



Review of Adoption Rethink: Adoption propaganda?

PENNY MACKIESON

Acknowledgement

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VANISH Inc.
1st Floor, 50 Howard Street
North Melbourne
Victoria 3051
Australia
info@vanish.org.au
<http://vanish.org.au>

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This document, a critical review, comprises, firstly, a context section (pages 2-4) with sub-sections on: a description of the organisation that commissioned *Adoption Rethink*; a critique of the independence and adoption expertise of the researcher and author of *Adoption Rethink*; and the author of this article, the review of *Adoption Rethink*.

The second section is a summary review of *Adoption Rethink* (pages 4-9) divided into sub-sections on the following themes: presentation of paper; research methodology and terminology; evidence; alternatives to adoption; apologies and culture; omissions; current practices; children's rights; open adoption; and conclusion.

There are also two Appendices. Appendix I (pages 10-29) provides a detailed review of *Adoption Rethink* divided into sub-sections based on the chapters of that report. Appendix II (pages 30-44) lists in alphabetical order all the references footnoted in *Adoption Rethink*.

1. Context

1.1 The organisation that commissioned *Adoption Rethink*: Women's Forum Australia

Women's Forum Australia is a self-declared independent organisation established in 2005 "to support women who were pregnant in difficult circumstances" – an organisation not independent of strongly positioned ideology. Information provided on its website makes clear that Women's Forum Australia takes an anti-position on abortion and a pro-position on adoption. Politically, Women's Forum Australia presents itself as right-wing feminist – arguably an oxymoron when one considers its ideological position.

There are many links on the Women's Forum Australia website to Adopt Change – the pro-adoption campaign organisation co-founded by expatriate Australian celebrity adoption lobbyist, Deborra-lee Furness. This organisation is well funded by wealthy donors to conduct its 'independent' policy work and research on adoption.

Women's Forum Australia states one of its main objectives as being "to undertake high quality research on issues relevant to women's safety, health, freedom and well-being with particular focus on behaviour that is harmful and abusive to women".¹ To be considered high quality, research must always be independent, peer-reviewed, supported by evidence, have ethical approval from an appropriate body where required, and not driven by ideology.

Women's Forum Australia "commissioned Dr Greg Pike from the Adelaide Centre for Bioethics and Culture to perform an independent review of evidence-based research to understand better the impact of adoption upon the health and well-being of women".² *Adoption Rethink (2014)* is the product of that research review, and the subject of the current review.

¹ <http://www.womensforaustralia.com/about-us/purposes-and-values>

² Women's Forum Australia. *Adoption Rethink (2014)*, Research conducted by Dr Gregory K Pike, p.4.

2.2 The researcher and author of *Adoption Rethink*: Dr Greg Pike

According to the Adelaide Centre for Bioethics webpage, Dr Greg Pike is a bioethicist and the founding Director of the Adelaide Centre for Bioethics and Culture established in 2012. The Centre describes itself as “an independent, autonomous [organisation] committed to research into important bioethical issues affecting the whole community – locally, nationally and internationally”.³ “The Centre... hosts the resources of the *Southern Cross Bioethics Institute*, which closed in 2012”.⁴ The Southern Cross Bioethics Institute was founded in 1987 by John Fleming, “a high profile Anglo-Catholic priest in the Anglican Church of Australia's Adelaide diocese. He was ordained in 1970, and became a Roman Catholic in 1987. Although married with three children, he was given a papal dispensation permitting his ordination in the Catholic Church in 1995”.⁵ The Institute also has close links with Women’s Forum Australia.

Dr Pike does not declare in *Adoption Rethink* his personal and religious position on abortion or adoption. Curiously, the Southern Cross Bioethics Institute recently launched its report on attitudes to abortion (on May 2, 2015) – the report was criticised for its lack of critical information about how the research was conducted.⁶ In the absence of disclosure, one can only assume Dr Pike’s ideological position aligns with that of Women’s Forum Australia and the conservative traditional values of the Catholic Church.

On its website, the Adelaide Centre for Bioethics and Culture lists abortion and surrogacy as areas of its research, while adoption is not listed. The Centre clearly takes an anti-abortion stance. Dr Pike’s biography states that “he has a particular interest in the relationship between bioethics and public policy, and has written and spoken extensively about issues like stem cells, cloning, euthanasia, reproductive technology and illicit drug policy.” No peer-reviewed publications by Dr Pike could be found on adoption research or practice to indicate expertise in this complex field. Further, it is not made clear in the report which group of women is the primary focus of *Adoption Rethink*: for example, mothers whose children are adopted or adoptive mothers. The two seem to merge in the reading of the document.

1.3 The author of this review of *Adoption Rethink*: Penny Mackieson

I am a Masters qualified social worker of more than 30 years’ professional experience in the children and family services sector in Victoria. This includes several years with the Victorian government’s child protection program; 12 years with the intercountry adoption program (ending December 2013); and almost five years as a human services consultant, primarily to the Victorian Government’s Department of Health and Human Services. I am also an adopted person affected by the unethical/forced adoption policies and practices in Victoria prior to the 1980s. I can therefore claim professional expertise and in-depth knowledge about the lived experience of adoption.

At the time of preparing this report, I am not engaged in any paid employment with any person or organisation, government or non-government, private or not-for-profit. I am a member of VANISH (the Victorian Adoption Network for Information & Self-Help), including engagement in a voluntary

³ <http://www.bioethics.org.au/About%20Us.html>

⁴ <http://www.bioethics.org.au/About%20Us.html>

⁵ [http://en.wikipedia.org/wiki/John_Fleming_\(priest\)](http://en.wikipedia.org/wiki/John_Fleming_(priest))

⁶ <http://www.theage.com.au/news/Education-News/Madness-in-the-method/2005/05/13/1115843369081.html?from=moreStories>

capacity on VANISH's Committee of Management. I am also in the process of commencing doctoral studies on permanent care at The University of Melbourne.

VANISH is a non-sectarian community organisation located in Melbourne with a growing membership of more than 700 people. VANISH has been funded by the Department of Health and Human Services in Victoria for the past 25 years to provide information, search, and individual and group support services to those with an adoption experience across Victoria, and reaching people living in other States of Australia and overseas. Using a self-help model, VANISH works with the complexity of the lived experience for all members of the adoption circle, in both local and intercountry adoption. VANISH also works with the Forgotten Australians (former children raised in institutions and out-of-home care during the 20th century) and people affected by donor conception. VANISH is well informed as to the impact of trauma, persistent grief and disruptions to identity for the individual and their family, and the burden this can have on the nation's health and mental health budgets over a life time.⁷

2. Review of *Adoption Rethink*: Summary

2.1 Summary conclusion

Overall, *Adoption Rethink* does not demonstrate expert knowledge in the adoption field nor present an unbiased position. It is a substantial piece of work which refers to a plethora of research papers, documents and sources relevant to adoption. However, information is 'cherry-picked' and does not reflect the complexities highlighted in the references it cites, which are often outdated and lack applicability to the Australian context. Promoted as independent research, *Adoption Rethink* does not disclose its connections to Women's Forum Australia. Nor does it clearly identify or remain focussed on the group of women about whom it is purportedly concerned, or indicate the methodology and definitions employed in its research. *Adoption Rethink* is a glossy and seductive paper, but also seriously flawed by its ideological bias in favour of adoption promotion. In conclusion, *Adoption Rethink* lacks academic rigour and fails to provide a coherent, convincing or balanced scholarly argument.

2.2 Presentation of paper

Adoption Rethink is a professionally produced 112-page document available in hard copy for a fee of \$59.99 (plus postage and handling)⁸. For the most part it is organised into logical chapters. It has a non-jargon writing style that is at odds with the large number of footnotes and references, which would give the impression of a scholarly peer-reviewed publication to an uninformed reader.

On initial reading, I noted that the chapters are divided by large glossy portrait photos mainly depicting happy families with babies and small children (several taking up almost the entire page). These images give the impression that *Adoption Rethink* is focused on selective and simplistic portrayal of happy adoption stories in a way that is biased toward a pro-adoption position.

There is a single endorsement published on the last page of the paper by Thomas Bradley, a Queensland barrister. Like Dr Pike, Thomas Bradley QC, whose practice is concerned with

⁷ For information about VANISH, please refer to <http://vanish.org.au/>.

⁸ *Adoption Rethink* (2014) was originally released with a price point of \$75.00 per hard copy (plus postage and handling).

commercial disputes, appears to have no relevant experience or expertise in the fields of out-of-home care or adoption.

2.3 Research methodology and terminology

Adoption Rethink does not provide a methodology for a systematic review of research, a complete bibliography or a summary table of the research reviewed. The details of the references cited are restricted to the footnotes, which are acceptable in some referencing styles but in this case the print is in such a small font size it is difficult to read, making assessment of the quality and comprehensiveness of the research conducted difficult.

In order to gain an overview of the research reviewed, I collated a list of all the references in the footnotes, which is provided in Appendix I of the current paper. I have also extracted the year and country of publication of those references, which is summarised in Table 1 below.

Table 1: Summary of references cited in *Adoption Rethink* by time period and country of publication.

