

# Adoption Victoria Information Kit

Adoption Services



Justice  
and Community  
Safety





## DISCLAIMER:

Please note that from 1 October 2021 agencies that were approved adoption agencies under the Victorian Adoption Act 1984 will no longer be approved agencies. More specifically, agencies will no longer have the authority to accept an application for adoption or to approve an application for adoption. These agencies are:

- CatholicCare (state-wide)
- Uniting Connections
- Children and Family Services
- Anglicare

Additionally, from 1 December 2022, there are no Victorian statutory fees for intercountry adoption. However, if you are applying to adopt a child from overseas, you may be required to pay fees to the overseas partner country.

**Please consider this information when reviewing this Information Kit**



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## Preamble

Adoption Victoria (AV) is the Victorian Government program responsible for the day-to-day operation of adoptions both domestic and intercountry. This involves working with Victorian families who apply to adopt a child from Australia or from one of the overseas programs identified by the Commonwealth Department of Social Services (DSS).

This Information Kit provides information relating to both domestic (local) and intercountry adoption. The main role of Adoption Victoria includes:

- the provision of information and education
- the assessment and approval of adoption applications
- the supervision and support of children placed with Victorian families.

The Victorian Government supports adoption as an option to secure a permanent family life for children for whom all options to remain with their family of origin have been fully explored. The best interests of the child must always remain paramount in our decision making.

Responsibility for Adoption Services is held by the Department of Justice and Community Safety (DJCS). Adoption services are also provided by funded agencies and you can choose which service you wish to apply to adopt through.

Adoption trends worldwide indicate a climate of change. Overall, the number of children placed via adoption over recent years has been consistently small for both domestic and intercountry adoption programs. The needs of the children who require adoptive placement are consistently more complex. These additional needs include but are not limited to; complex family backgrounds, physical and psychological medical issues, preservation and development of cultural identity, trauma and developmental needs. It is then vital that, efforts are made to look for families who can meet the needs of the children who require adoption both in Victoria and from overseas.

Adoption Victoria seeks families who are:

- **Open Minded & Insightful:** Have the ability to accept different views and ways of thinking; can accept the differing perspectives of relinquishing parents and adoptees; will seek out and try new approaches; will try to make sense of how an adopted child's behaviour or thinking is affected by their background, history, experiences and genetics; want to be guided by the unique needs of a child; seek and accept help from others including professionals.
- **Physically / Psychologically Healthy & Resilient:** It is tough being a parent to a child with additional needs. You need to be around for the long haul, not just until they are 18yo. You cannot help your child if you are not psychologically robust. If you have unexplored grief associated with infertility, you may not be able to assist an adopted child with their grief.
- **Compassionate, Sympathetic & Understanding:** Accept that adoption in and of itself brings with it lifelong and complex identity issues for an adopted child. Be able to walk in the shoes of the birth family and the adopted child. Be capable and committed to contact and information exchange with a child's birth family. Believe in the long-term benefits of open adoption and support your child through the highs and lows. Embrace the culture and country of origin of your child, support them in developing their cultural identity and searching for birth family.
- **Able to Be Present:** Be there. Be able to dedicate the time required for your child to be safe, secure and assured of your permanency in their life. Assess the impact of this on any future plans you may have about other children entering your family.
- **Accepting:** Be ready to commit to an intrusive and challenging process with no guarantee of a child placement. There are things outside of your control. You must be willing to cope with uncertainty and show how you have managed life stressors in the past.



**This information kit is designed to assist you in deciding whether to apply to be assessed to be an adoptive parent to a child. There is a lot of detailed information and we urge you to take your time to read through it thoroughly so that the decision you make is as informed as possible.**



## Legal Framework

Any approval for adoption whether it be for Victorian domestic (local) or intercountry adoption, is made pursuant to the same Adoption Act, Regulations, National Principles and standards. There are additional conventions and Commonwealth legislative frameworks in place in order to facilitate Intercountry Adoption. These are explained below.

### The Victorian Adoption Act 1984

Section 15 (1) (a) of the Adoption Act 1984 requires that applicants demonstrate that they meet the prescribed requirements relating to approval as fit and proper persons to adopt a child. The requirements as outlined in the Adoption Regulations 2019 are as follows:

- (a) the health of the applicant or applicants, including emotional, physical and mental health, is suitable;
- (b) the age and maturity of the applicant or applicants are suitable;
- (c) the applicant or applicants have suitable skills and life experience;
- (d) the applicant or applicants' financial circumstances are suitable;
- (e) the applicant or applicants have the capacity to provide a stable, secure and beneficial emotional and physical environment during a child's upbringing until the child reaches social and emotional independence;
- (f) the applicant or applicants have the capacity to provide appropriate support to the maintenance of a child's cultural identity and religious faith (if any);
- (g) the applicant or applicants have a suitable appreciation of the importance of—
  - (i) access to a child's natural parent or parents and family; and
  - (ii) exchange of information about the child with the child's natural parent or parents and family; and
  - (iii) participating in the formation of an adoption plan for the child;
- (h) in the case of an applicant or applicants who may be considered for the adoption of an Aboriginal child, the applicant or applicants have a suitable appreciation of the importance of and a commitment to—
  - (i) maintaining and developing the child's Aboriginal identity; and
  - (ii) maintaining a connection between the child and members of the Aboriginal community to which the child belongs;
- (i) the general stability of character of the applicant or applicants is suitable;
- (j) except in the case of a sole applicant, the stability and quality of the applicants' relationship with each other is suitable;
- (k) the stability and quality of the applicant or applicants' relationship with the other household and family members is suitable;
- (l) the criminal history (if any) of the applicant or applicants does not make the applicant or applicants unsuitable;
- (m) the criminal history (if any) of the household members does not make the applicant or applicants unsuitable;
- (n) if the applicant or applicants have or have had the care of a child before applying for approval as fit and proper persons to adopt a child, the applicant or applicants have shown an ability to provide a stable, secure and beneficial emotional and physical environment for the child.



## National Principles in Adoption and Victoria policy standards

Principles, policies and guidelines for practice are always evolving as the adoption field continues to learn and develop from the experiences of adoptees and their families. The intent of all underpinning principles is not only the prevention of adoptive placement breakdown but to ensure the best possible long term outcomes for an adopted person and their family.

Please note that the National Principles in Adoption are currently under review.

There is a summary list of the current Adoption Victoria Assessment Standards at the rear of this information kit.

## Victorian Charter of Human Rights and Responsibilities Act 2006

*The Charter of Human Rights and Responsibilities Act 2006* (the Charter) requires public authorities, such as state government departments, to consider human rights when they make laws, develop policies and provide day-to-day services. The Charter also makes it easier for people to understand their rights when they are dealing with government. Twenty human rights are protected under the Charter, including:

- The right to recognition and equality before the law
- The right to protection from torture and cruel, inhuman or degrading treatment
- The right to privacy and reputation
- The right to protection of families and children
- Cultural rights

Further information about the Charter, including a number of factsheets, can be accessed at the Victorian Equal Opportunity and Human Rights Commission website:

<http://www.humanrightscommission.vic.gov.au/human-rights/the-charter>

## Requirements of the overseas program (Intercountry Adoption)

Each overseas Country Adoption Program has its own unique set of requirements and eligibility criteria. You can find these requirements on the Intercountry Adoption Australia - Commonwealth Government website

<http://www.intercountryadoption.gov.au/>

Families who apply for Intercountry Adoption must meet all Victorian Government requirements as well as those of the overseas country program and additional immigration requirements set by the Department of Home Affairs (DoHA).

**Please note that even when families are eligible under the Victorian Adoption criteria, an overseas country has capacity to refuse an application to adopt.**

## The Hague Convention (Intercountry Adoption)

The Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption was designed to safeguard and protect the best interests of orphaned children who may require foreign (intercountry) adoption outside of their countries of origin.

There are a number of legal articles, regulations and best practice guidelines which together strive to ensure that orphaned children are 'legally free for adoption'; protected from trafficking; that intercountry adoption is a measure of last resort after all other attempts to place and retain the child within a family in the country of origin have been exhausted; that minimum standards of care and social welfare practice are afforded these children; and that their rights to their original information are safeguarded. In so doing, the Hague Convention also protects the interests and long term welfare of families wishing to adopt a child from an overseas country.



Most articles of the Convention affect the operation of the sending and receiving programs rather than applicants directly. The convention does however seek to protect 'sending' countries (overseas country programs) from inappropriate duress and pressure by requiring a number of undertakings from prospective adopters from 'receiving' countries. These include no contact with orphanages and or adoption programs from the country an applicant may wish to adopt from throughout the application process.

