

Introduction

My husband and I have adopted two children from India. Our older daughter is now 8, whereas our younger one is 4. Both were adopted in South Australia, via the services of Australian Aiding Children Adoption Agency, in a process overseen and approved by the Department of Human Services. Had it not been for the obstacles placed in our way by unsympathetic politicians and public servants, we would have adopted another child last year but were unable to do so.

This hearing is interested in the issue of unfair "differences" between adoptive families and others. I shall start by briefly outlining the obvious differences and proceed to argue that not only should current inequities be eliminated, but also that positive discrimination in favour of inter-country adoption should be put in place.

The obvious differences, which any adoptive families could easily demonstrate, are that the adoption process is long (unpredictably so), arduous (unbelievably so) and also expensive (quite excessively so). There are no tax breaks, family support or governmental assistance of any kind, unlike IVF programs where families benefit from the Medicare safety net or biological pregnancies where private health insurance cover the expenses of creating or enlarging a family. There are also stringent probes in adoptive parents' financial and private lives, all of which utterly desirable but at the same time unmatched by any process that could perhaps also prevent unsuitable individuals from bringing children into this world only to brutalise, abuse or exploit them. Until recently, additional discriminatory restrictions existed on age, which made adoptive parents unable to adopt at a time when IVF treatments remained available to them, at taxpayers' expense. In my place of employment, adoption leave has only recently matched maternity leave. In 1998, when we adopted, adoption leave consisted of 2 weeks unpaid leave, a situation, which I am sure continues in other workplaces.

There are also more subtle differences. Adopting children is never something that "just happened", it a conscious and difficult choice. It is also one where both parents share an identical experience, ensuring the ultimate in gender equality. As we travelled by night to the Indian town where our first daughter awaited us, my husband and I shared the same exhilaration. We also shared an identical trepidation and frustration in the months prior to that moment.

And while it is true that for some parents the choice of adopting stems from their inability to have biological children, for many others, including us, it is a considered decision to assist children already born rather than bring others to a world threatened by overpopulation, poor environmental management and inequitable distribution of wealth. In my case, a choice I made at the age of 20 and which my husband embraced also.

If there is one regret I have as an adoptive mother, it is that as we left the orphanages where we had picked our daughters from, so many more children were looking at us go and lamenting their own fate. So, today, I would like to briefly put forward three arguments in favour of inter-country adoption, arguments which should not only motivate the removal of any discriminatory measures against adoption, but

which should, in my view, justify positive discrimination to ensure that all families are assisted, and indeed encouraged, to look at the adoption option.

1- The compassion, ethics and humanitarian responsibility argument.

Although adoption has become a more common method for creating a family, a quick glance at the statistics of third world countries will show the magnitude of the need for millions of children worldwide. Having consistently sponsored children through World Vision, we certainly do not subscribe to the view that all children from poor countries need to be adopted. Most of them have a loving family and only desperately need funding, which we certainly try to provide and would encourage our government to provide more generously.

For many other children, however, the future they face is not just poor, it is also deprived of any form of stimulation and love. Orphaned or abandoned, these children face, if they are lucky, years of institutionalisation and if not, hunger, abuse or even mutilation to turn them into 'better-earning' beggars. We have visited orphanages in India and we know that by adopting a child, not only have we provided a brighter future to that child but that the flow-on effect, by the donation which many orphanages use as their main source of income, will ensure food and education for dozens of others.

To those who argue that adopting children amounts to taking them from a loving family and portray adopted children as torn from loving arms I can only say that they obviously have no understanding or knowledge of the reality of life in India and many other parts of the world. If caught in a flood, wouldn't they pick up a child from the arms of a drowning mother? Would they let the child die with their mother rather than live away from her?

Living an ethical life and acting ethically is a challenge for all of us. One way in which our actions can be judged is by their consequences and I would argue that the positive consequences of adoption, for the child involved as well as those left behind, far outweigh the cost that may be perceived in the process. Specifically, while there is no denying the grief and sorrow felt by some of the mothers who relinquished their child to the care and love of others, surely even they must agree that the survival and blossoming of these children far outweigh this inevitable cost. For the majority of these mothers, I believe that considerable solace must be found in the knowledge that these children will have opportunities far beyond what they could have offered, and certainly no less love.

2- The equity, discrimination and social justice argument.

Adoptive parents are extensively scrutinized: Unlike biological or IVF parents, adoptive parents are assessed by a social worker, their work and financial status is carefully audited, their house visited and assessed for suitability, their medical and police records checked. Granted, this is undertaken "for the benefit of the child" but one wonders why similar precautions are not required for IVF or biological children as if they did not require equivalent assurance in relation to their future wellbeing.

As previously noted, for the privilege of this inquisition, adoptive parents are currently charged many fees and charges, amounting to, in the case of an adoption from India, to more than \$7000, for which no assistance or tax relief is provided. This is in sharp contrast with IVF where all costs above the safety net are paid by taxpayers' money or with biological pregnancies for which bonus and other maternity benefits are also funded from the public purse. Surely, if some families are assisted in the process by

which children are either biologically or medically created, then other families who would appear to make an equally valid (and, I would argue, more ethical) choice should also be supported in their desire to adopt orphaned children born elsewhere?

3- The economic and population growth argument.

Since all government decisions seem to now be spawned from economic rationalism, the last argument, inevitably, must be one of dollars and cents. The state of South Australia and Australia as a whole, suffer from an ageing of its population and a well-established "brain drain". Government policies have tried to encourage the return of younger South Australians and to manage the mounting costs of an increasingly older population. Incentive schemes are currently in place to encourage skilled immigrants to settle here.

Yet, many adoptive parents must face -without any financial help- the considerable expense incurred in adopting the future young citizens of this state. They are prepared to pay for the education and care of these 'imported' youths and this at no cost whatsoever, to the state or other taxpayers. Is it really fair to expect adoptive families to subsidise government policy in such a way, to the tune of \$20 to 30,000 per child? Wouldn't the money allocated to promote our state to potential migrants be better spent helping families who are bringing new children here?

Conclusion:

Adoption opponents or sceptics probably never witnessed the remarkable and quite miraculous transformation an adopted baby or child goes through on arriving in Australia. To make the point clearer, I shall again refer to our specific situation: Our second daughter, _____ was 15 months when we first met her on our trip to collect her in India in 2002. Weighing only 6.5 kg, she had a serious case of golden staphylococcus in the tarsic bone of one foot. Had we collected her a few months later, she may have lost a limb. Had we not collected her at all, she might well have died. Our joy at seeing her thrive is only tempered by the sadness we feel for other children just like her who may miss out simply because a loving family may not have had the resources or the courage to tackle what remains to this day a confusing, expensive and incredibly frustrating process.

To the extent that government decisions should reflect society's views and to the extent that it should aim for more ethical, humanitarian and socially beneficial outcomes, I hope that policy makers will feel compelled to abolish any rule that currently discriminates against inter-country adoption and consider instead the introduction of measures that actively assist, and indeed encourage and support, Australian adoptive parents in their attempt to build more ethical and humanitarian families.

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