Time period / Country	Australia	USA	UK	Other	Total
Pre-2005	20 (29%)	52 (61%)	17 (55%)	8 (44%)	97 (48%)
From 2005	48 (71%)	33 (39%)	14 (45%)	10 (56%)	105 (52%)
Total	68 (34%)	85 (42%)	31 (15%)	18 (9%)	202 (100%)

Table 1 shows that two-thirds (66%) of the references cited in *Adoption Rethink* originate overseas, particularly the USA (42%), while one-third are Australian-based (34%). Almost half (48%) of the references were published prior to 2005, while just over half (52%) were published in 2005 or more recently. Specifically regarding the references that originated in the USA, 61% were published prior to 2005, while 39% were published from 2005. In summary, the majority of research reviewed was overseas-based, particularly in the USA; and almost half the references were more than ten years old, with this proportion significantly higher for the USA references.

Adoption Rethink does not provide a glossary. Thus complex and commonly misunderstood terms, such as 'special needs', for the most part remain undefined. The first mention of the "difficulties and sensitivities" raised by terminology used in relation to adoption "for some members of the various parties involved" is made, albeit buried in a footnote, almost a quarter of the way into the paper (*Adoption Rethink*, 2014, p. 25). Up to that point, the terms 'birth parents', 'natural parents' and 'biological parents' are all used interchangeably to refer to a child's (actual) parents, and the term 'parents' is not used at all. This alone shows insensitivity to the needs of mothers, fathers and extended families whose children are adopted and a lack of awareness of terminology more acceptable to those persons with lived experiences.

To go further, the paper's failure to: openly discuss and explore the key issue of adoption terminology; clarify the terms used; or provide a clear explanation for the choice of terms used where there are multiple options suggests a level of indifference, even disdain, toward the parents of children in out-of-home care and mothers who have unplanned pregnancies. Bias is most evident with representations of adoptive parents who in this document are promoted as altruistic and deserving of more understanding, support and public recognition than the child's own family. This raises the question as to which women are the primary focus of the research review, and curiosity regarding the focus of feminism reserved for more privileged women in society.

Constant use of the term ‘adoption triad’ throughout *Adoption Rethink* indicates a somewhat dated perspective on the parties and their relationships involved in adoption. A more accurate term, ‘adoption circle’, is generally now used (at least in Victoria), as it also recognises the importance of others, such as extended family members and professionals, in a person’s adoption experience and life journey.

2.4 Evidence

Adoption Rethink takes a strongly pro-adoption stance. It repeatedly asserts that the majority of adoptions work out well, supported by selectively quoted findings and conclusions from the research reviewed. The reality is that very little Australian research has been conducted to support these claims whereas research conducted on adult adoptees tends to indicate that, although this may be the case for some, there are many adverse outcomes related to being adopted. Mixed or negative findings in the research listed in Appendix I are generally not quoted or discussed. The assumption that adoption is unequivocally good is perpetuated and, based on this unsupported claim, the publication promotes that adoption rates in Australia should be considerably higher. Yet these assumptions and their ideological base are not openly acknowledged in the report, nor are they adequately examined, critiqued or justified.

For example, paragraph 9.29 on page 95 of the report refers to a recommendation for national adoption targets by neo-liberal think-tanker, Dr Jeremy Sammut (who also has no professional expertise in adoption and is known for writing ideologically-driven opinion pieces). Sammut identifies a crisis in the child protection and out-of-home care systems in Australia – which can be argued as a crisis in finding children for people who want to form a family – the response for which Sammut recommends adoption from out-of-home care as a source of children. There is no discussion regarding how the child protection crisis might be ameliorated in the first place, including an absence of exploration of investment in primary and secondary family support and preservation services and out-of-home care programs.

Critical reading of *Adoption Rethink* suggests it is not objective or balanced in its review and analysis of relevant research, nor methodologically sound. This is reinforced by the lack of any indication that it has been subjected to independent peer-review, or that key findings have been published in reputable journals.

Adoption Rethink reinforces that there is a paucity of research exploring the various forms of out-of-home care in Australia. Still, it endeavours to extrapolate from the research reviewed a confident case for the significant changes currently taking place in adoption policy, legislation and practice in Australia. For example, it supports such legislation as that introduced during 2014 by the Liberal-National coalition government in New South Wales – a state where some would say pro-adoption campaigner, Furness, and others have wielded undue influence – which enshrines early adoption of children from out-of-home care without adequate attention to family support services and reasonable time frames. *Adoption Rethink* also supports measures to increase and expedite intercountry adoptions.

2.5 Alternatives to adoption

Adoption Rethink dismisses detailed consideration of the alternative legal orders to adoption in Australia on the basis of the limited research evidence available. However, it does not follow that

this is, therefore, a valid argument to support adoption as the best option available, given there is also limited research evidence supporting the efficacy of adoption in Australia.

2.6 Apologies and culture

Adoption Rethink is casual and dismissive in its treatment of the past unethical/illegal/forced adoption policies and practices in Australia, and of the subsequent agency, state and territory and national apologies made to the parties affected. It mentions the pre-1980s Forced Adoption generations of Australia only a handful of times⁹, some of those not specifically; and the National Apology for Forced Adoptions by Prime Minister Julia Gillard in March 2013 only twice.¹⁰ As someone experienced both professionally and personally with adoption, I find this remarkable in a discussion about adoption in Australia, let alone in a paper purporting to review evidence-based research in order to better understand the impact of adoption upon the health and well-being of Australian women.

Adoption Rethink alludes numerous times to the formal apologies as being causal to the ‘anti-adoption’ culture among welfare professionals, which it maintains is directly responsible for the increasingly low rate of adoptions in Australia since the 1980s. Comprehensive Australian research does exist that disputes the claims of an ‘anti-adoption’ culture. Yet, the report fails to adequately explore the assumptions of disproven anti-adoption rhetoric or to acknowledge that what is labelled as ‘anti-adoption’ may represent an appropriately cautious approach on the basis of learnings from relatively recent past mistakes in adoption policy and practice.

2.7 Omissions

There are many issues relevant to adoption that are not discussed in *Adoption Rethink*. For example, it does not explore the known mismatch between the characteristics of children requiring alternative permanent family placements (i.e. older children with special needs) and the characteristics of children most Australian prospective adoptive parents seek to adopt (i.e. healthy infants). Following on from this, *Adoption Rethink* does not refer to a key Australian research paper which relatively recently reviewed literature in the area of special needs adoptions: *Review of Selected Research Literature (1990 to the present): Special Needs and Older Children in Intercountry Adoption (2008)*. That literature review was commissioned by the Australian Government’s Attorney-General’s Department “to inform practitioners and policy makers about national and international research in the field; to assist the Intercountry Adoption Branch to assess the outcomes and risks associated with the adoption of older and special needs children; and to provide a background for policy emphasising a harm minimisation perspective”.¹¹ This omission is noteworthy, given that *Adoption Rethink* does reference several publications by some of the same authors. *Adoption Rethink* also does not discuss harm minimisation as it relates to adoption.

Adoption Rethink compares Australia’s relatively low adoption rates unfavourably with other western countries – especially the UK, the USA and Canada, as well as some European countries; and

⁹ See pages 31, 38, 53, 58 and 65 of *Adoption Rethink (2014)*.

¹⁰ See pages 34 and 38 of *Adoption Rethink (2014)*.

¹¹ Spark, Dr Ceridwen, Prof Denise Cuthbert, Dr Kate Cregan & Dr Kate Murphy. *Review of Selected Research Literature (1990 to the present): Special Needs and Older Children in Intercountry Adoption (Submitted to the Attorney-General’s Department, Intercountry Adoption Branch, Final Amended Report, July 2008)*, p.5.

refers to adoption research with positive findings primarily from overseas. However, the paper does not explore the significantly higher rates of adoption breakdown in those countries compared with Australia. Nor does it clarify how the various adoption rates and research findings may or may not be relevant to the Australian context, given that Australia is unique in its extensive use of other legal orders for securing alternative permanent family placements for vulnerable children. In fact, *Adoption Rethink* rarely mentions the option of permanent care type orders, such as that introduced in Victoria as a better alternative to adoption, at all.¹²

In discussions about research indicating that adoptees have been over-represented in clinical mental health settings¹³, no mention is made in *Adoption Rethink* of the suicide rates experienced by Australian adoptees. Further, the report does not mention that adoptive status is not recorded in statistical information gathered on suicides in Australia. Nor does it mention that there is significant anecdotal evidence within adoption support services and networks of elevated suicide rates among both domestic and intercountry adoptees.

2.8 Current practices

Adoption Rethink criticises more cautious and contrasting observations and conclusions made by various Australian researchers who have devoted their careers to studying adoption in Australia without providing any clear rationale.

Dr Pike's limited knowledge of current adoption practices in Australia – again, particularly in Victoria – is further reflected in *Adoption Rethink* by the assertion “that adoption is not now considered to be a realistic choice, nor is it offered, [and thus] it is unsurprising that a teenage woman with an unwanted pregnancy often chooses abortion if she does not wish to, or cannot, parent her child”.¹⁴ The source of this information is not provided in *Adoption Rethink* and is, therefore, unsubstantiated.