The Hague Convention attempts to ensure that all contacts, decision making and operationalisation of an intercountry adoption are managed through approved Central Authorities (CA's). In Australia, each State Government Intercountry Adoption Program is an approved Central Authority, with an additional Commonwealth authority known as the Australian Central Authority (ACA).

More detailed information can be found on The Hague Convention on Protection of Children and Co- operation in Respect of Intercountry Adoption. [HCCH | Adoption Section](#).





## Introduction: Victorian Domestic Adoption

This program has also been known as the Local Adoption program. There are a small number of children who require adoption in Victoria each year. Making the decision to relinquish a child is never easy, but sometimes situations arise where birth parents feel it is impossible to raise their child. In these situations, they may voluntarily relinquish all their legal rights and responsibilities to their child. This allows the child to be placed for adoption in a new family and when an adoption order is made, transfers all legal, parental rights and responsibilities to the adoptive parents. After an adoption order is made by the court, a new birth certificate is issued which recognises the adoptive parents as the child's legal parents.

Adoption arrangements for children in Victoria can only be made by Adoption Victoria, Department of Justice and Community Safety. It is illegal to make a private arrangement to place or care for a child with a view to adoption.

Selected Community Service Organisations are also approved to provide Victorian Adoption services. These are:

- Uniting Connections
- Children and Family Services
- Anglicare

### History of adoption in Victoria

Since the introduction of adoption legislation in Victoria in 1929, an estimated 66,000 Victorians have been adopted. The number of adoptions has decreased markedly since the 1970s, which is largely due to improved supports for single parent families, access to contraception and changes in community attitudes.

The first adoption legislation, the Adoption of Children Act 1928, provided for the legal transfer of parental rights, duties, obligations and liabilities to adoptive parents and for the legitimisation of existing informal adoptions. Consent of birth parent(s) was not required for an adoption order to be granted by the court.

The Adoption of Children Act 1958 consolidated adoption legislation and modernised its drafting.

The Adoption of Children Act 1964 introduced the era of closed adoption practices in Victoria and prescribed confidentially and secrecy measures around parentage.

The Adoption Act 1984 (the Adoption Act) introduced open adoption and made Victoria the first Australian jurisdiction to end closed adoption practices. The Adoption Act gave adopted people

18 years and older the right to access their original birth certificates and introduced greater access to adoption information for natural parent(s) and relatives of adopted people.

It is widely acknowledged in Australia that closed adoption practices caused grief to those affected. Many Australians were also affected by past adoption practices particularly during the late 1960s and early 1970s.

### Stolen Generation

The Aboriginal and Torres Strait Islander communities have been significantly affected by past government policies enabling forced removal of children from their families. This included adoption of removed children into white families. This is now referred to as the Stolen Generation and it resulted in the dislocation and denial of Aboriginal people of their family and culture.

In April 1997, the Human Rights and Equal Opportunity Commission (now the Australian Human Rights Commission) released Bringing Them Home, the Report of the National Inquiry into the Separation of Aboriginal



and Torres Strait Islander Children from Their Families. The report extensively documented the experiences of the Stolen Generation and highlighted the many issues facing communities strongly associated with forced removal and concluded that the forced removal of Aboriginal children was a gross violation of their human rights. The report made recommendations to redress the impacts of the removal policies and address ongoing trauma.

Practices that forcibly removed the Stolen Generation included adoption. As a result, all Australian states and territories reviewed adoption legislation.

## Forced Adoptions

In February 2012, the Commonwealth Senate Standing Committee on Community Affairs released a report into Commonwealth Contribution to Former Forced Adoption Policies and Practices that made 20 recommendations to the Commonwealth responding to previous, harmful adoption policies and practices across Australia.

Apologies have been issued both nationally and in Victoria. On 25 October 2012, the Parliament of Victoria issued a Victorian Parliamentary Apology for Past Adoption Practices to those affected by past forced adoption practices in Victoria. The apology acknowledged that many thousands of Victorian babies were taken from their mothers, without informed consent, and that this loss caused immense grief.

On 21 March 2013, as a consequence of the aforementioned Commonwealth report into forced adoption policies and practices, the then Prime Minister, Julia Gillard, issued a National Apology for Forced Adoptions on behalf of the Australian people.

## Victorian Law Reform Commission

In December 2015, the Victorian Government commissioned a review of the Adoption Act by the Victorian Law Reform Commission (VLRC) on how to modernise Victoria's adoption law and regulations. In June 2017, the VLRC report was tabled in the Victorian Parliament and made 88 recommendations to government covering issues including:

- Promoting the best interests of the child, their rights and ongoing needs;
- Increasing openness in the adoption process;
- Setting out special requirements and considerations for the adoption of Aboriginal and Torres Strait Islander children; and,
- Protecting against the possibility of future 'forced' adoptions. The report is available from the Law Reform Commission website.

## Same Sex Amendments

In September 2016, amendments to the Adoption Act commenced to allow lesbian, gay, and bisexual, transsexual and intersex couples to access adoption in the same way as other couples.

## Adoption Services transition to the Department of Justice and Community Safety (DJCS)

On 1 January 2019, the Victorian Attorney General assumed sole responsibility for the Adoption Act. Adoption services had previously been provided by the Department of Health and Human Services. In August 2019, operational responsibility for adoption services was transferred to Adoption Victoria, which is part of the Adoption Services group in the Department of Justice and Community Safety.

Adoption Victoria was created by amalgamating the work of the former Intercountry Adoption Victoria program and the former Victorian Domestic (Local) Adoption Program.



## Children requiring adoption in Victoria

The number of children requiring adoption in Victoria is small. The majority requiring adoption in Victoria are under 12 months of age. These children often have complex needs. Some children may have been exposed to varying levels of drugs and/or alcohol in utero. Some children may have birth parents with a mental illness, or a disability. Sometimes the child is born as a result of rape or incest. It is common that Adoption Services do not know any detailed information about the child's birth father.

The children come from a diverse range of racial and cultural backgrounds, reflecting the general population.

Sometimes children require adoption because their additional needs lead their birth parents to feel unable to parent them. For example, this may include children with Down Syndrome or other significant disabilities or developmental delays.

Adoption Victoria shares with adoptive families all the information we know about the child's health and the medical history of their families. Sometimes this information is very limited.

Adoption raises many complex and lifelong issues for all parties involved. Children who are adopted are likely to grapple with a range of feelings in relation to their adoption over their lifetimes. These include grief and loss and issues of identity and belonging. Children require adoptive families who are in a position to assist them with these feelings throughout their childhoods and beyond.

### Consenting to the adoption of a child

When parents are considering adoption for their child, they go through a formal counselling process with a trained and gazetted Adoption Counsellor. They are given information about a variety of options so they can make an informed decision about their plans for their child. As part of this counselling, birth parents share information about themselves which can be shared with the adoptive family and the child as they grow, should they be adopted. As the Adoption Act allows for birth parents to be involved in the selection of an adoptive family, the type of adoptive family they wish their child to be placed with is discussed during counselling.

If a birth parent is considering adoption for their child, the child may be placed in a voluntary foster care arrangement while the parent considers their decision.

There are a number of safeguards in the Adoption Act to ensure that birth parents are giving their consent in a free and informed manner.

If birth parents decide on adoption for the child, they give consent to the adoption through a formal process, usually at the County Court of Victoria. When birth parents consent to the adoption of their child, they are giving up all their legal rights and responsibilities as a parent.

After the consent is given, there is a 28 day period where the parent can change their mind and revoke their consent. They can also ask to extend this period up to 14 days if they feel they need more time. It is only after this period that the consent is considered final. At this stage the natural parent is no longer the child's legal guardian and an adoptive family can be sought.

### Wishes of the parent(s)

After giving consent, birth parents have an opportunity to express their wishes in writing about the race, religion and ethnic background of the adoptive parents. These wishes must be carefully considered by adoption services, who must try and find a suitable family for the child. Birth parents also have an opportunity to express their wishes in writing about:



- whether they or a relative would like contact with the child after adoption, and if so, how often.
- whether they would like information about the child to be provided after the adoption, and if so, how often.
- whether they would like the conditions for contact and information exchange included in the adoption order.

## Contact and Information Exchange

Under the Adoption Act there is opportunity for ongoing contact between the child and their family of origin. This can have many benefits, for the child and for both sets of parents. The contact helps the child with their identity development. It also reassures the family of the child's development within the adoptive family, which can provide comfort and assist them with their grief. Many adults who were adopted under a closed adoption system say that the hardest part of being adopted was not knowing anything about their origins. Contact in adoption allows a child to have more information about their family of origin and as they get older, an opportunity for their questions to be answered.

