Up Adopted" Prof P. Benson and A. Sharma. USA), confirm that children adopted locally and from other countries not only do well but thrive.

Current research by The Australian Institute of Criminology, (AIC Trends and Issues) identifies certain risk factors as elements which put children's safety, welfare or wellbeing at risk. This research also identifies "known protective factors" which counteract risks. These identified protective factors have been similarly identified in other familial studies. These protective factors are mirrored as salient characteristics of the Adoptive Family ("Growing Up Adopted"). This is supported by the findings of the American Society for the Protection of Children, which found that "*the child least likely to be abused is the child with adoptive parents*".

These are crucial facts to consider when at present the figures of substantiated cases of child abuse and children in care in Australia are a national disgrace. There are over 40,000 substantiated cases of child abuse annually and over 20,000 children in out of home care, with the child most at risk is the child in the female single parent family. (AIHW)

In 1978 a study by Mia Kellmer Pringle found;

"Available research evidence shows that adoption is one of the soundest, most lasting – and incidentally cheapest – ways of meeting the needs of certain children who are socially deprived and in need of a normal home life! In fact it is the most satisfactory form of permanent care yet devised by western society for children whose own parents cannot undertake it."

What has changed in the intervening years?

It certainly is still the cheapest for the Australian government wishing to increase the youthful population of the country, as long as adoptive parents pay the price.

8. Local Adoptions by Non relatives.

The terms of reference for this Inquiry relate to Intercountry adoptions. However it is important to recognize that during the years leading up to the finalization of the Hague Convention, Adoption in general was also discussed and a general consensus was reached the full and confidential adoptions were in the best interests of the child. The matter was raised by countries where simple adoptions continued which had been inherited from pre literate societies and where ensuing problems were arising concerning inheritance and land ownership.

Although intercountry support groups look on local adoptions as a separate issue the Australian Council for Adoption Inc. which supports all adoptions for children who cannot be cared for by their parents believes this has been unfortunate. Intercountry adoption support groups did not recognize that strong anti-adoption lobbying by minority groups which has decimated local adoptions, has also a published agenda to prevent all intercountry adoptions taking place.

In recent years single Australian birth mothers wishing to place a baby for adoption have complained that they are discriminated against. They complain that they can have an abortion without anyone's permission but should they choose to carry a baby full term and endeavour to place the baby for adoption, all manner of obstacles are placed in their way. The implementation of policies and procedures within State Adoption Departments, and the

use of the Com. Family Law Act, intended for married couples, makes adoption almost impossible. The wish of the birth mother to place her child for adoption with adoptive parents who have passed strict assessments is frustrated and often forced parenting becomes her only option.

Consequently local babies for adoption are often fostered for long periods, while the current policies and procedures are executed. This long delay is not in the child's best interests, with the baby bonding to the foster parent. The baby may be eighteen months old before being placed with the adoptive parents. These parents similarly to intercountry adoptive parents become ineligible for maternity payments and leave entitlements.

9. Hague Conference in September 2005 with the Special Committee considering the outcomes of the Hague Adoption convention.

In the past the Australian representatives sent to the Hague did not reflect either the ideals or concerns of the adoption community. Who will be choosing the representatives to attend the Hague Conference in September 2005? Will these representatives be pro or anti-adoption?

In conclusion ACFA submits:-

- Adopted children should not be discriminated against.
- That all steps be taken to remove the age limit from the adopted child in relation to maternity payments to adoptive parents
- Similarly the age of the adopted child should not prevent Adoptive Parents from qualifying for unpaid maternity leave.
- The Commonwealth Government should waive Visa application fees for incoming adopted children,
- Expenses incurred in adopting a child should be eliminated or at least subsidized or become tax deductible..
- The Attorney General should inquire into the present systems relating to adoptions by the State Governments and Adoption agencies with a view to reducing the time delays, procedures, and expenses related to the adoption process. The child who suffers as a result of such delays should be of utmost concern to this government.
- The Attorney General's Department should take on the responsibility of establishing independent accredited Adopted Agencies with establishment funding.
- Representatives to the Hague Conference in September 2005 should be supportive of adoption.

Please find attached:-

“Death of Adoption in Australia”

“From the Trenches of War on Adoption”.

A Submission to the Commissioner, Work Place Relations, Family Provisions Case, Australian Industrial Registry. (12/5/04)

DEATH OF ADOPTION IN AUSTRALIA?