Adoption Rethink paints another unsubstantiated picture: that mainstream Australian media is anti-adoptive parents. It grossly overstates the frequency, nature and impact of stories published about difficult adoption experiences – again, without providing any evidence to support this argument in the Australian context. To the contrary, my studied observation – particularly since December 2013 – is that mainstream Australian media is pro-adoption, evidenced by numerous heart-warming sanitised stories about the joys for people who have adopted children following long arduous journeys to become parents and celebrity promotional spots. It is, in fact, rare for the media to publish or broadcast stories about adoption from other perspectives (adoptee, mother or other family of origin member, social worker, etc.) or which highlight the complexities and/or losses and trauma inherent in adoption. Only recently we have seen some intercountry adoptees telling their stories via the media.

Adoption Rethink does not mention the overt role of popular women's magazine, *The Australian Women's Weekly*, in campaigning for adoption by promoting positive pro-adoption stories, or the conflict of interest inherent in that magazine's Editor-in-Chief, Helen McCabe, also being on the Board of Adopt Change.

¹² See pages 14, 31, 92 and 96-99 of *Adoption Rethink* (2014).

¹³ For example, on pages 9 and 39, paragraph 4.30 of *Adoption Rethink* (2014).

¹⁴ For example, on page 90 in paragraph 9.12 of *Adoption Rethink* (2014).

2.9 Children's rights

Adoption Rethink does not advocate upholding the universally acknowledged rights of the child above all others' rights – again, this is extraordinary from my perspective. There is certainly discussion of children's rights and of the principle of the 'best interests of the child', as enshrined in the various international instruments, but children's best interests are assumed to be only met via adoption and are merged with the interests of prospective parents. There is also an uncritical acceptance that adoption should completely sever the legal relationships between the adopted child and his/her family of origin; permanently revoke the child's rights to inheritance from their family of origin; and change the child's identity – all of which violate universal children's rights.

2.10 Open adoption

Adoption Rethink discusses 'open adoption', while never clearly defining it, both as if it was a new concept and as if its absence was the only thing ever problematic with adoption policy and practice in Australia. In reality, the vast majority of domestic adoptions in Australia have been 'open' in terms of exchanging information since the 1980s, even if the practice has not been extensively studied.

APPENDIX I: Detailed Analysis of *Adoption Rethink*

‘Foreword’, ‘Preface’, ‘Executive Summary’ and ‘Key Recommendations’

From the very beginning of *Adoption Rethink* there are strong and frequently repeated statements which reflect the ideological perspectives of Women’s Forum Australia and the researcher/author of *Adoption Rethink*, including in the Foreword by Louise Brosnan, Chairman¹⁵ of Women’s Forum Australia.

The Preface calls for “a comprehensive evidence-based education campaign to inform the community about the benefits of adoption for women, children and families, particularly in comparison to other arrangements”, yet fails to substantiate many claims in the report.

The second paragraph of the Executive Summary notes that reasons for adoption having become relatively uncommon in Australia since 1971/72 “may include the history of the Stolen Generations, the Lost Innocents, and the Forgotten Australians”. The failure to mention the Forced Adoption generations of the pre-1980s at this point may be forgiven as an accidental omission. However, the first mention of only a handful of references to the Forced Adoption generations is on page 31 of the report in the chapter, ‘Some Characteristics of Adoption in Australia and Overseas’.

‘Purpose’ and ‘Introduction’

The Purpose section comprises less than half a page of text. It does not clarify which group of women constitute the primary focus of the report.

The Introduction comprises one-and-a-half pages of writing. It purportedly aims to set the scene for the complexity of issues involved in adoption, which it links and compares with abortion. Mention is made via footnote of the issues raised by terminology sometimes used in relation to adoption. However, there is no specific identification or definition of the terminology referred to in *Adoption Rethink*, such as in a glossary of terms. In particular, there is no differentiation of the relevant terms used in Australia. The most varied terminology used throughout the document relates to parents, who are variously referred to as ‘birth parents’, ‘natural parents’ and ‘biological parents’ – terms which are known to be offensive to many parents. They are rarely referred to simply as ‘parents’.

Incongruous in the context of the confident and oft repeated statements about the clarity of the messages from the research evidence reviewed in *Adoption Rethink*, a paradoxical conclusion is drawn at the end of this section:

While in some respects the research evidence is somewhat thin, sufficient evidence exists to draw some important conclusions to guide adoption practice in the modern era. (*Adoption Rethink*, 2014, p. 25).

‘Some Characteristics of Adoption in Australia and Overseas’

This chapter comprises five pages, including two pages of over-sized stylised diagrams presenting very few statistics. The information presented and discussed is minimal, highly selective and fails to

¹⁵ ‘Chairman’ is an interesting choice of title, given that the incumbent is a woman and the role is head of an organisation ostensibly for women.

provide an adequate description and analysis of the situation in Australia regarding adoption and how it has evolved to become the way it is – which has, in fact, been well-researched.

The legal features of adoption were briefly outlined, but with no discussion regarding the ethics of severing a child's legal relationships with their family of origin. This is a major omission and would have provided a segue into discussion of the various permanent care type orders which have developed in Australia to address this major drawback of adoption.

In its equally brief discussion on adoptive placement breakdowns in Australia, the report notes “there is very limited information available about the rate of disruptions”. However, a figure was extrapolated from figures for one state – Western Australia. It is not explained whether or not that state utilises permanent care type orders preferentially to adoption orders where it is deemed that a child requires a long term alternative family placement, or whether there may be any other state/territory differences that would make generalisation of such a calculation particularly unreliable and, therefore, potentially misleading. No comprehensive and reliable statistics are kept on adoption disruptions in Australia, nor anywhere beyond the immediate post-adoption period.

Further, it is stated that “disruption is less serious than dissolution because disruption occurs during placement when matching of the child to the adoptive parents is undergoing somewhat of a trial period”. This is unclear and dismissive, not to mention insensitive in relation to the child's perspective, if it is intended to convey that disruption is defined as placement breakdown after the adoptive child has been placed in the family but before the adoption has been fully legalised. In any event, no figures are provided for the rate of dissolution, nor is it noted that such figures are not maintained in Australia.

Adoption Rethink criticises the relatively low rates of adoption in Australia currently compared to other developed countries. There is no discussion as to why many in the adoption field argue that this is a positive development; only a note regarding the difficulties in comparing data. This writer calculates the ratio of adopted people to non-adopted people in Australia in 1980 (i.e. before introduction of the legislation which marked the end of the unethical adoption era of the pre-1980s) to have been at least 1:58.¹⁶ There is no mention in *Adoption Rethink* of such a statistic, nor discussion of the concerns associated with such a high rate of adoption.

The report also fails to note that the number of intercountry adoptions via the less regulated expatriate pathway (i.e. not arranged domestically) now exceeds the number of intercountry adoptions via the tightly regulated domestic state/territory delivered programs and is continuing to grow.¹⁷ Nor does *Adoption Rethink* acknowledge that the figures for expatriate adoption are not included in the intercountry adoption figures it reports.

¹⁶ This calculation is based on an estimate of 250,000 adoptions in Australia from the late 1920s to the early 1980s (as quoted in Kenny, P., D. Higgins, C. Soloff & R. Sweid. *Past adoption experiences: National Research Study on the Service Response to Past Adoption Practices, Research Report No. 21*, Australian Institute of Family Studies, Australian Government, Melbourne, p. 9) and the population of Australia being approximately 14,500,000 in 1980 (Australian Bureau of Statistics, <http://www.abs.gov.au/ausstats/abs@.nsf/Lookup/by%20Subject/1301.0~2012~Main%20Features~Population%20size%20and%20growth~47>).

¹⁷ For example, in 2011-2012, there were 129 intercountry adoptions via domestic programs and 135 expatriate adoptions (See <http://www.aihw.gov.au/WorkArea/DownloadAsset.aspx?id=60129542368>)

The final paragraph correctly notes that the reasons for the decline in domestic adoption rates in Australia are complex. However, it then simply and inadequately checklists a number of potential contributory factors using value-laden language (for example, “regulatory barriers”, “negative attitudes” and “ideological reasons within some sectors of academia”). Once again, an important discussion point is relegated to a footnote – this time, regarding events in Australia’s history that have been the subject of government enquiries.

‘The Changing Face of Adoption’

This chapter comprises 10-and-a-half pages of text providing a simplistic potted description of developments in adoption in Australia.

The chapter begins by asserting that “adoption is not a new phenomenon... it has been practiced since antiquity.” Aside from two footnotes referencing three authors to support this claim, there is no discussion regarding the significant differences between the practice of adoption in, for example, ancient Greek times compared with the specific implications of adoption legislation in Australia since first introduced a century ago. The report does not clarify that the placing of a child with strangers and subsequent severing of the child’s legal and social connections with their original family are not, in fact, a feature of adoption practices in other cultures and times.

The ensuing discussion of historical developments regarding adoption in Australia is simplistic. The extent of unethical and illegal practices prior to the 1980s which led to the National Apology for Forced Adoptions by Prime Minister Julia Gillard in March 2013 is minimised. For example:

Some birth parents, primarily mothers, grieved the loss of their children and wanted to find them. Some birth parents described being treated badly and possibly illegally... the forced or coerced removal of some children from their parents was a shameful practice... (Adoption Rethink, 2014, p. 34).

There is an unnecessary and distracting comparison between the way in which premarital births were handled in the 1950s to 1970s in Australia compared with the USA (paragraph 4.12), which subtly praises the American free-market approach to adoption. In fact, the plight of mothers is well documented in US academic research and depicts the same kind of experiences as those of Australian mothers from the 1950s through 1970s. There is another unusual comparison with the high adoption rates by married women in the UK during the same period (paragraph 4.10), given that no comparable data exists for Australia and thus no reliable comparisons or conclusions can be drawn.