Contact is not only with the child's birth parents. It can be with other members of the child's family, nominated by the parents in their wishes. Sometimes a birth parent might find it difficult to attend contact meetings, but if someone else in their family can come, such as the child's grandparent or Aunt, this can be very beneficial for the child. They can still gain a level of understanding of their birth family and origins, as well as the valuable knowledge that their birth family are interested in them and care about them.

Sometimes the child might have siblings, and it is important that they have the opportunity via regular contact and information exchange to get to know their siblings if possible. Siblings may not always live with the birth parent.

## Matching a child to their adoptive family

During options counselling, parents talk about the family they would like for their child. Parents can express wishes about the ethnicity and religion of the adoptive family. They also express preferences about other characteristics of the adoptive family, for example, the age of the adoptive parents, if there are other children in the family, if the family live in the city or the country and their values and interests.

The Service Integrity Unit within Adoption Services is responsible for matching the child with an approved adoptive family. The matching process generally involves the identification of appropriate approved adoptive families from a state-wide list, taking into account the child's needs and the parents' wishes. Non identifying profiles of approved adoptive applicants are provided to the birth parents, along with photographs of the prospective families. The parents can then express a preference about the family they wish their child to be placed with.

Sometimes birth families do not wish to be involved in the selection of a family. In this case the manager of the Service Integrity Unit will approve the selection of the most appropriate family for the child.

Adoption Services is a child centred program, that aims to find the best possible family for a child requiring placement. Children are linked with the family that best meets their needs. This means that there is no guarantee that families who are approved for adoption will be placed with a child. It also means that waiting times after approval are impossible to predict. Some families may be linked soon after approval, some may wait for many months or years, and some may never be linked with a child.

Birth families are varied and express different preferences. The needs of the children are also varied and sometimes very complex. It is the responsibility of Adoption Victoria to ensure that the register of approved applicants reflects this diversity of needs and wishes in order for optimal matches to be identified for the child.



## Expressing an Interest in Applying for Adoption

Those interested in making an application to Adoption Victoria are required to express their interest by completing the Adoption Victoria questionnaire. Before completing the questionnaire, we ask that you take the time to read through this information kit thoroughly to ensure you are making a well-informed decision and that you understand the requirements and the profile of children requiring adoption.

Adoption Victoria also developed an Information Session available for viewing online. It is not mandatory to access an Information session, however should you wish to do so, the session will cover the application, assessment and placement processes and provides an overview of the lifelong identity and other complex factors associated with adoption. You can request the link by email at: [adoptionvic@justice.vic.gov.au](mailto:adoptionvic@justice.vic.gov.au). All interested prospective applicants must submit a questionnaire even if they have attended an information session. Questionnaires will be thoroughly reviewed to ensure eligibility and entered onto the Adoption Victoria Expression of Interest List.

**Adoption Victoria will, from time to time as required, offer adoption applications to registrants on the Expression of Interest List, in order to add to the number or diversity of the pool of approved applicants.**

### Requirements for the Adoption of Children

There is a range of requirements of people applying to adopt through the Domestic Adoption program. A full list of prescribed requirements and other relevant legislative frameworks are described under the 'Legal Framework' section of this Information Kit. The reasons for each of these requirements relates to one or more of the following:

- The Victorian Adoption Act 1984
- The Victorian Adoption Regulations 2019
- National Principles in Adoption 1997
- Adoption Victoria Assessment Standards

Additionally, Adoption Victoria considers other key factor in determining the eligibility and suitability of adoption applicants. Some of these factors are:

- Exploration of your fertility prior to adoption
- Medical and Criminal Records Clearance
- Length of Marriage / Relationship
- Impact on existing children
- Stability in Care Arrangements for the Adoptive Child
- Citizenship Status



## Introduction: Intercountry Adoption

Adoption Victoria works in partnership with the Commonwealth Department of Social Services to facilitate intercountry adoption. This is part of Australia's commitment to other nations who are developing their services to children. Adoption Victoria only facilitates intercountry adoption with overseas programs which have been found to meet legal and ethical standards and are generally part of a broader reform strategy. The role of Adoption Victoria is to ensure that those applying to adopt children through these programs meet the requirements for adoption, that they have received the appropriate training and information and that post adoption they receive supervision and support.

Victoria sends approved application files (known as dossiers) to the overseas country programs only when those countries have either requested that files be sent (quota countries) or have on-going capacity to accept files (non-quota countries). An updated list of countries for which the Victorian Intercountry adoption program is currently seeking applications can be found in the 'Availability of Programs' section of this information kit.

### Australia's work with overseas programs

Australia ratified The Hague Convention on the Protection of Children and Cooperation in Respect of Intercountry Adoption (The Hague Adoption Convention) on 1 December 1998. The Hague Convention specifies that adoption between countries must always be in the best interests of the child and should only occur when there are no appropriate family-based care options available in the child's country of birth.

Australia requires that adoption arrangements meet internationally agreed standards such as those set out in the Convention on the Rights of the Child and the Hague Adoption Convention.

The Australian Central Authority (ACA) is the Commonwealth Department of Social Services (DSS). The DSS is responsible for:

- managing and reviewing Australia's intercountry adoption programs
- assessment and establishment of new overseas adoption programs
- leading national policy on intercountry adoption
- international and national stakeholder engagement
- operating the Intercountry Adoption Australia helpline

The Hague Adoption Convention requires evidence that birth parent(s) have freely consented to the adoption, or that the child is free for adoption by due process of law through court action in the country concerned. Whilst it may appear to interested persons that children in some countries are without effective family care, not all countries have adequate resources available to ensure that a child is legally requiring adoption. Others may not have the capacity to establish domestic and intercountry adoption programs that comply with the principles of the Hague Adoption Convention. The Australian State and Territory Central Authorities are responsible for the operationalisation of intercountry adoption.

While overseas countries have differing attitudes toward overseas adoption of their children, most countries do not wish for their children to be placed for adoption overseas.

Generally, they actively encourage adoption within their country. As a result, as progress is made within these countries, their requirement to place children in adoptive families overseas can reduce.

### Web resources

The United Nations Convention on the Rights of the Child

<http://www.ohchr.org/en/professionalinterest/pages/crc.aspx>

The Hague Convention

<https://www.hcch.net/>



The Australian Central Authority (ACA)

<https://www.dss.gov.au/our-responsibilities/families-and-children/programmes-services/intercountry-adoption>

Intercountry Adoption Australia Commonwealth Government website

<http://www.intercountryadoption.gov.au/>

## **The needs of children requiring adoption**

Children requiring adoption from overseas are likely to be older, have grown up in institutions or cared for by many people and or have significant health issues. Children require placement in an adoptive family for complex social reasons most commonly relating to poverty, culture, family expectations, or health problems of the child and/or the parent. Most children requiring adoption through Adoption Victoria are more than two years old, and there is a growing need for placement of children four years and older and children with significant special needs.

While it is important that parents consider these issues carefully before adoption, mostly children and parents who have experienced adoption report the experience to be positive and tremendously rewarding. Children with special needs are challenging however they thrive in loving families with the skills to support their development. There are many rewards in adopting children who would not otherwise have had parents.

### **Age of children to be adopted**

In the Victorian Intercountry adoption program, children over nine years are not placed with adoptive families except in exceptional circumstances (such as in the case of siblings, where the younger sibling is less than nine years). Most children requiring adoptive placement from overseas are aged 4 years and over and have a range of medical, family background and trauma-related special needs.

Adoption Victoria requires that applicant families are approved to adopt a child, either male or female. Choice of gender is not permitted.

### **Children over the age of four**

These children are unlikely to have had a close emotional bond with one adult. They are likely to have received care in an institution and had few opportunities to develop close relationships with any one person. Many of these children have been abandoned, which can leave them emotionally traumatised and vulnerable, requiring long-term therapeutic parenting.

These children generally require intensive and therapeutic parenting to promote attachment. They typically take time to develop a bond with their adoptive parents. How long this takes depends on both the individual child and the skills of the parents. Some children, who have not had any close relationship early in their lives, may never develop the emotionally secure attachments enjoyed by children who have received continuity of loving care.

### **Children who have grown up in institutions**

Most of the children requiring intercountry adoption have been raised in an institutional setting: an orphanage. The long-term psychological effects of institutionalised care on children and their psychological as well as physical development have been well documented and researched. Differing experiences and levels of care will impact on a child's external behaviours and internal functioning.

This can be very challenging to manage.