Only 88 Australian children were adopted last year outside their extended family, according to a Feb. 5, 2002, article in West Australia. By comparison, in 1996 the latest year for which Adoption Fact Book III reported statistics for the USA, there were 54,492 such domestic adoptions. If one were to adjust the 1996 numbers upwards for the increase in adoptions of children with special needs, the number for last year would be at least 68,000. But let's stick to the 1996 numbers for purposes of comparison. Australia's population, at 19,357,594, is 14.4 times smaller than the USA, at 278,058,881. So, if we reduce the USA number accordingly, Australia should have had 3,784 adoptions last year - if Australia did as well by adoption as the USA.. Put another way, if the USA did as poorly as Australia, it would have had 1,267 adoptions last year.

From the viewpoint of Australians, who, according to Trudy Rosenwald of Adoptions International, an Australian NGO that arranges adoptions, it can be argued that 3,696 children who should have been adopted lost the chance for a family. Or from the viewpoint of the USA, at least 53,000 US children would have remained in foster care or institutions. The international numbers are nearly as depressing. Australians adopted 289 from overseas last year while US citizens adopted 19,137 children internationally. Comparing results, if Australians had adopted at the same rate as the US citizens, they would have brought 4,161 children home. And if the US load matched the Australian performance, about 15,000 fewer children would be living in orphanages instead of American families. The reason for the sad state of affairs, according to Rosenwald, is "an anti-adoption culture, which [is] particularly strong in the various State government bureaucracies."

As if to confirm Rosenwald's charges, Community Development Minister Sheila McHale is quoted as saying she is considering a number of changes in the 1994 Adoption Act. Among the changes would be abolishing the last vestiges of privacy in adoption and dozens of other changes that would discourage adoption. Already, a loss of privacy for birthmothers, books like *Death by Adoption*, and anti-adoption activism by groups like Jigsaw combined to reduce total Australian adoptions by almost 95 percent, from almost 9,800 in 1971-72 to 514 in the most recent year. By contrast, in the US adoptions declined overall about 10 percent, from 159,000 total adoptions in 1971-72 to an estimated 142,000 total adoptions in 2001.

New Zealand, which has an anti-adoption scene similar to Australia, has long been cited along with Australia as being a "model" for the US by anti-adoption interests such as Bastard Nation, the American Adoption Congress, Concerned United Birthparents and similar groups.

BY:- William L. Pierce, Formerly President of the National Council for Adoption
USA & President and Executive Director for the Committee of International
Association of Voluntary Adoption Agencies (IAVAAN) and NGO's.
From Archives of "EXTRA" www.iavaan.org

**From the trenches of the war on adoption
in Australia**

by

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At

"Knowledge into Action"
Conference of
The Association of Childrens Welfare Agencies (ACWA)

2nd to 4th August 2004

Sydney

From the trenches of the war on adoption in Australia

Trudy Rosenwald in collaboration with Rita Carroll (Australian Council for Adoption Inc.)

Abstract

Over the last couple of decades, the institution of adoption has been under attack in Australia and adoption without any valid reason has become a dirty word. Factors contributing to this growing but unjustified stigma against adoption include social and cultural changes in the Australian society, growing numbers and power of self-help groups, and mushrooming technologies. The resulting (r)evolution on norms in the place of children in families has led to serious questioning about the place, if any, of adoption in modern Australia. Adoption has become pathologised, parties to adoption have become victimised and stigmatised, and the development and delivery of adoption services have increasingly become monopolised by political and public service systems. This paper broadly examines what has been, and is being said, done and planned about local and intercountry adoption in the three disciplines that seem to have the most influence in the area of local and intercountry adoption in Australia: politics, psychology and social work. Key questions to be addressed are: Why is there so much resistance in Australia towards children being adopted either within or outside their birth family? Why is this resistance, being forced onto other countries? How does this resistance meet the overarching principle of "the best interests of the child" and children's universal right to "grow up in a family environment in an atmosphere of happiness, love and understanding"?

The shift from baby houses to adoption and back

Western Australia was the first Australian state to enact adoption legislation. The Adoption Act 1896 came to be as a child protection response to the appalling conditions, high mortality rate and corruption in the boarding houses of the 19th century. This 1896 legislation was in use until it was replaced by the Adoption Act of 1994.