When the discussion moves on to the gradual change from the era of closed adoption “to the new approach of ‘open adoption’”, it is significantly marred by the lack of definition of the terms, ‘closed adoption’ and ‘open adoption’, including the complexities and variations associated with each. For example, it is not explained (though noted in a later chapter¹⁸) that, during the era of closed adoptions, many adoptive parents shared with their children their adoptive status from a very early

¹⁸ In Chapter 7, ‘Experiences of Adoptees’, in *Adoption Rethink (2014)* it is noted on page 65 (paragraph 7.5) that in “the AIFS Report” (Higgins, D. *Impact of past adoption practices: Summary of key issues from Australian Research, Final Report*, Australian Institute of Family Studies, 2010), despite that 90% of contributing adoptees were from the closed adoption era, more than half of them had discovered they were adopted by the age of 5.

age, although this was not usually associated with supporting efforts to search for and/or prepare for and establish ongoing contact between the child and members of their family of origin.

There is a disturbing statement regarding the restriction of contact between a child and his/her family of origin members in child protection situations: that there are “circumstances in which it is preferable for the child’s safety that there be no contact with birth parents; for example, where abuse or neglect contributed to the adoption”. Firstly, as it is not supported by any references, it is not clear whether this assertion refers to the American or Australian context, given that the last sentences of the previous paragraph discussed an American study. Secondly and more importantly, there is no discussion regarding the fact that permanent removal of a child from their family via the child protection system in Australia is **always** based on neglect and/or abuse concerns and often supervised contact can still be in the child’s best interests. It is unclear whether the researcher is uninformed about child protection policy and practices in Australia, or whether the report is advocating no contact with family of origin members for all children adopted from out-of-home care. If the latter, it would constitute advocacy not only for the reintroduction of forced adoptions, but also of closed adoptions – neither being in children’s best interests. Finally, there is no discussion of the longer-term benefits to the child of maintaining appropriately safe and supported ongoing contact (e.g. regular but infrequent phone calls or letter exchange) with their parents throughout their childhood, even in situations where severe child neglect/abuse was the reason for the child’s removal from their care and subsequent adoption.

There is another disturbing statement (in paragraph 4.19) which suggests that the notion of open adoption for children with special needs is not the current practice in Australia:

While most open adoption involves infants, the possibility of openness for special needs adoption has also been advocated.⁴⁶ These authors describe the challenges that openness brings to the concept of kinship. (Adoption Rethink, 2014, p. 37).

Footnote 46 (as quoted above) refers to a paper by US authors published in 1999. Due to the lack of clarity in relation to the term ‘special needs’, it is unclear whether this statement refers to children adopted via the child protection system in the USA, or to children with additional health, physical, intellectual and/or emotional needs, etc.

There is a further quotation referring to open adoption practices in the USA (paragraph 4.20):

Openness not only has implications for members of the adoption triad, but also for agencies or other bodies who are involved. In the US, where private agencies manage the majority of adoptions, staff are supportive of the idea of openness and encourage it, even though their workload is increased as a consequence. ⁴⁸ (Adoption Rethink, 2014, p. 37).

Footnote 48 (as quoted above) refers to a paper by some other US authors published in 1998. *Adoption Rethink* does not clarify that most private agencies in the USA which manage adoptions are ‘for profit’ organisations (rather than ‘not for profit’ agencies as in Australia), and that their focus is on facilitating adoptions from relinquishments at birth. Regardless, being supportive of the notion of contact between adopted children and their parents and providing the necessary support to properly implement such contact are very different things, and the source paper does not provide evidence of a genuine embrace of openness in adoption on the part of adoption agencies in the USA, nor how the system ensures it.

The frequent references to a very troubled US system of private adoption in *Adoption Rethink* account at least in part for the inconsistent use of terminology throughout the report. However, because the researcher does not consistently clarify the source of each study discussed in the text, it is difficult to discern when the report is discussing information directly relevant to Australia or information extrapolated from another country. The obvious underlying issue is the lack of detailed understanding on the part of the researcher in relation to the historical development and past and present practices of adoption in Australia.

It is asserted in paragraph 4.21 (*Adoption Rethink*, 2014, p. 37) that “the most significant driver [influencing] how adoption is practiced in the current era in Australia” is “the way it is perceived by the public, decision makers, and those who operate as the gatekeepers in government departments”, though the relative degree of influence of each is not explored. The report goes on to argue that there is a generally negative public perception concerning separating children from their families of origin and subsequent adoption in Australia as the cumulative result of the Senate reports regarding: the Stolen Generations of Aboriginal and Torres Strait Islander children; the child migrants, known as the Lost Innocents, who were exported from the UK to Australia in the early part of the 20th century; the Forgotten Australians who spent their childhoods in institutions; and the Forced Adoption generations who were coerced from their mothers under the unethical/illegal adoption policies and practices of the pre-1980s. It does not consider the notion that these are legitimate concerns that should be adequately addressed in any robust policy and evidence-informed practices. The argument implies that we should keep quiet about the less desirable aspects of adoption so as to not interfere with adoption promotion.

While the argument may have some logic, it is a leap to conclude without specific evidence that, because the National Apology for Forced Adoptions was very public, “the powerfully negative portrayal of adoption it embodied resonates strongly in the public mind”. The researcher neglected to note that this apology was overshadowed the very same day by an attempted leadership spill within the federal Australian Labor Party, which dominated media attention until the federal election conducted in September 2013; that the first anniversary of the apology in March 2014 was not mentioned in mainstream national newspapers, despite press releases and commemorative events held by the various state/territory adoption support services and groups; that, since the apology, mainstream media in Australia has been almost exclusively pro-adoption/pro-adoptive parent in their coverage of adoption stories; or that the pro-adoption campaign waged in Australia since 2005/06 by expatriate Australian celebrity pro-adoption lobbyist, Deborra-lee Furness, recruited by Australian lobbyists to further their cause, and her organisation Adopt Change¹⁹ has been highly successful in forming close relationships with the Liberal-National coalition.

At this point of *Adoption Rethink*, an informed reader might well be confused. Without providing even one Australian example or reference source, the report states:

... as the media is inclined to do, its portrayals of adoption tend to be stories that have a sensational edge. Adoption stories about circumstances in which everything is basically

¹⁹ Adopt Change was originally co-founded by Deborra-lee Furness in early 2008 as an adoption lobbyist organisation called ‘Orphan Angels’. However, following significant criticism from Adoption communities across Australia, the name was changed to ‘National Adoption Awareness Week’ (NAAW), a campaign co-founded by Furness the same year. NAAW was re-launched as Adopt Change in 2014.

working well are not nearly as appealing as those that raise a reaction, preferably with a strong moral component. (Adoption Rethink, 2014, p. 38)

To support this statement, a US study is quoted, followed by an unsubstantiated comment suggesting that the case may well be the same in Australia. Then further US and UK studies are discussed, purportedly demonstrating that it takes some time for more positive evidence to “filter through to public consciousness”, with the “earlier representations... likely to still have some purchase, even though they misrepresent reality”. The insinuation is that the Senate Reports misrepresented the reality of outcomes from Australia’s past child/family separation and adoption practices, undermining the validity of the Australian public’s generally negative view of adoption, despite that no real evidence was presented in support of there being such a negative view in the first place. And implicitly that perhaps the negative aspects of adoption should never come to public attention.

Yet, *Adoption Rethink*’s most pointed criticism is directed at the Australian academics whom it claims “have been influential in generating an anti-adoption mentality within the field and possibly therefore amongst professionals who are the key gatekeepers” (Adoption Rethink, 2014, p. 39). As a social worker employed in Victoria’s intercountry adoption program during the period of the Senate inquiry into intercountry adoption in 2005, I was aware that the convenor, Senator Bronwyn Bishop, was a pro-adoption advocate who had formed the opinion prior to commencement of the Inquiry, after years of persistent lobbying from pro-adoption groups, that there was an ‘anti-adoption culture’ among professionals delivering intercountry adoption programs throughout Australia. Hence, I do not assess the extensive quoting of statements from the subsequent report, *Overseas Adoption in Australia: Report on the Inquiry into Adoption of Children from Overseas (2005)*²⁰, in *Adoption Rethink* as providing valid support for a pro-adoption argument. These events are documented in Australian research yet unexplored in Dr Pike’s research review.

Adoption Rethink dismisses critiques of adoption and, particularly, the “radical view” that adoptions should cease altogether as “immoderate”, polarising and ideological – the very same criticisms that can be made of *Adoption Rethink*. Yet, in the six pages of *Adoption Rethink* devoted to discussing perceptions of adoption in Australia, there is minimal evidence or logic for the conclusion drawn:

... there can be little doubt about what this negative perception is capable of doing in the public consciousness, even if there is no certainty about the extent of that influence. Perhaps more importantly, the impact of this construal of adoption as so negative appears to have already impacted significantly upon the key gatekeepers in the nationwide network of government departments that regulate adoption practice. (Adoption Rethink, 2014, p. 43).