### **Children who have been cared for by many people**

These children are more likely to have been physically, emotionally or sexually abused; although this is often unknown at the time the child joins the family. As children do not usually have the capacity to explain their feelings they typically react to grief, trauma or abuse by displaying a range of behaviours that can seem very strange. Some



behaviours are difficult for parents to know how to respond to and can be difficult to cope with without specialist guidance.

### **Children with complex medical illness or disability**

Most overseas countries have a great need to place in adoptive families children with significant health problems, disabilities and other complex issues. More children are arriving with conditions that need immediate medical attention. Some of these conditions can be treated and improvements to children's general health and quality of life can be achieved, while others may require intensive interventions and present lifelong challenges.

Some children have significant, challenging and often multiple physical, family background and trauma related special needs. These children will require ongoing intervention and treatment, in some cases this will be a lifelong requirement. All families who apply to Adoption Victoria attend an education program focused on the needs of the children and therapeutic approaches to parenting.

Families are then assessed under a comprehensive framework appraising suitability to parent a child with special needs.

### **Vulnerable children**

Children who seem healthy when they first arrive can develop physical or emotional problems later in childhood or adulthood. This could be because of a lack of medical care when their mothers were pregnant and when they were babies, or because of inherited and genetic problems. Children who have experienced neglect commonly have delays in their development, some of which may be long term. For instance, they might never develop as fully as they might have done if they had been lovingly cared for from birth by a consistent parental figure.

### **Current context**

Adoption Victoria is always looking for families to adopt children with a range of special needs. 'Special needs' is a very broad term and includes children with diagnosed medical conditions or from complex family backgrounds and having resided in institutional care for a number of years. And for some children it can mean a combination of all of these factors. In this information kit you will find a list of the country programs for which Adoption Victoria is currently seeking applications.

In considering making an application to adopt a child born overseas, families are encouraged to inform themselves as to their eligibility for adoption in Victoria and to ensure their compliance with the eligibility requirements of the overseas countries from which they would like to adopt. Health, financial security, character, motivation to adopt from that particular country, marital status, family composition, expectations of the child and intentions regarding the religious and academic education of the child, also form part of the criteria imposed.

More information about current trends in adoption for both Victoria and Australia is provided by the Australian Institute of Health and Welfare < <https://www.aihw.gov.au/reports-data/health-welfare-services/adoptions/overview>>.

### **Requirements for the adoption of children born overseas**

There is a range of requirements of people wanting to adopt through an overseas program. A full list of prescribed requirements and other relevant legislative frameworks are described under the 'Legal Framework' section of this Information Kit. The reasons for each of these requirements relates to one or more of the following:

- The Victorian Adoption Act 1984
- The Victorian Adoption Regulations 2019
- The Overseas Program
- National Principles in Adoption 1997





- The Hague Convention on the Protection of Children and Cooperation in Respect of Intercountry Adoption
- Adoption Victoria Assessment Standards

Additionally, Adoption Victoria considers other key factor in determining the eligibility and suitability of adoption applicants. Some of these factors are:

- Exploration of your fertility prior to adoption
- Medical and Criminal Records Clearance
- Length of Marriage / Relationship
- Impact on existing children
- Stability in Care Arrangements for the Adoptive Child
- Citizenship Status

### **The ethics of programs - bilateral arrangements and the Hague Convention**

An important consideration for most families is the integrity of the overseas country program. Victoria currently has working arrangements with a number of countries. In order to protect the interests of the child these arrangements are supported by either a bilateral government-to-government arrangement or under the Hague Convention.

The Hague Convention on Intercountry Adoption states the principles and conditions under which intercountry adoptions will operate. It ensures that appropriate authorities undertake intercountry adoptions and specifies the conditions under which a child can be adopted. Bi-lateral agreements also aim to ensure the standards specified in the Hague convention are implemented under these agreements. These include issues such as ensuring prospective parents are properly assessed, children are legally available for adoption and they have not been trafficked or kidnapped, or their parents offered improper inducements to relinquish their children for adoption.

### **The risks of intercountry programs**

When an application is submitted to another country for adoption, there is no guarantee that a child will be matched for adoption. There are many occasions when an adoption does not occur. The greatest risk is that when a program has a long waiting period, the applicants may become ineligible during the wait. For example, many programs stipulate maximum ages at the point of placement proposal of a child. Also, personal circumstances for applicants may change over time with the result they no longer meet country requirements.

Overseas programs may also change requirements or processes which may impact on an adoption. Please read the Commonwealth web page Things to consider - Realities and risks.

< <https://www.intercountryadoption.gov.au/countries-and-considerations/considerations/realities- risks/>>

### **Availability of programs**

Things can sometimes change very quickly in the field of Intercountry Adoption. Overseas programs reserve the right to change their eligibility criteria, suspend and or close their foreign adoption programs at any time. The Australian Commonwealth and State Governments also have the authority to suspend and or cease working with an overseas country program if significant issues of concern arise and cannot be resolved. This can have a distressing effect on applicants affected by any such change. It is important to recognise that this is an inherent risk in any intercountry adoption application.

Many of the overseas programs impose a quota on the number of files they will accept from the Victorian Central Authority (i.e. Adoption Victoria) in any given year. The quotas are dependent on



many factors including the numbers of children requiring adoption and the numbers of files already accepted and waiting within a program. Local and domestic factors also affect the issuing of quotas for intercountry adoption. For example; for many years the Korean Government has been committed to social reform in order to support unwed mothers with a view to reducing and finally stopping any foreign adoption of Korean infants/children. Intercountry adoption quotas are usually determined annually and communicated to States and Territories via the Australian Central Authority.

Some countries have two streams within their adoption program. One is for adoption of children with special needs and the other is considered a mainstream adoption program. Some of these countries implement quotas for the number of files that can be sent each year to their mainstream adoption programs while no quota is imposed for their special needs programs. The quota numbers for mainstream programs are small and reflect the decreasing ability to match these files with children requiring adoption.



## Fees and Costs

There are no set fees imposed by the Victorian Government to lodge an adoption application. There are some expenses borne by applicants relating to medical checks and any additional checks, or requests required as part of the application together with the cost of preparing your home for a child, and the costs associated with legalisation of the placement and court lodgement fees.

There are further fees applicable to applications to adopt children from overseas.

Each overseas country has its own set of fees payable to the adoption authority in that country. These fees vary significantly and may also include significant file preparation costs including translation costs. Please note that fees vary and increase regularly, and the amounts are only applicable as at the date of publishing. Please see the relevant country program fees listed on the Intercountry Adoption Australia website.

<http://www.intercountryadoption.gov.au/>.

Applicants must bear all travel, gratuities and adoption formality costs in country as well as Australian Department of Home Affairs visa application fees for themselves and their adopted child.

Examples of additional costs for intercountry adoption:

- Costs associated with preparing your file to lodge in an overseas country
- Costs associated with securing medical reports
- Costs applied by the country from which a child is sought
- Costs associated with making your home ready for a child
- Costs associated with overseas travel and accommodation
- Costs associated with post placement notarization requirements
- Costs associated with official translation of documents
- Statutory fee for application for legalisation by County Court.



Please note that from 1 December 2022, there are no Victorian statutory fees for intercountry adoption. However, if you are applying to adopt a child from overseas, you may be required to pay fees to the overseas partner country.

**Please consider this information when reviewing this Information Kit**



## Current Overseas Programs\*\*

Adoption Victoria has a working partnership with the following country programs:

- Bulgaria
- Chile
- China – mainstream & special needs programs
- Colombia
- Hong Kong - ISS & PLK programs
- Latvia
- Poland
- South Africa
- South Korea
- Sri Lanka
- Taiwan- Chung Yi & CWLF programs
- Thailand

Please note: All children requiring adoption from the above programs have a range of special needs including health, behavioural and developmental needs and or complex family backgrounds. Furthermore, countries listed may be subject to eligibility changes or quota allocations.

Please ensure you read all of the eligibility information for each of these open country programs and pay particular attention to the age and characteristics of the children requiring adoption from these countries.

Eligibility information, including expected waiting times, for all overseas country programs can be found at the Commonwealth Government website - Intercountry Adoption Australia <http://www.intercountryadoption.gov.au/> or contact the IAA telephone line on 1800 197 760.

It is important to note that questionnaires will only be considered for those country programs currently requesting files. Please note that Adoption Victoria does not hold waiting lists for country programs.