In any arrangements for children whose biological parents are unwilling or unable to nurture and raise them, the best interests of the child must be the prime consideration and this has always been so until now. **HOWEVER, THREE PATTERNS IN THE WAR ON ADOPTION ARE EMERGING.**

- i. Both enacted and proposed legislation is veering away from the best interests of the child as the prime consideration and more and more consideration is being given to the "rights" to influence the adoption process which adults are demanding - e.g. anonymous birth fathers; extended birth families; single people and same-sex couples; with little or no concern that this might not be in the best interest of the children.
- ii. The language used in association with legal adoption has become emotive, negative and destructive. No longer have adoptions been arranged for children, but these children have been "stolen" from the birth parents. There is no longer any confidentiality in adoption arrangement, but the term "secrecy" has been substituted with its negative connotations, even though it is not in the best interests of the adopted persons or the birth parents to have their rights to privacy violated. Adoptive parents are "selfish and possessive" if they wish to preserve the unity and security of their intact family. Birth parents are "monstrous" if they decide to "give the child away". Legitimate and increasing costs involved in processing an adoption, particularly InterCountry Adoption, have now been interpreted as part of a "baby selling" and/or "baby buying" process.
- iii. An erroneous public perception has been carefully nurtured by the media and anti-adoption activists that adoption is permanently harmful to both birth parents and adopted people, and that family re-unification must be the ultimate aim

where children have been separated from their biological parents - even though this has been done for the physical safety of the children.

And so we see the time-honored system of adoption being weakened and adulterated - or pathologised - and its participants, both birth and adoptive families, being victimized and stigmatized. Thus Australia is seeing continual decreases in adoption, due largely to this negative portrayal of adoption which started in the 70's as a strategy in the campaign to open closed adoption records, which in itself is a strategy to destroy adoption.

This war on adoption was identified by John Triseliotis in the U.K. in 1991.

There are strong pressures here and in other countries to see the abolition of adoption, especially for older children, for the wrong reasons. Adoption will phase itself out when every child can live in its own country, thus maintaining continuity and stability. This position has not yet been reached. Its discouragement could prove detrimental to many children who would be condemned to a life of rootlessness for ideological reasons.

(Triseliotis, J. Quarterly Journal of British Agencies of Adoption and Fostering: Special edition: vol 15, number 4, 1991)

Number of Adoptions:

In 1971 - 72 there was a total of 9798 adoptions in Australia. In 1988 - 89 the total was 1501; 2001 - 2001 there were 561 and by 2002 -2003 this figure had dropped to 472, a decrease of 16 %.

Of these 472 adoptions 59% (298) were intercountry placements, 25% (116) were known child adoptions and 16% (78) were local placement adoptions. These figures show a **drop of 95% since the 70's.**

Now by comparison, in the U.S., adoption declined overall by about 10% (from an estimated 159,000 adoptions in 1971 -72 to an estimated total of 142,000 in 2001). If Australia did as well by adoption as the U.S., there should have been 3,784 adoptions in Australia last year instead of 88. In other words, it can be argued that on a proportional per head of population basis, 3,696 children who should have been adopted have lost the chance of a family.

These figures need to be contrasted urgently with the Australian Institute of Health and Welfare Child Protection Statistics on the number of children in out-of home placements. And in and out of multiple placements.

While biological may be best, it is a hard cold fact that there are some families where it is just too dangerous for children to be, and it is a hard cold fact which is constantly being ignored in State policy and child protection practice.

According to figures published by AIHW - Child Protection 2002 - 2003 p. 15, there were 40,416 substantiated cases of child abuse and neglect in that year, an increase of 10,000 or 25% on the previous year. This represented an increase of 42% since 1991. Compared with the distribution of family types in Australia, a high proportion of substantiations involved children living in one parent female families and two-parent step-families. (p.22)

Also in the same issue of Child Protection, AIHW reports that as at June 30 'x', 2003, there were over 20,000 children living in out-of home care, mostly in foster homes. 49% of these

children had been in continuous care for 2 to 5 years or more and not necessarily with the same family, (p.45). More than half of these were aged < 1 to 9 years old (p. 55),

This in itself is a form of child abuse.

What has happened to their bonding years? Everyone who is remotely associated with the development of children is aware of the importance of the attachment process and the awful consequences when bonding is ruptured again and again and again. (Is it any wonder we are breeding an underclass of homeless children who have no family attachments)

Have we come the full circle back to where we started in the appalling conditions of the boarding houses - READ for today MOTEL ACCOMMODATION provided by the Queensland State Government for out-of home care?

