

From: Mark Rodger-Snelson [REDACTED]
Sent: Tuesday, 22 February 2005 6:16 PM
To: Committee, FHS (REPS)

Subject: Submission for Inquiry into Adoption of Children from Overseas
(please confirm receipt) *confirmed CD 2302*

Dear Committee Secretary,

I would like to make my submission addressing the terms of reference of your inquiry into adoption of children from overseas.

The terms of reference are addressed below:

The Committee shall inquire into and report on how the Australian Government can better assist Australians who are adopting or have adopted children from overseas countries (intercountry placement adoptions) with particular reference to:

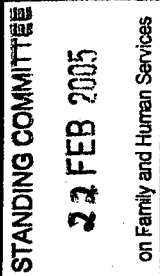
1. Any inconsistencies between state and territory approval processes for overseas adoptions; and

I know that the fees and waiting times can vary greatly from state to state. Here in NSW the fees to adopt from overseas increased dramatically in July 2004 when the government decided that intercountry adoption applicants would need to fit the bill for the full cost of processing (it was previously subsidised somewhat). I find this offensive when you could imagine the outrage if biological parents were asked to cover the full cost of having a child in a hospital biologically. Despite much media coverage and lobbying the fees in NSW tripled in July 2004 making it very difficult for those on average incomes to afford the process. In NSW the fees for the first adoption are \$9700 and subsequent adoptions are \$6900. We also feel that this fee increase is also racist in tone as there were no changes to local adoption fees.

My wife and I are in the final stages of adopting a child from China. We live in NSW and our application is being processed by the NSW Dept of Community Services. We commenced the process in January 2003 and are expecting to travel to China finalise the process and meet our child in around June 2005.

We have been prompt in providing documentation and fees to the department so this timeframe is a good representation of how long it takes to adopt a child from China if you live in NSW. Once the files are overseas, processing times vary depending on the country but currently the Dept of Community Services is taking 18 months or more from Expression of Interest to Approval.

The fact that the fees, processing times and even eligibility criteria (eg age limits) vary from state to state is also a concern. I feel intercountry adoption should be run by an adequately funded Federal department with enough staff to process applications in a timely manner. It seems very strange that intercountry adoptions are determined by Commonwealth Law (the Hague



Convention on Intercountry Adoptions) but processed by state governments who end up making their own rules.

A good representation of the inequality between state and territory approval processes for overseas adoptions can be seen in the Cover Story from Channel 9's Sunday program on the 8th of August 2004. I would highly recommend that you obtain a copy of this to assist with your enquiries. A transcript is available here:

http://sunday.ninemsn.com.au/sunday/cover_stories/transcript_1616.asp

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

One of the main inconsistencies as far as benefits are concerned is the lack of access intercountry adoptive families have to the \$3042 Maternity Payment due to the fact that an adopted child needs to be entrusted to the parent's care before 26 weeks of age. Although I do not have exact figures, I am sure that you would find that very few children who are adopted from overseas would be entrusted to parent's care under the age of 26 weeks. In the case of China, there has never been a child entrusted to the care of Australian parents under the age of 26 weeks.

It is my understanding that the Maternity Payment was a measure to encourage population growth in order to support our aging population. We would love to have 'one for your husband, one for your wife and one for Australia' as Treasurer Costello famously stated on the release of this payment. But without any government assistance whatsoever, Australia is one of most difficult countries to start a family through intercountry adoption. This seems incredibly unfair when we are still adding to the much needed population growth that the government is encouraging. When you look to the US as an example, they are much more supportive of intercountry adoption and have up to US \$10000 in tax credits available to adoptive families.

On average people looking to create or extend their family through intercountry adoptions are faced with fees and travel costs of around \$30000. After which we are still faced with the costs of setting up a nursery or bedroom for the child/baby, buying clothes, toys, prams and child seats as well as the fact that one of us is required to care for the child full time for a period of at least 6 months (I am not sure if this is a requirement across all states but it is definitely a requirement in NSW). In our example, after tax, we are on a combined income of approx \$65000 so when you consider that we will be faced with \$30000 in fees and travel costs as well as regular costs associated with new baby and the fact that one of us will not be working for at least six months in order to bond with our child, it dramatically reduces our expendable income. Funding an overseas adoption has resulted in us living like a low income family even though we both work full time. We also have plans to adopt a second child both because we want more children and it is also considered highly beneficial for adopted children to have siblings but the lack of government support is going to make this near impossible to do.

The fact that Maternity Payment is not income tested and would even be available to millionaires should they have a child biologically deeply hurts those of us wanting to start a family through intercountry adoption when we are excluded due to an age limit - making it a highly discriminatory legislation.

If the government decides to change eligibility to make this payment more accessible to adoptive parents, I also feel strongly that it should be backdated to the 1st of July 2004, the date the Maternity Payment was introduced. Even if one was to adopt a 10 year old child there are still significant costs and reduced incomes involved. I feel the age limit for the Maternity Payment should be completely abolished for adoptive families. The cost for the government to pay the Maternity Payment to all families would be very minimal when you consider that there are only 250 - 300 intercountry adoptions per year in Australia.