Indeed, I know firsthand that it is easy for people to comment on and criticise government employees who are not permitted to speak publicly about or defend their respective positions and decisions. Unfortunately and unfairly, some of that criticism will stick, whether valid or not and despite research that indicates the opposite.

As a former long-time employee with the Victorian Department of Health and Human Services in the adoption sector, I raise a counter position – the possibility of which was not considered at all in

²⁰ House of Representatives Standing Committee on Family and Human Services (2005, Australia). *Overseas Adoption in Australia: Report on the Inquiry into Adoption of Children from Overseas*, Canberra.

Adoption Rethink: that adoption has continued to exist as an option for long-term alternative placement of vulnerable children because of fiercely pro-adoption pockets of resistance to ceasing the practice of adoption altogether within the government and government-funded agencies delivering out-of-home care services.

‘Ethics of Adoption’

The ‘Ethics of Adoption’ chapter comprises some six pages of text.

I anticipated that this section would showcase the strengths of the bioethicist researcher. Hence, I am disappointed that the concept of ‘best interests of the child’ is discussed in *Adoption Rethink* with no practice-based definition of it. Similarly, that the concept of ‘consent’ is discussed with no exploration of the fact that the very nature of adoption involves a decision impacting the child for the entirety of his or her life being made without that individual’s fully informed consent, due to their young age and immature status at the time.

The first three pages include, firstly, an ‘inspirational quote’ from the website of Stuart Hodgson – an English graphic designer/artist/photographer, asserting that the most important ethic of humanity is reciprocity. This is followed by a plethora of quotes from the *United Nations Declaration of the Rights of the Child* (including a half-page box with over-sized text and a photo of children depicting Article 6 of the *Declaration*); the *United Nations Convention on the Rights of the Child*; the *Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption*; the *Australian National Principles on Adoption*; and a quote from an American *Encyclopedia of Bioethics*. There is a large body of literature that debates the meaning and purpose of international conventions in respect to the adoption of children but this was not mentioned.

The report arbitrarily asserts that “stability and permanence are perhaps the most crucial [aspects of care] for a child’s healthy development” (*Adoption Rethink*, 2014, p. 46), and that “in the best interests of the child... when it is demonstrably clear that a child cannot be cared for properly by his or her birthparents, measures should be taken to place a child in an optimum alternative setting... in a timely fashion” (*Adoption Rethink*, 2014, p. 48). Again, there is no exploration of such crucial concepts as ‘timely fashion’. Nor is there any discussion of the fact that trauma is inflicted on the child when the child is separated from his or her primary caregiver, even when for the purpose of protection from severe neglect/abuse at the hands of that primary caregiver; or whether the permanent severing of ties is always the ‘optimum alternative setting’ for a child.

The report raises, but glosses over, the facts that the child is the most vulnerable party; that the child has a right to his or her name, nationality and, wherever possible, to know and be cared for by his or her parents; and that the family has a right to support services to facilitate family preservation. It is as if in accepting that one of these rights must sometimes be overridden – being the right to be raised by one’s parents – it is assumed that violating the child’s other rights is also acceptable and desirable.

The report moves on to discuss the concept of parental consent – determining whether consent by parents for adoption of their child is fully informed and freely given; whether there has been sufficient time for revocation of consent; and the circumstances in which a court can waive such consent. Rather than focussing on the contentious matter of determining whether the responsible

authorities have made sufficient efforts to support the family to care for their child, the report commends “the growing place of openness in adoption” as a means of demonstrating respect to the parents; involving the family in the extended adoptive family; enhancing the identity of the adopted child as he or she grows up; and upholding the ethic of truth-telling. Nor ironically are the parallels between removing parental consent and the repeating of past breaches of forced adoptions recognised.

There is a valid focus on the need for post-adoption counselling and support services to all parties, after which the chapter concludes with a somewhat incongruous emphasis on the importance of showing respect for different personal adoption experiences, given their diversity and despite advocating for a one-size-fits-all approach:

There is not one simple and common adoption experience. Accordingly, those different experiences can lead to quite different perspectives on adoption, which is understandable. A problem does arise however, when one individual’s experiences lead to generalisations about the experiences of all others... That diversity also points to the reality that while the experiences of some have been harmful and damaging, there is something about the majority of adoptions that causes them to work out well. (Adoption Rethink, 2014, p. 51).

This quote is but one of many throughout *Adoption Rethink* that minimises the extent of negative adoption experiences, while hypocritically generalising the positive adoption experiences and other unsubstantiated claims. The report frequently mentions that adoption is characterised by complexities, but then dismisses them as exaggeration without citing any evidence to support the validity of such a position.

‘Experiences of Relinquishing Parents’

This chapter is 10-and-a-half pages long.

This chapter correctly notes that adoption in general is an under-researched area; that the bulk of research on relinquishing parents pertains to mothers; and that the limited research on fathers suggests their experiences bear similarity to those of mothers. It also correctly notes that it is difficult to obtain a representative sample of relinquishing mothers in contemporary practice as they are a vulnerable population. This acknowledgement casts doubt on claims that link relinquishment with perceived negative attributes (for example, mental health). In discussing the rates of post-traumatic stress disorder (PTSD) in the general Australian population, *Adoption Rethink* notes that “adoption is not mentioned”. However, it does not also note that adoption is not mentioned in suicide rates for the general population, either.

The report discusses findings on the range and severity of outcomes from relinquishment for various health and well-being factors for mothers. However, it minimises the generalisability of such findings by arguing that the most extreme negative outcomes were confined to mothers who “felt confused, coerced, pressured or even forced to relinquish” and had not been given the option of providing informed consent, including involvement in selection of the adoptive parents, during the era of ‘closed adoptions’. I note again the lack of clear definitions and rationales for the terminology used in *Adoption Rethink*. However, I also note use of the term ‘closed adoptions’, rather than ‘forced adoptions’, in this discussion. This intentional use of language that subtly changes meaning minimises the impact of the generally coercive, unethical and/or illegal nature of adoption practices

in the pre-1980s era in Australia. Coercion takes many forms and using language that seeks to change perceptions could be perceived at best to be manipulative.

The report goes on to highlight the more positive outcomes for relinquishing mothers involved in open adoptions, though often without making clear where a given study was conducted (i.e. in Australia or overseas). The report continues to minimise the significance of any negative findings; for example:

... there was a persistent minority of mothers (11.5%), both within fully open adoptions as well as closed ones, for whom the intensity of unresolved grief had persisted 12-10 years after relinquishment. (Adoption Rethink, 2014, p. 59)

More than 10 per cent is a significant figure in any research findings. But *Adoption Rethink* minimises this by asking the irrelevant and impossible-to-answer question: “what would have been their likely outcomes if they had kept their child” (Adoption Rethink, 2014, p. 59). Several US studies are subsequently presented as providing evidence that young relinquishing mothers benefit as they are more likely to go on to complete their schooling, find employment and have a higher economic status than non-relinquishing young mothers. The report fails to acknowledge that such outcomes are likely for mothers of any marital status or age.

Adoption Rethink argues in a roundabout way for dismissal of any further research in Australia regarding adoptions which took place prior to the 1980s:

In summarising this section on the experiences of birthmothers, it is apparent that there remains a need for quality research on a representative sample that properly controls for potentially confounding variables like pre-and post-adoption experiences. However, the possibility of gaining this type of knowledge from the era of closed adoptions in Australia may be past. Nevertheless, current experiences should be the subject of ongoing research of this nature. (Adoption Rethink, 2014, p. 60)

This is concerning and unjustified. Research is important in past and present practices.

Then there is a discussion about father’s names having not often been recorded on the birth certificates of children adopted in Australia prior to the 1980s, but failure to mention that their names were often recorded in birth records. This provided an important opportunity for the report to explore the ethics of the false/inaccurate birth certificates issued for adoptees, a legal anomaly not tolerated for the general population. Yet no such discussion ensued.

The chapter concludes by reiterating three sets of difficulties in researching relinquishing parents: obtaining representative samples and, subsequently, the serious risk of skewed data and misinterpretation of findings; the differences experienced by parents in regard to closed versus open adoptions and subsequent concerns about the generalisability of findings; and, in conclusion, the need to be cautious in interpreting causation of negative outcomes for the parents. This reinforces an attitude consistently expressed throughout *Adoption Rethink* that it is time to forget about the difficulties allegedly inherent in past adoption practices and move on to focussing on the ‘new’, which supports an ideological position that the past bears no relationship with the present. This coupled with a call to cease research on past practices is of great concern.

‘Experiences of Adoptees’

Almost 14 pages in length, this is one of the longest chapters in *Adoption Rethink*, reflecting that adoptees have been more researched than any of the other parties to adoption. However, it is pointed out in the first paragraph that very little such research has been conducted in Australia. Curiously, it is also argued that it is desirable to draw conclusions from the evidence available, despite the opposite argument in the previous chapter in regard to parents.

The report then casts doubt on the representativeness and veracity of the participating adoptees' responses presented in "the AIFS Report"²¹, a key report concerned with Australian adoption practices in the pre-1980s era. Indeed, by this stage *Adoption Rethink* has already made clear its general distrust of findings from the pre-1980s era of adoption in Australia and its disdain for the perspectives of the welfare academics who researched them, particularly where its thesis is not supported.