And have we come the full circle to the high mortality rates of the late nineteenth century with our abnormally high figures of children being abused unto death.

For detailed statistics on child homicide see Australian Institute of Criminology with special reference to a 1991 paper by Heather Strang. For detailed statistics on adoption, out of home care and child protection in Australia, please refer to the website of the Australian Institute of Health and Welfare under the section Children and Youth (www.aihw.gov.au).

The large number of local adoptions in Australia, particularly in the early 70s, were however also part and parcel of the population "explosion" of the 2nd generations "baby boomers" in the aftermath of the 2nd World War. Decrease in numbers in local adoption was also due to socio-economic factors such as:

*Effective birth control leading to a decrease in the number of unplanned pregnancies *Income support for single parents

*Changed community attitudes to single parenthood as an alternative to adoption

*Changes to legislation and practices concerning step-parent adoption. Step-parents are encouraged to use arrangements other than adoption.

*The introduction of alternative legal orders such as "Permanent Care Orders" in Victoria.

Today, permanency is the catchword. While guardianship and fostering have a very real place in society, permanent care orders are a contradiction in terms. This term is vaguely defined as its definition differs from State to State, but the constant element seems to be that the child remains under State control so that the biological parents have a right to challenge the arrangement at any time.

Legal adoption is the only form of child care which offers children the permanency, security and sense of identity and belonging to which all children are entitled.

Quote:

It is the legality of adoption and the emotional security which goes with it which sets it apart in the minds of children from other forms of substitute parenting. A second tier of adoption will only be seen as a second-class type of adoption.

(Triseliods. J. ibid)

There is yet another factor which is accounting for the impending Death of Adoption in Australia. And that is ---- an anti-adoption culture which is particularly strong in the State Government Bureaucracies.

This was activated initially by the opening of the adoption records, thus abolishing the last vestiges of privacy for birth parents and/or their families.

This was largely due to the call for the abolition of all adoptions by several non-government adoption organizations, particularly those representing a minority of domestic relinquishing parents and adopted persons and by professionals working with these parties to adoption. There has been an active campaign to create an erroneous public perception that adoption is harmful to all parties involved and to discredit the proven advantages of adoption for both children and birth families.

This anti-adoption culture is no longer limited to local or domestic adoptions but is being extended to all adoption including ICA, which means that this adoption resistant mentality is adversely affecting the adoption policies of other countries.

This is in spite of the fact that 3 enquiries in Australia into past adoption practices have agreed with the finding of the most recent enquiry in NSW - Releasing the Past; Adoption Practices 1950 - 1998 that:

For many people including mothers, fathers, adoptees and their families, adoption has been a lifelong and rewarding experience which has not caused longterm distress and suffering.

Pregnant women and girls who request adoption for the children do so for the reason that they are acutely aware of a number of factors:

- a. the single mother is the most socially and economically disadvantaged member of our society today
- b. the child of the single mother is the most socially, economically and 'educationally disadvantaged child
- c. the under four year old child of the single mother is the child most likely to be abused by her or her de facto
- d. they simply do not want to embark on this lifestyle for themselves or their children

In spite of overwhelming statistical evidence that single parenting is not in the best interests of the child, these pregnant women are rarely supported in their request to arrange an adoption. A constant complaint from these young women is that the alternative choices in which they are supported by bureaucratic officers are those of A. single parenthood or B. abortion. So they and adoption are being subjected to active discrimination by these officers.

One has to ask - **WHY?**

Whose best interests are being served.? Those who would increase the welfare class and its dependency on bureaucracy? Because this is what is happening. Those whose interests are to propagate the abortion industry? This is the only alternative being offered. It would seem that the best interests of the children are coming a poor last.

Concurrent with the decrease in local adoption came the start of ICA adoption programs for people living in Australia. The general portrayal of intercountry adoption in Australia is that it

only became popular because the flow of locally born children place for adoption started to "dry up". I do however not entirely agree with that notion. Firstly, because many of the first intercountry adoptive families already had children born to them and were adopting for altruistic rather than involuntary childlessness. This was largely influenced by the growth of audio-visual media such as television. The suffering of children in armed conflicts such as the Vietnam War, literally came "into people's faces" in their lounge room. This led to the lobbying for Vietnam War orphans to be allowed to enter Australia. During and after earlier wars such as the Korean War, the only Australians who could and did adopt child war victims were those who worked in the country, such as diplomats and missionaries.

