

Submission to the

Senate Legal and Constitutional Affairs Legislation Committee Senate Enquiry

Re: Australian Citizenship Amendment (Intercountry Adoption) Bill 2014

The Australian government has set a great example to the world in apologising for past adoption policies and practices to the Stolen Generations and to the victims of forced adoptions. The genuineness of these apologies is now suspect, however, as the current government is continuing to support intercountry adoption and failing to see the connection between intercountry adoption and the adoptions for which apologies have been made. Families in other countries are now being 'forced' to part with their children owing to poverty, lack of social and medical support and social stigma. Children from non-Caucasian backgrounds in less affluent countries around the world are being 'forced' to be adopted into Caucasian families in more affluent countries, such as Australia. This is an issue of global injustice which cannot be tolerated in a civilised and caring society such as Australia. Australia will appear to the rest of the world to be hypocritical if this government continues to promote intercountry adoption, after having apologised for past policies and practices which separated families in Australia in similar circumstances. Australia's reputation as a caring and honest society is being damaged by Mr Abbott's support for increasing the number of children removed from their communities to be adopted into Australia and his failure to acknowledge the hypocrisy of this situation. By continuing to support intercountry adoption, Australia is creating another stolen generation and another generation of victims of forced adoptions. This is causing emotional distress to those affected by these past policies and practices, who accepted that these apologies were given in good faith, but are now doubting the genuineness of this government's support and understanding of their issues. Families in other countries, who have experienced adoption separation, have been filled with admiration for the apologies which have taken place in Australia and have used Australia as an example of a country where social justice is highly valued. Many are now saddened to find that, instead of learning from the mistakes of the past, as a mature and aware country does, Australia appears to be blindly and cruelly repeating them.

If the current government is going to continue to allow children to be removed from their countries of origin and adopted into Australia, at the very least this should occur only with countries which are signatories to the *1993 Hague Convention on Protection of Children and Co-operation in Respect of*

Intercountry Adoption, which does provide a degree of protection from trafficking and illegal adoptions for those vulnerable children. If children are going to be adopted from countries which are not signatories to the *1993 Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption*, then additional protections should be in place. If an adoption is finalised in the child's country of origin, then there is the risk that this takes place without the prior assessment of prospective adopters by Australia authorities. There is also the danger that if an adoption is finalised in the child's country of origin, then post-adoption assessments of the child and family would not be completed by Australian authorities. Clearly this would not be a child-focussed outcome and could put these children at risk.

In order to protect vulnerable children and to demonstrate our integrity as a child-focussed nation, we must ensure that all adoptions are managed by competent authorities. In cases where a country is not a signatory to the *1993 Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption*, Australia must maintain control over all aspects of the adoption. For this reason, it is not appropriate for children adopted into Australia from countries which are not signatories to the *1993 Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption* to be granted Australian citizenship prior to their entry into Australia. I strongly urge that this proposed amendment not be approved.

I have attached copies of two articles, written by me, on the topic of intercountry adoption. I hope that the committee will consider the points which I have raised.

Evelyn Robinson