\*\* Please note that this list of active countries is subject to change. For an updated list of active countries working in partnership with Victoria, please visit <http://www.intercountryadoption.gov.au>



## Are there alternatives to Victorian domestic and intercountry adoption?

### Permanent Care

There are many children in Victoria who, for various reasons, are unable to live with their families. Children placed in permanent care come through Child Protection services. Permanent care gives these children a stable environment in which to grow up. However, more than this, it gives them relationships for life, which are permanent, secure and nurturing. A permanent care order is made by the Children's Court, granting custody and guardianship to the permanent family. Legally, this means that the permanent care parent is responsible for day-to-day care of the child and also long term decisions about things like education, changes in residence, health and employment. The permanent care order expires when the child turns 18 years of age, but the close relationships established between permanent parents and children last a lifetime. In 2016-2017, there were 482 permanent care orders made in Victoria.

To find out more about permanent care, please visit the Permanent Care page on the DHHS Services website. <http://services.dhhs.vic.gov.au/permanent-care> .

### Foster Care

You may also be interested in exploring the option of becoming a foster carer of children. Visit this website to find out more and apply online, Fostering Connections. <http://www.fosteringconnections.com.au/>

Although there are key similarities between adoption and local out-of-home care programs, there are also some significant differences. Consideration of these is critical in making a decision about which option to pursue. More information can be accessed via the webpages above.

### Private adoption

Undertaking a privately facilitated intercountry adoption is illegal in Australia. This is not an alternative to intercountry adoption. Australian state and territory agreements and the Hague Convention with Respect to Intercountry Adoption ensure that children are protected from child trafficking. This safeguard, which applies Australia wide, also provides protection for families who wish to adopt through any Australian adoption program.

If Victorian families attempt their own private adoption arrangements, they are in clear contravention of The Hague Adoption Convention and Victorian Law. The Commonwealth Department of Home Affairs will not issue a visa for a child to enter Australia unless the adoption has been authorized by a state/ territory central authority. This cannot be attempted retrospectively.

The only exception to this relates to expatriate Australian citizens, residing and working in an overseas country, who may be eligible to adopt a child under that country's domestic law. If this applies to your situation, please note Adoption Victoria cannot assist you. Please contact the website for Department of Home Affairs <http://www.homeaffairs.gov.au/> or phone 131 881.

### Adopting a child who is related or known to you

Sometimes families residing in Australia may want to adopt a related or known child from an overseas country. It is important to understand the limited circumstances where this form of adoption may be facilitated. In general, the request must be instigated by the country of origin for the child, where the child is in need of care and protection and all local/in-country options need to have been exhausted. These are detailed in the national practice agreements



available upon request or by accessing the Department of Social Services website: <https://www.intercountryadoption.gov.au/countries-and-considerations/apply/applying-for-intercountry-relative-adoption/>

There may be alternatives to adoption, and you may be able to sponsor the child under Orphan Relative Provisions in migration law. For an explanation of the process, download the **Orphan Relative** visa (subclass 117) form on the Department of Home Affairs website, or call the Department of Home Affairs on 131 881.

If you would like to talk to someone further about your circumstances, you can contact our duty service or the Commonwealth Intercountry Adoption Australia service. Please find the details below:

Adoption Victoria (Victoria's service)

Telephone: 1300 194 754

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Email: [adoptionsvic@justice.vic.gov.au](mailto:adoptionsvic@justice.vic.gov.au)

Intercountry Adoption Australia (Commonwealth service) Telephone: 1800 197 760

Webpage: Intercountry Adoption Australia <http://www.intercountryadoption.gov.au/>

If you have further questions about the National Practice Agreements for Intercountry Known Child Adoption, you may wish to contact Intercountry Adoption Australia.



## The Process

The process of applying to adopt a child from either the Victorian domestic or Intercountry program involves the following steps:

- Questionnaire
- Expression of Interest List
- Education
- Application
- Assessment
- Approval
- 

### Adoption Victoria Questionnaire

Currently there are more people approved to adopt than Victorian children anticipated to be placed for adoption. We encourage people to submit a questionnaire as from time to time, Adoption Victoria may extend invitations to apply when there is a need to increase the number or diversity of the pool of approved applicants. In that circumstance, Adoption Victoria may seek applications from people to be assessed as fit and proper persons to adopt a child. Please refer to the following section 'Expression of Interest List' for further information.

Adoption Victoria maintains a list of people who have expressed their interest to be considered. We encourage interested persons to consider placing their details on this list. In order to do this, you are required to submit a completed Adoption Victoria questionnaire.

The questionnaire seeks information to ensure interested people meet the eligibility criteria to adopt a child in Victoria or from overseas and understand and can meet the needs of adopted children. More information about the needs of adopted children can be found on our website at [www.vic.gov.au/adoption](http://www.vic.gov.au/adoption).

The Adoption Victoria Information kit and website has been designed to assist prospective applicants in determining their suitability and eligibility to apply to Adoption Victoria. This kit clearly outlines the process for completion of the Adoption Victoria questionnaire.

The questionnaire covers the adoption needs of children born in Victoria and born in an overseas country (intercountry adoption). You may submit your interest in one or both programs simultaneously by filling in and submitting the questionnaire. It is important that prospective applicants have considered the following before completing and submitting a questionnaire:

- General information about adoption and issues for consideration broadly, the processes, procedures and legal context together with eligibility considerations
- The characteristics of the children requiring adoption
- An understanding of your motivation and commitment to parent a child, including in some cases, an older child with special needs
- An understanding of the complex lifelong identity issues for adoptees
- An overview of the current timeframes and the factors that contribute to such timeframes
- Information about other options should this be a consideration for participants, including information from Permanent Care and Foster Care Services.

The questionnaire is available on request via email: [adoptionvic@justice.vic.gov.au](mailto:adoptionvic@justice.vic.gov.au) .





Once received, please download the questionnaire to your computer, complete it electronically by typing in your responses, then print it, sign as instructed and return the completed document preferable by email to:

[adoptionsvic@justice.vic.gov.au](mailto:adoptionsvic@justice.vic.gov.au) .

Once Adoption Victoria has received your questionnaire, we will send you an email confirmation of receipt and you will be contacted by our program staff generally by email to advise whether you meet basic eligibility criteria and can be registered on the Expression of Interest List and or to discuss alternatives that may be available to you. Please note we accept and prefer questionnaires sent via email.

## Expression of Interest List

In order to meet the needs of the children who require adoption, as required Adoption Services will invite people to apply to be assessed as fit and proper persons to adopt a child. Invitations are extended to people who have been registered on the Adoption Victoria Expression of Interest List.

When issuing invitations to apply, Adoption Victoria considers three factors, based on the best interests of the children who require placement for adoption.

### 1. People who are most likely to be able to support the welfare and interest of the widest variety of children

Adoption Victoria will seek applications from people who are able to support the range of needs that are common amongst the children who require adoption.

### 2. Diversity of possible adoptive parents

When a parent consents to the adoption of their child in Victoria, they are often involved in the selection of the family that will adopt that child. The Adoption Act allows a parent to express a wish for the child to be adopted by someone of a particular religious or ethnic background. Parents may also express wishes in relation to specific characteristics relating to the background of the applicants, the location of the family home, occupations, values and many other variables that may be significant for the birth parent/s. Sometimes, families who have submitted their questionnaire may be invited to submit an application for assessment, in order to increase the diversity of the register of approved adoption applicants thereby increasing the ability to meet the expressed wishes.

### 3. Prioritised applications

Sometimes a person will apply to adopt who:

- has already been approved to be a Permanent Carer of a child/ren;
- has experience as a foster carer; or
- has been approved to adopt in another Australian State or Territory.

While such applications still require assessment for approval, the process can be significantly truncated and such applications may be prioritised, subject to consent for Adoption Victoria to access all previous assessments and documentation.

## Education

The invitation to submit a full application includes invitation to attend the education program. Attendance at the Adoption Victoria Education program is a mandatory requirement. It is compulsory for both applicants to attend when applying as a couple. Generally, the program requires attendance for 3 full days and some additional training



modules depending on the program/s you are applying for. Please note an abbreviated program may apply for second and subsequent applications.

Adoption Victoria schedules multiple education programs each calendar year. This waiting period to attend an education program can be very useful for applicants, please read the section below titled 'While Waiting'.

The purpose of the program is to provide an opportunity for families to: consider their motivation and suitability; to provide information on the additional needs of the children; to introduce the concept of a therapeutic approach to parenting the traumatised child; to consider the lifelong issues related to adoption; to explore the issues of culture and/or their impact on the identity of an adopted child; to explore the significance of contact with and or search for birth family. Across all areas, we aim to consider all three members of the adoption triad, the adopted child, the adoptive family and the birth family. It is hoped that the education program will assist each potential applicant to make an informed decision about whether they have the suitability to become an adoptive parent who can meet the needs of a child with additional medical, family background and/or trauma related special needs.