Broad conclusions about the positive or negative value of adoption per se have the potential to be erroneously drawn based upon the experiences of only one group of adoptees in one set of circumstances. (*Adoption Rethink*, 2014, p. 67)

In noting the problems experienced by adoptees that were found to be most distressing for adoptive parents – "externalising problems such as conduct disorders and substance abuse", rather than "internalising problems such as depression or anxiety" – there was no mention of data on suicide rates for any party involved in adoption. Nor was there any mention of the adverse impact of the adoption act itself or the management of issues that arise for adoptees related to being adopted, only symptomatology attributed to deficits within individual adoptees. These omissions are considered, at best, a reflection of the researcher's lack of professional knowledge in the field of adoption and, at worst, a biased approach to the research review that appears to have been written to an agenda.

The report goes on to discuss a number of 'nationally representative' studies from overseas which found: small to no differences between adoptee and non-adoptee groups on a wide range of measures indicating psychological health; better outcomes for intercountry adoptees than domestically adopted adoptees; and amelioration of problems evident during childhood and early adolescence by late adolescence or early adulthood. The findings from several studies even found that adoptees did better on IQ tests and school performance and had fewer behavioural problems than their non-adopted peers who remained either with their parents or in an institution. These findings are not consistent with my professional and personal knowledge and experiences as a social worker, adoptee and member of VANISH in Australia – particularly in relation to longer-term outcomes for adoptees into adulthood. Dr Pike did not evaluate research papers that one would expect in a systematic review, nor identify the characteristics of the populations studied (e.g. country of origin, age of adoption, pre-adoption experiences and other important information), which are necessary for critique. Many adoptees do well but in recent years a significant number of studies have also identified a range of problems that arise in adolescence and adulthood.

Anxiety, depression and self-esteem are all discussed in this chapter of *Adoption Rethink*. However, not discussed are the research difficulties associated with measuring those outcomes; the

²¹ Higgins, D. 2010. *Impact of past adoption practices: Summary of key issues from Australian Research, Final Report*, Australian Institute of Family Studies, 2010.

limitations/potential flaws of each study referred to; and the inherent risks in comparing studies and generalising findings from one cohort and country to another. Indeed, contextual and methodological details for the overseas studies are not presented. It is generally not stated how the data was gathered or the relative risk of bias for the methods used.

The small number of negative findings cited are variously attributed to “a relatively small number of deeply troubled adoptees who accounted for the higher prevalence of adoptees in clinical settings”; prenatal exposure to alcohol/other drugs; genetic predisposition to psychiatric conditions and addictive behaviours; older age at time of adoption; and negative care experiences prior to adoption. There is no suggestion that care experiences post-adoption could be associated with any negative outcomes for adoptees. One US study is referenced to demonstrate that the majority of adoptees do well because of the high quality of care they receive from their adoptive parents; and that openness in adoption enhances adoptee identity formation. However, studies that highlight challenges are not reported.

The last three pages of this chapter discuss the interrelationships between the age at which the adoptee discovered their adoptive status, and subsequent search and contact with parents. The entire chapter is somewhat rambling and lacking in specificity, but this section particularly so. The discussion culminates with broad generalisations from the positive findings of several cases of “one group of adoptees in one set of circumstances” – the very sort of conclusions identified at the beginning of the chapter as inappropriate to draw. For example:

Adoption has a long history as a form of care for children in need, and adopted children generally show a good developmental outcome. (Adoption Rethink, 2014, p. 78)

Such a statement is simplistic, sanitised and inadequate, particularly as a conclusion for a 112-page document which references dozens of studies exploring the complexities of the adoptive experience for adoptees. However, again I cannot help but question the focus on dismissing adoptee experiences, given the purported aim of the research to explore the impact of adoption on the health and well-being of women.

‘Experiences of Adoptive Parents’

From the opening of this six-page chapter, it is evident that *Adoption Rethink* does not adequately or impartially represent the current situation regarding adoption in Australia. It is erroneously stated in the first sentence that:

In the current climate surrounding adoption in Australia, the place of adoptive parents has taken a back seat. (Adoption Rethink, 2014, p. 80)

It is conceivable that Dr Pike does not read popular Australian women’s magazines. However, it is unlikely that, in addition, he does not read mainstream Australian newspapers or watch news or current affairs programs on television. It is difficult to believe that, at the time of preparing *Adoption Rethink*, Dr Pike was not aware of the high profile and highly successful pro-adoption campaign waged since 2008 by Furness and her lobbyist organisation, now called Adopt Change. In fact, Prime Minister Tony Abbott has been very public in his embrace of Furness’s campaign since he took office in late 2013, and has subsequently commenced a ‘reform’ of intercountry adoption policy and practice based on Furness’s agenda.

The second sentence of the chapter reinforces *Adoption Rethink's* outdated understanding of adoption, describing adoptive parents as “the essential third arm of the adoption triad”. It is further stated that “without them adoption does not exist”, which is true. But so is the opposite: that adoption continues to exist because prospective adoptive parents prefer to adopt children, rather than care for them under a permanent care type order.

The second paragraph expresses sympathy for adoptive parents who previously suffered loss and grief from infertility and, perhaps, also miscarriage or stillbirth. The report draws on emotion and advocates support for adoptive parents as the victims in adoption.

Moreover, in the current climate in Australia of forced adoption, adoptive parents have to deal with the perception that they are the ones who ‘stole’ a child from an unwed mother. (Adoption Rethink, 2014, p. 80)

The phrase, “in the current climate”, is used repetitiously through *Adoption Rethink*, similar to use of the statements about adoption being a viable/workable/realistic option. The only ‘evidence’ presented in support of the vague references to “the current climate” of adoption in Australia is a quote by an adoptive parent in the UK sourced from a 1996 book by an English social worker, juxtaposed with generic statements about “the role of the media and what they choose to report about adoption” and a quote from an Australian adoptive parent sourced from “the AIFS Report” regarding the era of forced adoptions in Australia.

The remainder of this chapter selectively and simplistically presents findings from a range of international studies which paint a positive picture of adoptive parents; their motivations; the quality of their relationships with their adopted children; and their parenting abilities. Earlier in *Adoption Rethink*, discussions reflect indifference and insensitivity to the experiences of parents who lost their children to adoption in the pre-1980s era of unethical adoption practices in Australia. However, here empathy and admiration are expressed for adoptive parents who “had entered into adoption arrangements with one understanding only to then discover that it was to be overturned.” This is not to say that adoptive parents do not need support, but all parties deserve support and the maintenance of their human rights.

This chapter glosses over the issues associated with adopting children with special needs, aside from briefly mentioning that additional complexities are associated with adoptions from the out-of-home care system. There is no mention that currently in Australia there is a significant mismatch between the characteristics of children identified as requiring adoption (i.e. aged two years or older with additional, often multiple, physical, medical, developmental, intellectual and/or emotional challenges) and those sought by prospective adoptive parents (i.e. healthy infants aged under two years). Nor is there any mention of the roles of screening, education, assessment and matching as key variables in the selection of suitable adoptive parents by the responsible authorities and the prevention of adoption disruptions.

‘Alternatives to Adoption’

This chapter, supposedly to explore alternatives to adoption, is surprisingly short. It comprises 13 pages of text, plus a large stylised diagram box emphasising the large number of children residing in out-of-home care in Australia at the present time.

The equally controversial issue of abortion rejoins the discussion, as *Adoption Rethink* argues to decrease the rate of abortions and commensurately increase the rate of adoptions in Australia from birth. In fact, the first four pages of this chapter are devoted to abortion. The report notes that abortion “has become a common and relatively accepted choice” for dealing with unwanted pregnancy, then immediately qualifies this by stating that “the public still has significant concerns about abortion” and presents statistics from a single study to support this view. It is concluded that “Australians have nuanced views that distinguish between the legality and ethics of abortion”, particularly those that may occur under pressure without identifying from where this pressure emanates. One can only conclude that pressure to adopt through legislation and pro-adoption agencies managing adoptions is acceptable but an unidentified source of pressure to abort is not. The purpose of merging these issues is clear: maintaining an anti-abortion position ensures a source of adoptable children. We know that the majority of women of all ages who do not undergo abortions do raise their children. Instead of supporting pregnant women and mothers, the report casts aspersions on young pregnant mothers for choosing to abort an unplanned and unwanted pregnancy and shows little sympathy or a call for support for those women trying to raise their children.

Without quoting any supporting evidence or references, *Adoption Rethink* asserts that “adoption is not now considered to be a realistic choice, nor it is offered”. This is another example of the report’s failure to accurately or adequately reflect professional social work or represent current pregnancy counselling and child welfare practices in Australia. But more importantly, it is another attempt to convince the reader that adoption is a far preferable solution to unwanted pregnancy for the mothers than abortion – to revisit past practices that existed in the pre-1980s era of unethical adoptions, but without mentioning ‘the past’:

One difference between adoption and abortion is that adoption provides the potential opportunity for the mother to help resolve her grief or loss through contact or knowledge of the growing child, and also to establish an ongoing relationship with the child. (*Adoption Rethink*, 2014, pp. 91-92)

We know from research that grief and loss is not resolved in this way. Despite this, *Adoption Rethink* argues that adoption is the best option for vulnerable mothers, as well as for their unplanned children. Yet, what is not considered is how adoptees might perceive this choice, particularly during adulthood, and the reality that if pregnancies proceed, mothers bond with their children and can make different choices throughout pregnancy and may not meet the demand for adoption. Admittedly, *Adoption Rethink* is purportedly concerned with the well-being not of children but of women. Despite the particular group of women intended as the focus of the research never being clearly articulated, there appears to be a focus on the needs of adoptive mothers. However, *Adoption Rethink*’s focus on abortion unabashedly presents an ideological, and probably also religious, anti-abortion position. It clearly indicates underlying assumptions that adoption is a family formation service for infertile women, rather than a special needs option for vulnerable children

unable to be cared for by their mothers or kin; and that the rate of abortions should be minimised in order to increase the supply of healthy infants for prospective parents to adopt.

