

From: [REDACTED]
Sent: Friday, 22 April 2005 2:20 PM
To: Committee, FHS (REPS)
Subject: Senate enquiry into the Adoption Process

Dear Sir/Madam,

First may I say that it is nice to know that investigation into the adoption process is being aired to allow us, one of many couples trying to adopt to have our say and hope it won't fall on deaf ears.

Our case, as each and every other case, is unique. Despite there being a standard application process in theory, the reality is that I would imagine not many folk would fall into the guidelines of a standard application and so the process becomes one of many challenges and disappointment.

Just to give you an overall picture of our situation, which I believe will then give you a better insight of the problems with the State Adoption authorities as we see it...

My husband is a member of the Australian Army and as such we are posted very frequently. In 1999 whilst posted to Malaysia we commenced our Inter-country adoption process. Initially we contacted the then Dept. of Social Security in Canberra to ask how we actually go about adoption and what our legal obligations are. We were advised that Australia could do nothing as we were overseas, but as our intent was to adopt a child who would ultimately become an Australian Citizen and we had been resident in a country outside Australia for more than 12 months, we were advised that we could apply direct to a country that is in agreement with inter-country adoption and falls within the guidelines set out by the Hague Convention.

Overseas Process:

Late 1999, we expressed interest to adopt a child from Thailand.

2000, we submitted an application with the Royal Thai Embassy in Malaysia to adopt a child. This application was submitted together with medicals, home study, details of referees, financial statements, life histories, letter from Australian Immigration and many other documents as per the requirements for inter-country adoption (In accordance with the Hague Convention Guidelines).

Late 2000, we were advised by Thailand that all was in order and we would now simply have to wait for placement of a child.

Shortly after this news, we were posted back to Australia and approached the adoption authorities in Thailand to advise them of this change and were advised that we must now approach the State Government Adoption Agency (in this case DOCS NSW) back in Australia and obtain new photographs of our home in Australia together with a letter from them to advise that they will now manage our case.

Australian Process:

We arrived in Sydney early 2001 and approached DOCS and stated our situation and sought the paperwork required for our case to proceed. DOCS however, advised us that as we are in Australia we must now conform with State law and although they said they appreciated our situation and would expedite our case because we have already been through the process once, the fact is that all prior documentation was discarded and we had to again start from scratch.

Duplication: We completed the SAME application form all over again, we provided the medicals, undertook criminal checks, provided details of referees, financial statements, employment statements, life histories, undertook another home study in fact we did everything in accordance with the State law and as we saw it duplicated all that we had completed the year before. This setback saw our case halted in Thailand and it took almost two years for DOCS to submit our application.

Lengthy Time to process: Why two years? Firstly, before you even receive an application form from DOCS, as potential adoptive parents, it was a State requirement that we attend a 2 day parenting seminar. Seminars were few and allowed for limited numbers, so it took several months before we were called in to attend. Following the seminar, under the normal practice, potential applicants would then receive an application form. As we had already been through the process once and were a different case, DOCS did provide us with our application forms earlier, so for us we were actually able to lodge our application at the end of the last day of the seminar and therefore hoped that all would be back on track and that their promise to expedite our case would be a reality.

Medical forms: We became just another statistic. Home study took a few months to complete, we received very little feedback on where we were at during the process unless we initiated the call and then in 2002, I received a call from DOCS requesting updated medicals for both my husband and myself. However, this was not so simple as my husband had now been deployed on operational service to the Middle East. I had no problem completing the DOCS medical form for myself, but my husband was in a war zone and was unable to complete his form. I contacted DOCS and explained the situation and asked if they would accept a letter from the Military doctor together with his latest medical report (full medical report completed only a couple of months earlier prior to his deployment) in place of the DOCS medical form. I was told that this was not recognised and that I would need to have the DOCS medical form completed and that surely there would be a doctor where my husband was who could examine my husband and complete the form. Forgive, my bluntness here, but I made it known to DOCS that the Military don't send their people to war unless they are medically fit and secondly, in a war zone, doctors are there to fix broken soldiers, not deal with adoption medical forms. I found this non acceptance of anything other than the specific DOCS paperwork, a little preposterous to say the least. However, on! on!, we waited until my husband returned from the war to continue on and follow the bouncing ball.

On his return, my husband was again advised of a posting, this time to Queensland, so I then contacted the Queensland Adoption Agency, the Department of Families and put

forward our case and asked if they would also make us start again from scratch and was pleasantly surprised to hear that they would accept all that DOCS had done, and QLD will simply manage our case on behalf of NSW with us now moving north.