Education is not a part of the formal assessment; however, a more informal assessment of suitability does begin as a result of attendance and participation at each education session. Any issues of concern will be shared with participants and with the Manager of Adoption Victoria. The education format includes guest speakers, videos, small group discussion and role-plays.

For second and subsequent applicants, participation in a one-day education/training program is mandatory. For relative adoption applicants, participation in a one-day education/training program is voluntary but highly encouraged. Many families still choose to participate in the full program.

On completion of the education program, information and guidelines are provided in relation to the documents and tasks prospective adoptive parents need to prepare, including submitting a formal application to adopt, life stories, genogram and parenting plan before proceeding to assessment.

### **While waiting**

Waiting times are often inevitable in the current context of adoption. However, whilst waiting to attend an education program, families are encouraged to learn as much as possible about adoption, the needs of the children, and approaches to parenting children from complex backgrounds. There are many books, articles, video documentaries and movies, studies and websites which deal with the vast subject of adoption. There are also numerous adoptive parent and adoptee support organisations that run workshops, seminars and are welcoming of families considering adoption.

In some specific cases, families may even consider gaining direct experience of caring for children with additional needs by volunteering to provide foster or respite care. This is also an ideal time to learn more about the Victorian Foster Care and Permanent Care programs.

We all know that learning is a lifelong experience and a commitment to self-education is invaluable.

### **Application**

After the Education program, a full Application Kit will be offered to applicants to complete.

The Application Kit includes but is not limited to:

- mandatory and scheduled forms including: personal details, financial statement etc.
- undertakings including: change of circumstances, spacing of children and fertility treatment
- names of referees who can attest to suitability who will be contacted by Adoption Victoria
- National Police Check and Working with Children Check
- guardianship nomination forms



- departmental consent forms
- medical reports for prospective adoptive parents
- life stories
- parenting plan
- genogram
- A requirement to have completed a paediatric CPR course.

Once all application documents including life stories, genogram, parenting plan and first aid certificate are received, they will be reviewed by the Adoption Victoria team and any issues will be clarified directly with the applicants. This will occur before an advanced case manager is allocated to undertake a comprehensive assessment known as the “home study”. Please note: excluding medical reports which are forwarded directly to Adoption Victoria, all remaining application documents must be received together as a whole.

A pre-assessment letter and in some cases a pre-assessment interview will then be arranged by Adoption Victoria where you will be informed of your advanced case manager who will oversee the assessment of your application. This is also an opportunity for final clarifications and questions as well as getting to know your advanced case manager.

All applicants to Adoption Victoria must complete a course in paediatric first aid including cardio- pulmonary resuscitation (CPR). Applicants must have a current certificate to demonstrate competency in this area before completion of the assessment.

### **Medical information**

The Victorian Adoption Act requires that applicants be in good physical and mental health sufficient to parent a child until they reach independence. AV relies on both you and your General Practitioner (GP) to provide the necessary information to assist us in determining whether you meet the medical eligibility requirement. Your application kit will contain an extensive medical questionnaire for you and your GP to complete. New blood and urine tests will be required at this time.

It is not unusual for Adoption Victoria to seek your written consent to consult with your GP and/or specialist(s). If the medical report suggests illness, which may impact on parenting capacity, Adoption Victoria may seek to consult with an independent Medical officer, contracted by the Victorian Government to assist us in assessing medical suitability. The medical officer may speak directly with your doctor or treating specialists.

For intercountry adoption applications, it is important to note, that many of the overseas country programs have their own requirements relating to the physical and mental health of applicants some of which are extremely specific and detailed. You should read the country program requirements which are listed on The Commonwealth Government website - Intercountry Adoption Australia <http://www.intercountryadoption.gov.au/> to ensure that you meet all eligibility criteria, including those related to health. If you have any further questions relating to your specific circumstances, we urge you to call or email the Adoption Victoria duty service to discuss these.

### **Assessment**

Assessment is an on-going process which begins with the first enquiry and continues through the education component, submission of a formal application, home study assessment, home study assessment updates, placement proposal, post placement and finalisation.

At the point a potential applicant expresses an interest and shares some information about themselves, Adoption Victoria begins an assessment. Potential applicants are provided with information about requirements of the Adoption Act, good adoption practices and in cases of intercountry adoption, information about the overseas country programs. When these are provided in a manner specific to that individual, this is the beginning of an



assessment. Adoption Victoria is responsible to ensure that applicants have clear and transparent information so that their expectations of the program are realistic and options can be openly explored. Our assessment must ensure that applicants can both understand and meet the needs of vulnerable children requiring adoption.

### **Requirements at time of assessment**

There are a number of specific requirements that must be met/completed prior to the commencement of an assessment. Some of the major ones are outlined below. Please note that for intercountry adoption, in addition to the Victorian requirements, each of the overseas sending countries stipulate specific requirements that must also be met.

Adoption Victoria is required to complete a general assessment of the applicant's capacity and the environment and care they would provide for a child. This is referred to as the home study assessment report. For intercountry adoption applicants, the home study assessment is provided to the overseas country program. There is more information about the home study report later in this information kit.

### **Citizenship**

For Victorian domestic adoption, at least one applicant in a couple must be a permanent Resident of Australia. For Victorian domestic adoption of a non citizen child, at least one applicant in a couple must be an Australian citizen at the time of application. For intercountry adoption at least one applicant in a couple must be an Australian citizen at the time of application. For Intercountry adoption only, please note that some overseas country programs require that both applicants must be Australian citizens.

### **Character**

Applicants must be of stable character and a number of individual and couple references will be sought as part of the application process. Adoption Victoria require two family references, one from a member of each applicant's family and two personal references (not relatives). Adoption Victoria will write to the identified referees to request a confidential reference to support your application.

Applicants must also undertake criminal (police checks), family violence and Working with Children Check.

### **Health**

Applicants must demonstrate evidence of good physical, psychological and mental health prior to an application for assessment being accepted. This must be sufficient to fulfil their parenting responsibilities to the child until they reach legal independence; in Australia this is 18 years of age. However, for children with complex special needs, the age of independence may well exceed the legal interpretation.

The National Principles in Adoption (1997) state that:

- Applicants for adoption must meet basic health requirements which will not impede their capacity to care for a child. The life expectancy of the parents and their health should be such that they can parent the child and provide quality care until the child attains independence.
- The assessment of health should occur prior to any general assessment of suitability as adoptive parents.

### **Age**

On 3 March 1998 requirements relating to the age of adoption applicants were removed from the Adoption Act.

For Victorian domestic adoption of a young infant or toddler, it is important to be aware that birth parents are encouraged to be involved in the selection of families. It has been commonly observed that birth parent/s demonstrate a preference for younger aged couples.

For intercountry adoption, applicants must still comply with the legislation and requirements of the overseas countries with which Adoption Victoria works. Most countries apply eligibility criteria in relation to age. Please note several countries will not accept an age gap of more than 40 years between parents and child.



Overseas country eligibility criteria can be found on the Intercountry Adoption Australia Commonwealth Government website. < <http://www.intercountryadoption.gov.au/>> .

## **Other children**

### **Ability to have children**

When deciding whether to pursue adoption, the longer term well-being of the adopted child must always be the primary consideration. For this reason, there are some important considerations regarding the timing of an application for adoption and the exploration of fertility.

For intercountry adoption, some overseas countries prioritise applicants who are infertile, but many programs will also accept applications from families with existing children.

Adoption Victoria encourages all couples who wish to explore their fertility to do so prior to considering the adoption of a child. It may not be the best time to consider the needs of adoptive parenting whilst you are actively exploring your fertility. Our duty workers would be happy to discuss this with you.

### **Where there are children already in a family**

If there are birth children already in the family, there are a number of important considerations when establishing eligibility to make application to the Adoption Victoria program. The prescribed requirements of the Adoption Regulations 2019 recognise that consideration of the impact of adoption on existing children within a family is of significance within an adoption suitability assessment.

Consideration of the ages and developmental stages of existing children and their wishes where appropriate will all be taken into consideration. Please note that Adoption Victoria will not generally place an adoptive child into a family when that adoptive child is older than an existing child, unless exceptional circumstances apply.

The practice of ensuring the time and age gaps between existing and potential adoptive children is based on the best interests of both sets of children and affords adoptive parents the best opportunity to meet the differing and complex needs of each child. Similar attention is paid to the potential entry of a birth child into a family after an adoptive child has been placed. Applicants are required to make a commitment to taking measures to avoid pregnancy from time of application and for 15 months after the placement of a child.