The other forms of out-of-home care – institutionalised care, foster care, kinship care, special guardianship orders and permanent care orders – are introduced on the fifth page of the chapter.

Findings from an internal study by Barnados – an agency delivering foster care and adoption services in New South Wales that is unashamedly pro-adoption, rather than neutral, and complicit in past practices – are quoted to criticise the ‘extended’ time currently taken for children to be adopted from out-of-home care in Australia. The report emphasises the “critical need for children to have stability and security for normal development”, as identified as the most important element of planning for children separated from their parents through child protection in the earlier chapter, ‘Ethics of Adoption’. However, *Adoption Rethink* does not explain that Barnados, which originated in the UK, is one of very few foster care/adoption agencies in Australia that is publicly pro-adoption and, further, that it has partnered with Adopt Change.

Adoption Rethink spends three pages discussing the situations in the UK and the USA, focusing on their high rates of adoption from out-of-home care to the exclusion of other options. The 2011 report by Martin Narey in the UK (*The Narey Report on Adoption: Our Blueprint for Britain’s Lost Children, 2011*)²² is used to argue for a sense of urgency in adopting children from out-of-home care. *Adoption Rethink* states that Narey was “subsequently made the UK’s Ministerial Advisor on Adoption”. *Adoption Rethink* is highly selective in its discussion of the Narey Report and subsequent developments in UK adoption policy, as demonstrated by the following analysis by Clare Sambrook, a UK-based investigative journalist:

The Blueprint urged that more children should be taken into care and at an earlier age, the adoption process should be speeded up, and social workers should take a more flexible approach to ‘ethnic matching’. It paved the way for increased private sector involvement in adoption, and said women requesting an abortion should be presented with the ‘valid option’ of continuing with a pregnancy, giving birth and handing over the baby for adoption.

The author, Martin Narey, had lately retired as chief executive of Barnardo’s, Britain’s biggest children’s charity. (Before Barnardo’s he had been a career public servant, rising to the top of the Prison Service.)

What Narey wrote... chimed with the campaign for adoption reform that *The Times* had been running for three months, and amplified the case Narey had argued in a 2009 paper for the Institute for Public Policy Research: more neglected children should be taken from their parents. He had pushed that line consistently at Barnardo’s...

The Blueprint is a curious hybrid... Framed as advice to the Minister, it was published as an ‘exclusive’ behind the Murdoch paywall – the polar opposite of open democracy...

Not a social worker, never having placed a child for adoption, Narey produced the Blueprint after two months’ work...

²² Narey, M. “The Narey Report on Adoption: Our blueprint for Britain’s lost children.” *The Times*, 2011.

Adoption is full of complexity, yet the Blueprint and the Government urge strong, unequivocal, speedy ways forward... (Sambrook, 2012)²³

No mention is made in *Adoption Rethink* of the abuses that occur in adoptions in both the USA and the UK, such as rehoming and the separation of siblings, where attempts are being made to mend broken systems; children are banking up in the foster care system while babies are adopted; reunification efforts are abandoned; and disruption rates are high. *Adoption Rethink* discusses ‘permanency planning’ as a new concept in the Australian child protection and out-of-home care sectors. However, at least this time there is an attempt to provide a definition for the concept – of ‘permanency planning’ – by quoting Australian authors. Still, the discussion quickly concludes that adoption as demonstrated in overseas contexts is the appropriate blanket solution for Australia.

Discussion concerning rates of adoption from out-of-home care ends by noting the recommendation for national adoption targets by Dr Jeremy Sammut from The Centre for Independent Studies (a neo-liberal think-tank) in response to the crisis he identifies in the child protection and out-of-home care systems in Australia. This is another example of the use of a source who may be often cited in pro-adoption circles, but is not considered an expert in the areas of child welfare or adoption practice. There is no discussion regarding how the ‘crisis in child protection’ might be avoided in the first place; for example, there is no exploration of the adequacy of investment in primary and secondary family support and preservation services compared with the most interventionist tertiary child removal and out-of-home care programs. There has always existed provision to permanently remove children from unsafe environments and permanent care offers similar outcomes for children as adoption, but also offers greater preservation of identity and connections to family and culture.

The report does not acknowledge that Permanent Care Orders are preferred in Victoria because they provide a secure long-term placement for the child without violating the child’s rights to retain their name, identity and existing relationships with their family members. The report accurately states that “what these orders all share in common is an attempt to secure greater permanency for the child up to the age of 18” (Adoption Rethink, 2014, pp. 94-95). Yet, it is not acknowledged that a child is only a child until the age of 18, at which time they are considered by law an adult; or that this is key to the reason that Permanent Care Orders are preferred to adoption – adoption involves a major change in status and identity that is lifelong, rather than for the duration of childhood.

Instead, the report endeavours to cast doubt on the rationale for permanent care type orders:

Given the paucity of available data on the use of long term care orders in Australia, it is not possible to determine with any accuracy how many occur across the country, and whether they are in fact Australia’s way of achieving permanency instead of adoption. (Adoption Rethink, 2014, p. 97)

The discussion leads on to highlighting problems – some real for the children; some perceived, particularly by caregivers – associated with implementation of permanent care type orders. Buried

²³ Sambrook, Clare. “UK policymaking outsourced: the curious case of adoption reform.” Our Kingdom (website), 26 May 2012. [<https://www.opendemocracy.net/ourkingdom/clare-sambrook/uk-policymaking-outsourced-curious-case-of-adoption-reform>]

between random assertions that adoption does everything permanent care type orders do but better and that the adoption process is too long and arduous for prospective parents is, arguably, the core issue of the entire argument:

Regardless of whether permanency planning results in the use of a permanent care order or adoption, the delay experienced by children in the system is deeply problematic. (Adoption Rethink, 2014, p.99)

This provides a perfect segue to explore alternative service delivery models, such as implementation of a ‘one-door’ approach to recruitment of caregivers and delivery of out-of-home care, whereby prospective foster care/permanent care/adoptive parents are all recruited, trained, screened and assessed together simply as potential caregivers. Such an approach was implemented in New Zealand. It is entirely child-focused, rather than service or agency focused. The idea is that when a child enters the out-of-home care system, they are matched to the caregiving family most suited to meeting their unique needs and, regardless of what course the child protection intervention takes, the child will be able to remain with the same alternative family – whether for a week, a month, a year, 10 years or more.²⁴ But instead, *Adoption Rethink* goes on to further quote the Narey Report, recommending that the decision to place the child permanently should be made within six months of being out of their family’s care. Predictably, the discussion points to adoption as the solution, stating that there is considerable research on the outcomes of adoption, but very little on the outcomes of the other permanent care type orders. The assertion that “this may in part be because they are relatively recent” is inadequate, given that Permanent Care Orders have been used in Victoria since 1992 – in other words, for more than 20 years.

Adoption Rethink offers selected snippets from further overseas studies comparing outcomes for children adopted with those raised in foster care to support its conclusion that “achieving permanency and stability for at risk children is best served by timely adoption”. I note that some other key conclusions from one of the papers referenced in this section of *Adoption Rethink* (p. 101, paragraph 9.49) were not quoted in the latter report:

Despite being placed at an older age, children in long-term foster placements may do as well as adopted children on measures of emotional and behavioural difficulties and of participation and progress at school. It is therefore encouraging to find that in many respects, children in stable, long-term foster placements may do as well as those who are adopted. This is important, as adoption will not be appropriate for all children and not all children wish to be adopted. At the same time, it is discouraging that adopted children in the study were doing no better than those in stable foster care and that, on average, both groups were more likely to have mental health difficulties than the wider population of children.²⁵

²⁴ Exploration of the ‘one-door’ approach was begun by the Victorian Department of Human Services in conjunction with welfare academics from Monash University under the Labor Brumby government in 2009/2010, but was apparently discontinued after the Liberal-National Baillieu took office later the same year.

²⁵ Biehal, N. S. Ellison, C. Baker & I. Sinclair (2009). “Characteristics, outcomes and meanings of three types of permanent placement – Adoption by strangers, adoption by carers and long-term foster care.” Research Brief, Social Policy Research Unit, University of York, pp. 5-6.

[<http://www.york.ac.uk/inst/spru/research/pdf/3types.pdf>]

Without reading each of the more than 200 sources referenced in *Adoption Rethink*, I question on how many other occasions key conclusions contrary to the author's view were not mentioned, let alone discussed, in the report.

'Identifying Best Practice'

Less than six pages in length, this chapter mounts an argument for changing the model for delivery of the domestic intercountry adoption program in Australia from a government model to an accredited non-government organisation (NGO) model. This chapter presents as an afterthought.