These factors seem to be universal across the world in countries with well-developed social benefit systems. Australia is however seeing continual decreases in adoption, due largely to the negative portrayal of adoption that started during the 1970s as a strategy in the campaign to open closed adoption records.

Around the world much research on ICA has been undertaken. The results of one of the most recent and largest meta-analyses of 135 studies on local and intercountry adoption from North America, Europe and Australia, showed that the well-being of adopted children is comparable to the well-being of non-adopted children (Juffer, Klein, Poelhuis and Van Ijzendoorn, 2002)

This meta-analysis involved more than 110,000 participants, over 11,000 of them local and intercountry adoptees. Intercountry Adoptees in Europe, a region generally perceived to have a fairly homogenous Caucasian population, showed lower levels of maladaptive functioning than those in multicultural and multiethnic North America and Australia.

Juffer et al. (2002) hypothesized that the difference could be a result of the ready acceptance of adoption in most European countries.

Anne Sven Williams, a psychiatrist in charge of a prenatal clinic for women who are impaired by chemical abuse, who are mentally ill, or who are intellectually disadvantaged spoke recently at an Adoption Conference in Adelaide. She said:

Long term follow-up studies of adopted infants are almost universally positive. Detrimental early life effects can be overcome with effective parent-child relationships. In her summary she said, "(We must) encourage the mother to make or have made an early decision regarding placement" "AND we tackle the legislation."

So for the sake of our children and for the future of our country it is imperative that legal adoption be reinstated as a positive advantage in the policies of government, in the thinking of politicians and law-makers, and in the perception of the general public.

**Our modern pre-occupation is with individual rights,
Wishes and perceived needs of adults and
The cult of the anecdotal story**

**The rights of children must supercede all others, their right to be secure and cared for and
their right to their childhood.**

' Author is a psychologist in private practice, adoptive parent, child advocate with 25 years of experience in adoption, fostering and permanence for children and families, and Assistant Principal Officer of Adoptions International of W. Australia. Currently undertaking second stage of longitudinal study on well-being of intercountry adoptees in WA as part of PhD at Edith Cowan University, Joondalup. To contact: email trosenwald@iinet.net.au, ph 08 957213261; postal PO Box 92 Mt. Helena, WA



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SUBMISSION.

Re; Workplace Parental Leave entitlements for Adoptive Parents.

The Australian Council for Adoption Inc. respectfully submits on behalf of both Local and Intercountry Adoptive parents that the Commission, in considering workplace parental leave entitlements, recognises the needs of Adoptive parents when a child becomes a member of their family through adoption. Those needs are often disregarded. Adoptive parents would greatly appreciate the Commission's consideration of their particular circumstances.

Babies adopted locally in Australia are now, sadly, fostered for many months before their adoption placement is finalized. They rarely become members of the adoptive families as newly born babies. Local adoptions also include special needs children who may have disabilities or be children who have been under permanent care orders. All of these children require extra time and care from their adoptive parents, to allow them to overcome any bonding or attachment problems which may occur.

An example of this is of adoptive parents whose baby was eighteen months when placed and had already bonded to the foster carer. This baby cried continually requiring constant one to one loving care from an adoptive parent until a new and vital attachment was formed.

Intercountry adoptions often involve older children who enter Australia needing to make cultural and language adjustments. These changes to their life style and environment require extra time and care from their adoptive parents. These children will need to make adjustments not only to a life with their new parents but will require intensive assistance from those parents to make the necessary social and linguistic changes. An example of this is a young couple who recently adopted three siblings from Russia. The children wanted to know why it had taken their new adoptive mother so long to find them and needed constant affection and care.

At the recent Australian Adoption Conference in Adelaide (19th/22nd, April, 2004) it was clearly illustrated that time and devotion by adoptive parents was essential to allow their recently adopted children to make essential adjustments, on occasions major adjustments, in relation to attachment and bonding. (e.g. children who had been abused)

At this conference it also became apparent that Adoptive parents felt they were discriminated against by governments as they did not qualify for many of the benefits accrued by parents whose children come into their families biologically.

Australia is in need of a growing young population and encouragement for those adoptive parents who are prepared to take on a role of nurturing the young should be recognized. Such encouragement in the form of equal consideration for workplace parental leave for adoptive parents, on the arrival of their child, would seem to be not only fair and just, but in the country's best interests.