Feeling relieved at last that somebody was on our side, I moved to Queensland prior to my husband to set up our newly built home and wrote to the Department of Families to ask that they arrange for our file to be transferred from NSW. This took place, but whilst my husband was still in NSW prior to his move to join me in Queensland, he received notice that his posting had now been changed and we were to return to Malaysia. With this news we called in at the Department of Families and told them the latest situation, but were very conscious of the fact that our posting to Malaysia would be two years and the waiting time for children coming from Thailand was at least two and a half years, so we asked if the Department would continue to manage our case as the reality was we would be back in Queensland before we would be placed with a child anyway. Alas, we faced more disappointment, our case was one that did not fit inside the box and it was considered firstly that QLD could do nothing other than to advise Thailand to halt the process until we return to Australia. We asked if there were any other options as surely we could not be the only couple in history who have mobile careers trying to adopt. There must be a solution. The Department offered nothing at that time, but did contact us later to say that if they continue to manage our case whilst we are on overseas posting and should they receive news that we are to be placed with a child that we sign a letter to guarantee that we would literally up-stakes, drop everything in Malaysia and move back into our home in Queensland so that they could then continue the follow up procedure of post placement social visits etc.

Written guarantee? I explained that we could not guarantee that as my husband is serving with the Military and for him to up-stakes is not that easy. The government have invested big money to place him overseas and the logistics to train someone else and relocate another family cannot be done overnight. I did however, state that I could myself guarantee that I would drop everything to come home and on completion of my husband's tenure he would join me. This I thought was a reasonable solution, as should that scenario eventuate, we had no doubt that my husband would maintain regular contact with reunion visits. I was then faced with a hard-line response...that the whole aim of adoption is for the welfare of the child and that maybe we should consider leaving the Army and settle in one place as a family unit. I was just shocked and hurt at such a response. Reality is that my husband is the primary income earner in our family and it is through his hard work and dedication to his career that we are able to afford to take this option of having a child and more importantly can continue to give a child a secure and comfortable lifestyle. Department of Families only other response was that they would seek advice from Canberra (Federal Government?) and advise us accordingly.

We heard nothing and we again moved back to Malaysia at the end of 2003 and as it was the country we initiated our adoption, we again got in touch with the Thailand Government Adoption Authority who advised us that we need only send an updated home study. This was our third home study, the first conducted by Thai authorities in 2000, a second undertaken by DOCs appointed social worker 2001/2002 and then the latest one by the Malaysian Government in 2004. On arrival into Malaysia, we again contacted Dept. of Families to ask if they had heard anything further from Canberra and

were told that there may be avenues for us to be managed by Canberra, but suggested we just deal direct with Thailand as they felt they could do nothing.

I then replied seeking details for a point of contact in Canberra, so that we could find out for ourselves what it is we need to do. Remembering that this child (if ever we are to be fortunate to be placed with a child) will become an Australian Citizen so that she may live with us back in Australia. It is only natural that we want to ensure we are doing everything in accordance with the laws of our land to ensure our child will be accepted as a Citizen, so naturally it is important that we keep Australian Authorities very much informed of everything, but we heard nothing and felt all ties severed and all the processes we have undertaken fruitless. We were posted to Malaysia for only one year and have now been posted on here to Papua New Guinea. In reality, this would mean a fourth home study, a halt in the process in Thailand until this is completed and then should we not receive news of placement until our return to Australia after this posting, no doubt there will be other forms we must complete or procedures we must endure before we would ever be placed with a child.

My husband and I love our lifestyle, but as Australian Government employees, serving our country be it in Australia or overseas at the end of the day all we are trying to do is to adopt a child for ourselves who will become a part of our family, an Australian Citizen and had hoped that somehow that Australian Authorities, be them State or Federal could have some system in place to help the more nomadic folk like ourselves. In summary it seems that there is no interface between States, Territories or Overseas in the adoption process and one wonders why adoption should be so difficult.

My husband and I are now 46 years old, rather late in life to consider adoption perhaps, but we were only 40 when we began this road. Like an ember in a dwindling fire which greys and cools to the dead ashes of the morning, so too has this adoption process been for us. We have lit the fire, but received no fuel to keep it burning.

Ours is one of many disappointing tales and a dream we fear will never be fulfilled. For others I hope their journey and outcome to adoption proves more rewarding than ours has been. I believe only with the compassion of those who work with the Adoption Authorities and a Government to wholly support and provide a structure can this long and emotional journey for many hopeful couples lead to success, a chance to have a family of their own and to give a child a new life of love and wonderful opportunities.

I hope the Senate enquiry will reveal the flaws in the system and look favourably on making dreams a reality for the many couples out there enduring the long road to adoption.

Yours faithfully


22/04/05