For intercountry adoption, some countries require evidence of infertility and give priority to childless couples. The majority of countries do set limits on the number of children already in a family. It is important to check the eligibility requirements of individual countries as some will not consider applicants with two existing children and some will not accept applicants with more than four children including birth, step, adopted or other children permanently placed in the family.

It is extremely important to note, that increasingly the Overseas Countries are advising that the majority of children requiring a family are over the age of four years and with a range of special needs. This has direct implications for the eligibility and placement potential of some families with very young existing children.

### **Full time care of the child**

Many children placed for adoption have additional attachment needs, particularly in the first twelve months of placement. While there is no fixed standard about how many weeks of full time care each child requires, 32 weeks is recommended as a standard that may be used for discussion. Generally prospective adoptive parent(s) should be able to provide full-time care for at least 32 weeks after a child is placed with them for adoption. While not all children will need this, all approved people must be able to do this if required. For adopting couples, dual care arrangements will be considered.

Prospective adoptive parent(s) should however be aware that sometimes children with additional needs or children who experience a difficult adjustment may require more than 32 weeks and have difficulties with shared primary care. In all decisions the welfare of the child is paramount.



## Willingness to work with Adoption Victoria

The Adoption Act imposes a duty on Adoption Victoria to ensure that any adoptions provide for the welfare and best interest of the child concerned. To meet this duty, the Adoption Victoria program needs to be able to maintain a co-operative and trusting relationship with the prospective adopting parents. Without this relationship, the agency cannot exercise guardianship effectively.

## Marital status

### Marriage

Under the Adoption Act applicants seeking to adopt Australian children must be either married or in a genuine domestic relationship for a period of two years or more. This is applied at the time of application. For intercountry adoptions, requirements regarding length of marriage vary from country to country and only a small number of approved country programs will consider de facto relationships.

Couples in same-sex relationships may apply to adopt under Victorian law, however not all overseas country programs accept applications from couples in same-sex relationships

The Adoption Act states that couples, either by marriage or domestic partnership, wishing to adopt must have been in the relationship for not less than 2 years. Applicants will need evidence to support continuity of the relationship of at least two years.

Evidence that can be provided to establish the length of a relationship includes:

- Marriage certificate (noting additional evidence is required if certificate is less than two year's old);
- Registration of relationship (noting additional evidence is required if registration is less than two year's old);
- Joint purchase of a home;
- Shared lease agreement;
- Joint bank accounts;
- Joint investments and/or property;
- Applications for joint loans, or other forms of debt; and,
- Arrangements where the other partner is a beneficiary e.g. health insurance; superannuation, life insurance, and so forth.

If couples are not married, three forms of the above evidence of an ongoing and committed relationship are required.

### Single applicants

Single people may adopt a child in Victoria. To make an adoption order in favour of a single person, the court must be satisfied that special circumstances exist in relation to the child for an adoption order to be made in favour of a single person. These special circumstances can include additional needs of the child, such as a disability, or if the child's circumstances mean it may be more appropriate for them to be raised by one parent. Please note, there are limited overseas country options for single applicants.

Our duty workers would be happy to discuss your individual circumstances.

## Home Study Assessment

A Home Study Assessment Report is prepared over a period of four to six months.

Applicants are invited to make comments on the draft report prior to finalisation and presentation of the report to the Manager for a decision about suitability to adopt in accord with the Adoption Act.



The assessment process is designed to determine the suitability (or otherwise) of adoptive applicants as required under the Adoption Act. The assessment is of major importance. Also known as the Home Study Report the assessment is the major document used to assist in the process of matching your strengths and vulnerabilities to the needs of a child. For Intercountry adoption, the report is sent overseas and used by the adoption authority to match an applicant's file to a child.

The assessment is carried out through a series of interviews and discussions. The interviews will take place within the home and at the Adoption Victoria offices and on at least one of these occasions, applicants will be interviewed individually. It may be necessary to take time off work to participate in the assessment.

During the assessment process, which includes joint and separate interviews for adoptive applicants, the advanced case manager will require detailed personal and family information.

Commonly, people are reticent to talk about intimate areas of their personal lives and this is quite understandable. The Advanced Case Managers are skilled in supporting applicants to overcome any initial anxiety experienced. Interviews also provide an opportunity to discuss matters such as but not limited to:

- talking to your child about their adoption
- issues relating to race and cultural identity
- attitudes of other family members toward adoption
- exploring your feelings and expectations concerning the child you hope to adopt
- the lifelong impact that adoption has upon a person's sense of self. Some of the areas which you should expect to be asked about relate to:
  - childhood experiences
  - marital and family relationships
  - feelings about infertility (where relevant)
  - attitude to, and aptitude for parenting
  - experience with children
  - experience/understanding of vulnerable children/attachment trauma/therapeutic parenting
  - capacity to support a child with special needs
  - attitude in relation to a child's biological parent/s and the child's feelings about adoption
  - your capacity to support a child's inquiry /search/ contact and information exchange with birth family
  - cultural sensitivity and awareness.

The wellbeing of children in the family is assessed and careful consideration is given to the impact an additional child will have on any existing children in the family.

In some situations, significant issues may arise during the assessment period. Where this occurs, it may be necessary to extend the assessment period as additional information is sourced, additional interviews are held and or some additional requests may be made of applicants. In a limited number of situations, a period of deferral may be sought whilst issues are addressed and or clarified.

### **Acceptance or refusal of application to adopt**

At any point in the application process, a decision may be made by Adoption Victoria to accept, refuse or defer an application.



Under section 13 (5) of the Adoption Act, Adoption Victoria may refuse or defer an application by providing the reasons for doing so in writing and extending an opportunity to the applicants to provide their reasons as to why this should be reconsidered. Applicants may choose to do this in person or in writing.

When approval to adopt is granted, applicants are informed verbally by the advanced case manager and in writing. A copy of the final Home Study Report is provided to the family along with a letter of approval.

Assessment updates are usually conducted every two years if there has been no matching with a child or placement in the meantime. This involves obtaining updated information to ensure that applicants continue to meet the relevant eligibility and suitability requirements for Victoria and the overseas country (applicable only to intercountry adoption).

### **Review of Adoption Victoria decisions**

The prospective adoptive applicant may decide to request an internal review if they are dissatisfied with a decision including:

- deferring the making of a decision to refuse or approve them as fit and proper to adopt a child;
- refusing to approve them as fit and proper to adopt a child; or
- revoking the approval of them as suitable to adopt.

Applicants are encouraged to request an internal review of a decision before applying for an external review. A request for internal review should be made in writing to the decision maker within 28 days of the decision being made and this should specify an address in Australia to which notice of the outcome of the review may be sent.

External reviews are available on application to the Victorian Civil and Administrative Tribunal (VCAT) when affecting a decision to:

- refuse to approve a person as a fit and proper person to adopt a child;
- defer the making of a decision to refuse or approve a person as a fit and proper person to adopt a child; or
- revoke the approval of a person to adopt a child.

The application form is available on VCAT's website <[www.vcat.vic.gov.au/resources/application-for-review-of-a-decision-review-and-regulation](http://www.vcat.vic.gov.au/resources/application-for-review-of-a-decision-review-and-regulation)>. Generally, an application for review must be made to VCAT within 28 days after the day on which the decision has been made by the relevant decision maker.

### **Post Approval Process: Victorian Domestic Adoption**

Permission is sought from approved applicants to place their details on a state-wide register of approved prospective adoptive families. This register is referred to as the Central Resource Exchange (CRE). The assessment report, along with a photograph and a non-identifying profile is placed on the CRE so that the family can be considered for any Victorian child who requires adoptive placement.

The non-identifying profile is a brief two-page document that includes information about applicants age, education level, occupations, lifestyle (including interests and hobbies), family background, religion, ethnicity, health and understanding of adoption issues including openness to contact with birth family and keeping the child's first name. The profile is prepared by the applicant's advanced case manager and sent to them for approval before it is made available on the Central Resource Exchange.

### **Matching with a child who requires adoption**

Children are placed with approved adoptive applicants, based on the ability of those applicants to meet a child's unique needs. This is referred to as "matching". This means there is no guarantee that applicants approved for adoption will be selected for a child. Adoption Victoria appreciates that this is one of the most difficult aspects of the program. It is precisely because adoption practice must be led





by the needs of the child that some applicants may be matched quickly after approval, others may wait for some time and for some applicants a placement will never be made.

Where birth parents choose to be involved in the selection of a family for their child, they will generally express a preference after viewing a number of non-identifying profiles presented to them. Birth parents are asked for the reasons they chose a particular family, and these reasons are placed on the child's file and shared with the matched family.

