

VANISH news bulletin

Subsidiary of VANISH Voice

February 2014

HAPPY NEW YEAR TO ALL OUR MANY MEMBERS

The New Year started quietly and well with January giving us the opportunity to check in with all those families engaged with VANISH in the search process. Then we were hit with the bombshell that Prime Minister Abbott has decided to have a review of intercountry adoption with a view to freeing up the timelines and processes for overseas intercountry adoption.

An inter-departmental committee has been set up which will operate from the Prime Minister's office. Very few organisations were invited to submit to this process and VANISH was not, however, after rigorous advocacy many other organisations and people are now submitting, including VANISH and next week Leigh Hubbard Chairperson, Coleen Clare Manager and two VANISH members will also travel to Canberra to meet with senior advisers in the department of the department of the Prime Minister and Cabinet and firmly express our opinions.

VANISH is also keen that our 600 members have the opportunity to have their say to the Prime Minister and we urge you each to do so.

**The date for submissions is by 20th February 2014
to intercountryadoption@pmc.gov.au
or contact Alice Ling in the Prime Minister's office
on 02 6271 5602**

VANISH has written a comprehensive 30 page submission and we have abstracted our recommendations which you are welcome to use in your comments to the Prime Minister or of course you are urged to give your own opinions and advice.

SUMMARY OF VANISH RECOMMENDATIONS

VANISH, the Victorian Adoption Network for Information and Self-Help, has been working in Melbourne for 25 years with all persons directly affected by adoption. We draw our policy positions from our direct contact with a membership of 600 people from the adoption related community. (www.vanish.org.au)

VANISH makes the following recommendations related to the stated Terms of Reference:

(a) Impediments to inter-country adoption

1. The Australian Government/s should always act with the 'best interest of the child' as the paramount principle and within the National Adoption Principles in all domestic and Intercountry adoption legislation, policy and practice.
2. The Australian Government/s should only engage in intercountry adoption programs with countries that have also ratified the Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption (1993). Existing and new bilateral arrangements with countries should also only be with countries that have ratified the Hague Convention. (See also Recommendation 9.)
3. An evidence-based understanding of the consequences of removing a child for adoption from their own country, culture and family connection, should inform legislation, policy and practice in intercountry adoption.
4. All legislation, policy and practices should enable the keeping of true birth certificates, records and processes that will allow the adopted child/adult to find out their accurate history and/or connect or reconnect with their birth mother/father/family. The reconnection process needs to respect the culture and customs of both countries (See also recommendation 16b.)

(b) Immediate steps that could be taken for improving and streamlining the delivery of inter-country adoption services to make inter-country adoption easier and faster for Australian couples;

5. Those who know most about the effects of intercountry adoption, those people who have been directly affected by adoption, mothers, fathers, adopted people, extended families, adoptive families and specialist services should be consulted and engaged in the development of all proposed changes in adoption legislation, policy, practice and service development.

(c) Longer term proposals for reform;

6. The Australian Government/s should review the provision of permanent care and remove the current impediments to best practice for the thousands of children in foster care and residential care program who are not currently living safe and secure lives with high quality, stable permanent carers.
7. The Australian Government/s should resource the development of a full range of post placement services and support mechanisms, available at all life stages, children, adults, adoptive parents, foster carers and permanent carers.

- programs need to include issues of transparency in adoption; separation and loss, identity, developmental and behavioural issues; challenges of parenting adolescents; and issues related to culture and country, and looking and feeling 'different'.

- specialist NGOs need to be resourced to provide self-help; short and long term services for search, support and connection; support groups; and

counselling, as required by mothers, fathers, adopted people, extended families and adoptive families.

- because the children requiring adoption are increasingly older, and often have special needs/disabilities that may be physical or behavioural, alternate parents need ongoing specialist assistance to raise these children well.

8. The Australian Government/s should fund research and community education on the long term effects of current adoption and alternate care policies and practices in relation to loss, separation, trauma, identity and wellbeing, as experienced by parent/s separated from children and adopted people and their families.

(d) Possible new partner countries with which Australia could establish new inter-country adoption programmes;

9. The Australian Government/s should only engage in intercountry adoption programs with countries that have also ratified the Hague Convention. Existing and new bilateral arrangements with countries should also only be with countries that have ratified the Hague Convention. (See also Recommendation 2.)