The topic of intercountry adoption is introduced via mention of Prime Minister Tony Abbott's announcement in December 2013 of his commitment to making "adoption from overseas more streamlined". This is confirmation that the researcher was aware of the success of Furness's high profile pro-adoption campaign at the time of writing *Adoption Rethink*.

The 2005 Report on Overseas Adoption from the Bishop Inquiry is reintroduced. The 2013 Degeling Report²⁶ – prepared for the Commonwealth Attorney-General's Department (AGD) to analyse the operation of intercountry adoption in Australia and make comparisons with other programs and countries – is introduced. Ms Degeling is an expert in international law and has served in The Hague. I also read the redacted version of the complex 134-page Degeling Report, which also mentions Furness's media campaign.

One underlying belief of *Adoption Rethink* is revealed in this chapter: intercountry adoption should be, and is now considered at the highest levels of government in Australia, a family formation service for prospective Australian parents. It is therefore no surprise that applicants to state/territory intercountry adoption programs have been so confused about the purpose of adoption and so vocal in their complaints. Professionals delivering programs in the states and territories comply with requirements for adoption as a service for children, not prospective parents, and work to the principles and guidelines of the *Hague Convention* on intercountry adoption, which enshrines intercountry adoption as a last resort special needs alternative family placement program for vulnerable children and a safeguard against them being trafficked.

The complexity of the domestic Australian intercountry adoption model – with the Central Authority responsibilities in relation to the overseas countries vested in the Commonwealth AGD, and case management responsibilities vested in the states/territories – is criticised in *Adoption Rethink*. Many criticisms are made in *Adoption Rethink* of the way in which the AGD manages its part of the model, yet this model was implemented as an initiative of the 2005 Bishop Report. Prior to that, the states/territories shared central authority responsibilities in regard to the overseas countries, with a 'lead state' designated for each overseas country – a system that worked effectively, particularly due to the more stable staffing of the state/territory programs than is characteristic of the AGD, and yet was also greatly criticised by those who confuse safeguards as barriers to their goal of achieving parenthood. *Adoption Rethink* argues for accreditation of NGOs to deliver intercountry adoption services in Australia. In New South Wales, domestic and intercountry adoption is now managed by pro-adoption agencies. This has resulted in a dramatic rise in the number of adoptions in that state

²⁶ Degeling, Jennifer. "Intercountry Adoption in Australia: Analysis of Programs and Models of Service Delivery." Draft Internal AGD Working Document, 21 March 2013. (Redacted version released under FOI).

and raises many questions and concerns about how adoption is practiced in that state. There is no discussion of the previous failed attempts at implementing such a model for intercountry adoption in Australia where NGOs were adoptive parent-led agencies; notably, the one in South Australia closed due to unethical and unprofessional practices.

Adoption Rethink criticises Australia for being “particularly restrictive towards special needs children”, only wanting healthy infants and not adequately supporting adoptive parents. It is not stated, although it was in the Degeling Report, that the state/territory program providers “report that some Australian quotas for special needs children, e.g. in China and South Korea remain unfilled” (Degeling, 2013, p. 31). From my own experience as a former intercountry adoption social worker, including as a researcher, I know firsthand that most prospective intercountry adoptive parents seek healthy infants rather than older special needs children. Further, that a great deal of support is needed for adoptive parents, both before and after an intercountry child with additional special needs is placed with them, as the challenges are often underestimated until experienced. The sanitising of the adopting experience and the extinguishing of challenges as irrelevant or anti-adoption are not helpful to prospective and adoptive parents. Some adoptees and social workers argue that all intercountry adoptions involve special needs.

In regard to the criticism regarding lack of support, I note that the Degeling report takes a pro-adoptive parent stance and does support a parent-led model similar to that practised in Sweden. It asserts that the AGD’s work on the Forced Adoptions Report detracted from its work on intercountry adoptions, as if intercountry adoption should always take precedence (Degeling, 2013, pp. 14 and 26). *Adoption Rethink* subsequently exaggerates the situation by concluding, solely on the basis of the Degeling Report, that “some states, such as South Australia have good quality support, but there is a clear deficiency elsewhere in the country”. However, South Australia also has the most recent negative experience of attempting to contract delivery of its intercountry adoption program to an NGO – this is not noted, let alone explored, in *Adoption Rethink*.

On the basis of my professional experience, I am more aware than most of the highly expensive nature of providing a domestic intercountry adoption program. As Degeling notes, “a tiny fraction of the adoption costs, if given as a donation, could keep many children in their own family in their own country” (Degeling, 2013, p. 13). While the Degeling Report expresses an underlying criticism of the lack of financial and service support provided by state/territory governments for intercountry adoption of special needs children (Degeling, 2013, p. 32), there is no acknowledgement that it is valid to question why these governments should be expected to allocate scarce resources to intensively supporting the relatively small number of intercountry adoptive placements when the need is so great in relation to their domestic child protection/out-of-home care systems.

Further, it is highly disappointing that at no stage in this chapter does *Adoption Rethink* grapple with the ethics of intercountry adoption having become an ‘accepted’ form of alternative care for children unable to remain with their family in their country of origin for reasons of poverty.

The last paragraph fails to acknowledge that the model of delivery for domestic intercountry adoptions was in the process of being ‘reformed’, or that change was being driven from the highest level – by the Prime Minister – in response to lobbyists, at the time *Adoption Rethink* was being prepared and written in a way to support that view.

‘Future Research Directions’

This two-page chapter recommends areas for future research and begins by correctly noting that there is limited research on adoption in Australia.

The 10 paragraphs address perceived gaps in Australian adoption research, but only one of them – the very last one – addresses research into the other permanent care options, and it is an oblique reference at best.

Conclusions

I feel a responsibility to question material on adoption promoted in the public domain that is obviously flawed, particularly given not everyone who reads *Adoption Rethink* will be as informed about adoption issues in Australia as we are at VANISH. *Adoption Rethink* is an extensive and glossy piece of work, but this is the only measure by which I can commend it. It is evident on scanning the many references it cites that *Adoption Rethink* is the culmination of a substantial research review project. Yet, despite its 408 footnotes which refer to more than 200 studies, documents and sources, *Adoption Rethink* is not comprehensive or particularly relevant or current. Nor is it balanced. Rather, it minimises problems, negative aspects and detrimental outcomes; casually dismisses as sensational and ideological valid criticisms of adoption by eminent Australian adoption researchers and practitioners; and exaggerates the generalisability to the unique Australian context of developments and research from overseas that suit its argument.

Adoption Rethink purports to be “an independent review of evidence-based research to understand better the impact of adoption upon the health and well-being of women”. Yet, at no stage does it clarify *which women* are the primary focus of the research review. Further, the report devotes many pages to selective and simplistic presentation of findings and opinions to support its frequently stated position that adoption is the best solution for the health and well-being of children and intrinsically ties adoption to abortion. *Adoption Rethink* is repetitious in its defence of the current re-popularisation of adoption in Australia in a manner true to US conservative views on adoption and abortion. The report does not disclose conflicts of interest, influential political relationships or the ideological base that drives the report. In New South Wales, Barnados and Australian Families for Children Inc, originally a lobby group, appear to be the only agencies delivering foster care and domestic and intercountry adoption services in Australia that are publicly pro-adoption. Barnados has partnered with celebrity pro-adoption lobbyist, Deborra-lee Furness, and I understand it was the late president of Australian Families for Children that recruited Furness as a pro-adoption lobbyist in Australia.

Adoption Rethink raises the ethics of adoption, however, does so in a partisan fashion. It fails to acknowledge the violation of universal children’s rights inherent in adoption, or to adequately consider other options available to provide suitably nurturing, stable and secure families for vulnerable children until they attain adulthood in Australia.

There are many other glaring omissions in *Adoption Rethink*. For example: the numerous formal government and agency apologies from 2006 through 2013 for past child and family separation and adoption policies and practices – particularly Prime Minister Julia Gillard’s National Apology for Forced Adoptions speech of 21 March 2013; and the *Review of Selected Research Literature (1990 to the present): Special Needs and Older Children in Intercountry Adoption (2008)*. It is not clear which

adoption practitioners and/or historians the researcher consulted with during the course of his research or, indeed, whether he consulted with any experts in the adoption field.

Overall, *Adoption Rethink* does not demonstrate expertise in the adoption field. It does not reflect the complexities highlighted in the references it cites, which are often outdated and lack applicability to Australia. It does not indicate the methodology employed in the review, or clearly identify or remain focussed on the group of women about whom it is purportedly concerned. It is not independent or quality research. *Adoption Rethink* is a glossy and seductive paper, but is seriously flawed by its ideological bias in favour of adoption. In conclusion, *Adoption Rethink* lacks academic rigour and fails to provide a coherent or convincing scholarly argument.

APPENDIX II: References Footnoted in *Adoption Rethink*

The following list of more than 220 references has been extracted from the 408 footnotes in *Adoption Rethink*.

I have inserted the country in which the respective research study/paper was conducted/prepared (where able to be identified) in the bracket after the year of publication in order to assist the reader in assessing the relevance of the source. I apologise and accept full responsibility for any errors made in assigning country – some research published in international journals originates from other countries, and some journal articles have multiple authors who are sometimes from different locations.

Further, only 202 of these references are included in Table 1 (on page 4 of the current paper). References for which the year and/or country of publication was unknown or unclear were excluded.

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