10. All intercountry adoption must be well regulated and consistently monitored to ensure policies operate well to protect the 'best interests of children' and to fully support mothers and assist them to be able to make the best decisions for themselves and their child/ren.

11. Current and pending bi-lateral arrangements with countries should be very carefully analysed, examined and monitored on a continuous basis to ensure they act within the Hague Convention. Specific note should be taken of previous difficulties, including criminality, in intercountry adoption.

(e) Alternate means of delivering inter-country adoption programmes (including via NGOs) and;

12. Any consideration of the establishment of an accredited agency for intercountry adoption would need to be compliant with Article 11 of the Hague Convention which provides that an accredited body shall—
 - a) pursue only non-profit objectives according to such conditions and within such limits as may be established by the competent authorities of the State of accreditation;
 - b) be directed and staffed by persons qualified by their ethical standards and by training or experience to work in the field of intercountry adoption; and
 - c) be subject to supervision by competent authorities of that State as to its composition, operation and financial situation.
13. VANISH is strongly opposed to any move to make adoption easier for prospective parents by "privatising" adoption. We do not believe privatisation would be a positive move and could simply become a cost shifting exercise, moving costs from the government to the private sector. There is a real danger of creating a 'market' and commodification of babies and children run by inconsistent agencies acting outside The Hague Convention and possibly acting criminally.
14. VANISH agrees that a state based 'one door' approach to alternate parenting (such as fostering, permanent care and adoption) is advisable and should include recruitment, preparation, assessment, training and ongoing support for prospective parents. We believe that this process should continue to be thorough and rigorous and meet the Hague Convention guidelines.

15. VANISH supports equitable rights for all children and parents; including the right to true, accurate and accessible birth certificates and documents.

(f) Any changes to Commonwealth or State legislation that would improve or streamline the inter-country adoption process.

16. VANISH does not support waiving the visa application fee or providing a tax concession for families seeking to adopt children from overseas.

17. VANISH recommends national harmonisation of Commonwealth and State adoption legislation to best practice standard; and in relation to:

(a) the registration of births with integrated birth certificates that retain the adopted person's original name and accurate historic details. A child born overseas should never be issued with a new Australian birth certificate that is not factually accurate and changes the child's previous history/identity, thus overriding the child's right to know his/her origins. (See also Recommendation 4.)

(b) enabling all adopted people to readily access all relevant records, with support, giving them the ability to find the truth about their origins and history and providing assistance in reconnecting with lost family. The reconnection process needs to respect the culture and customs of both countries.

(c) assessment of prospective parents for intercountry adoption should include mandatory assessment for local children requiring other forms of permanent placement, thus enabling / facilitating / ensuring the 'one door' entry concept for applicants. It would seem desirable to require that applicants only be approved for adoption (local or overseas) if they are also assessed as suitable for permanent care placements.

Coleen Clare
11 February 2014

**VANISH also urges you to support the
national rally against freeing up
intercountry adoption timelines and
processes**

RALLY

TIME TO GET POLITICAL

**Rallies to be held around Australia against the current
Government's intent to liberalise intercountry adoption**

**Melbourne
Sunday, 16 March 2014
Meet at midday in front of the
Melbourne State Library**

**ALL MOTHERS, FATHERS, ADOPTED PEOPLE,
ADOPTIVE PARENTS, EXTENDED FAMILY AND FRIENDS
ARE STRONGLY ENCOURAGED TO
SUPPORT THIS RALLY TO SHOW SOLIDARITY AND
PROTEST AGAINST PRIME MINISTER ABBOTT'S
PROPOSED SHORT CUTS TO INTERCOUNTRY ADOPTION**

Let us also gather together to

COMMEMORATE

**FIRST ANNIVERSARY OF THE NATIONAL APOLOGY
FOR FORCED ADOPTIONS GIVEN TO
ALL PEOPLE AFFECTED BY FORCED ADOPTION OR
REMOVAL POLICIES AND PRACTICES**



21 March 2014

VANISH
will be holding a small event in North Melbourne at
Ample Café (opposite VANISH)
to remember the Federal Apology
(we understand that there will not be an event in Canberra)
4 – 6pm

and let us also

CELEBRATE

VANISH is 25 years old this year

**and during the year we plan to mark this event in various
ways beginning with the first commemoration of the
Federal Apology on 21 March 2014 and ending with the
second commemoration of the Victorian Apology for
Forced Adoptions given on 25 October 2014**