The final decision however, is made by the Manager, Service Integrity. Service Integrity is a distinct team within the Adoption Services program as the aim is to preserve the overall integrity of the matching decision by separating this decision from the programs/workers that may have either counselled the relinquishing birth family and or assessed the adoptive applicant.

Matched applicants will be notified by phone and asked to come into the office for a placement proposal meeting.

At this meeting written information will be shared with the family about the child's health, development, background, and the circumstances of being relinquished for adoption. After the information is discussed, families will be shown photographs of the child. Adoption Victoria shares all that we know about children with families, so that they are able to make an informed choice.

A family is required to take a minimum of 24 hours to consider the placement proposal. Families need to feel comfortable with the match and there are times when families decline the placement of the child.

### **Meeting with Birth Family**

If a placement proposal is accepted, the family will have an opportunity to meet with the birth family prior to the placement. This meeting can be quite emotional. Birth parents generally feel very reassured when they have the opportunity to meet the adoptive family. Around this time an Adoption plan can be drawn up and agreed to by all parties.

### **Adoption plan**

An adoption plan helps to formalise the decisions made and includes the logistics involved in undertaking the agreed components in the plan after the placement of the child.

What is included in an adoption plan?

An adoption plan is unique to the needs of each adopted child, and will generally include; arrangements for contact between a child and their natural family including the exchange of information in relation to the child's medical background, development and important life events; the ways in which the child will be assisted to develop a healthy and positive cultural identity, and how they will maintain a connection with that heritage; any other matters of significance relating to the particular child and family.

### **Introduction of the Child to the Adoptive family**

After a placement proposal is accepted, things generally move very quickly. For most children an introduction period is planned and commenced within a week or so. Adoption Victoria finds that most employers are very understanding and can be flexible at these times. The transition is negotiated between the adoptive family, Adoption Victoria, the child's worker and the foster care agency. The transition occurs over a number of days in the foster home, and the adoptive parents gradually take over the care of the child. On the final day of the transition, the adoptive family take the child home.

### **Post Placement Supervision and Support**

When children are placed with a family with a view to adoption, they are generally under the guardianship of Adoption Services. Adoption Victoria will supervise the placement and ensure that the adoptive family is offered support. The Adoption Victoria advanced case manager will visit the family at home for a number of organised visits. The number of visits is dependent on the age and needs of the child. A formal report which considers the



wellbeing of the child and the adjustment of the family will be prepared and kept on the adoption case file and a copy sent to the family. It is normal and expected that adoptive families, like any others, will progress through various stages of adjustment. Families are encouraged to speak with their worker about any concerns they may have. Adoption Victoria can provide information about and assist with referral to a range of resources to support the family.

The family are also required to provide quarterly reports about the child's progress and the family's adjustment to the placement.

In addition, the case manager will also assist with arranging and supervising contact between the birth family and the child. The first contact with birth family will not occur until three months into the placement. It is generally expected that over time, the adoptive family will be able to facilitate contact with birth family independently.

### **Finalising the Adoption Order**

After the approximate 12 month supervised placement period, approval is sought from the child's guardian to proceed to legalisation of the placement. When approval is granted, Adoption Victoria will send a letter to the adoptive family advising them of the process for legalisation of the placement.

### **Name of the child**

Most children to be adopted have been named by their birth parents. Often this name has special significance and meaning, and it is important that this name be kept. Very often, the birth parents will only consider their child being placed with a family who have committed to keeping the child's name. This is an important part of their story (their identity). Sometimes their name is the only thing that the child has that was given to them by their birth parent. Adoption Victoria asks applicants to agree to sign an undertaking that they will not change the child's first name. Adoptive parents may add other given names and of course, the child's last name will be given by the adoptive parents.

The new name is then included on the child's Registration of Birth (see section 56 of the Adoption Act).

### **Birth Certificates**

After the adoption order is made by the Court, a Victorian birth certificate can be requested through Births, Deaths and Marriages (BDM).

### **Obtaining citizenship**

When a child is born in Australia to birth parent(s) who are non-citizens or permanent residents, the child is considered by the Department of Home Affairs (DoHA) to be of the same status as their parents. If the child is not a permanent Australian resident, contact should be made with the Department of Home Affairs to arrange a permanent visa. Adoption Victoria will assist with this process and apply for a permanent visa on behalf of the child.

Each case is assessed individually, including a health assessment of the child, but it is likely the child will be placed on a subclass 802 visa under a Vulnerable Child Application.

Once a child who is not an Australian citizen is adopted under the Adoption Act, the child automatically acquires Australian citizenship at the time of the adoption, providing the child is already an Australian permanent resident. Although a child automatically becomes an Australian citizen, the adoptive parents should apply to the Department of Home Affairs to obtain evidence of Australian citizenship. There is a fee for this type of application.

### **Passports**

Once an adoption order is granted, the adoptive parents are the child's legal parents, and a new birth certificate is issued allowing a passport to be obtained via the usual channels.



Prior to the granting of an adoption order, adoptive parents should not consider overseas travel. There are complexities in obtaining passports for travel for children whose adoptive placements have not yet been legalised by a court. Adoption Victoria strongly recommends that families travel overseas only after the granting of an Adoption order. If there is an exceptional circumstance which requires adoptive families to travel overseas with their child prior to legalisation, families should notify and seek advice/support from their advanced case manager as soon as possible.

One of the main reasons for the additional complexity in attempting to process a passport application prior to the adoption order being made is that the written consent of all persons with a parental responsibility for the child is needed. This means that consent is required from the guardian and also the birth parent(s). Parental responsibility can only be removed by the court on the granting of an adoption order.



## Post Approval Process: International Adoption

### Application Dossier Lodgement

When a family has been approved for intercountry adoption, the next step is to prepare an application file for the overseas country program. Application documentation requirements, costs and processes vary from country to country. Your case manager will inform you of the specific requirements for the country program you have nominated and been approved for.

Sending applications to overseas agencies

- AV coordinates approved applications for sending overseas. (Dossiers)
- Applicants are advised about the specific country documentation required.
- Documents for the overseas country may require updating.
- Documents may require notarization by a Notary Public, to be authenticated or to have received an Apostille provided by the Department of Foreign Affairs and Trade.
- Documents may also need to be submitted to the consular representative or embassy of the country concerned for Certification of Authenticity. Documents may also need to be translated.
- The costs associated with overseas country document and file preparation are in addition to Victorian Government statutory fees and are payable by the applicant.

The overseas country program reserves the right to accept or refuse any application for intercountry adoption. Some programs have a formal decision making process relating to the acceptance of dossiers and some programs will only attempt to match a child with an application for a specified period of time before returning the application dossier. It is important that you understand the process for the country you have chosen.

### Matching with a child, placement and post placement support

#### Matching with a child by an overseas agency

Overseas agencies have the responsibility of matching the needs of the children to the most suitable applicant families. Although your file may have been accepted by an overseas agency, the agency is not bound to ensure a child is matched with your family.

Usually the agency acknowledges receipt of application and, after a waiting period (which depends on the needs of the children in that country), a placement proposal may be made and forwarded to Adoption Victoria for consideration of presentation to the applicant family.

The placement proposal information will be presented to the family via the AV case manager. The family will be invited in to the AV office to discuss all available written details of the health and background of the child as provided by the overseas country.

A family is required to take a minimum of 24 hours to consider the proposal. It is advisable that where there is hesitation, or when the child's health report contains information that a medical specialist should review, that longer than 24 hours should be taken to consider the matching with a child.

After 24 hours, the family meet with AV staff for a second time to discuss their decision. Not all placement proposals are accepted, and families decline some placement proposals. Families must be very clear about their reasons for declining and this will be communicated to the overseas country program.

Should the decision be made to accept the child, AV will notify the overseas agency.

On acceptance of a child placement proposal, further documentation and additional fees may be required. Additional home visits to the family will occur after acceptance. These visits are designed to assist the family to prepare for the placement of the child.



### **Country information/travel preparation**

The Intercountry Adoptive Parent Support Groups offer applicant families information, guidance and support in relation to adopting a child from a particular country. They are able to provide families with information relating to the cultural and socio-economic realities as they impact on the adoption processes of a specific country. They also strive to ensure that applicants are aware of what to expect when going through adoption formalities in their chosen country, and to receive the benefit of the lived experience of travelling for adoption within that specific country.

Engaging with the relevant intercountry adoptive Parent Support Group is recommended after acceptance of a child placement proposal and before travel to country to begin adoption formalities.

### **Private contact with overseas adoption agency**

Families are reminded that it is not permissible to make approaches to the overseas agency during this time, even though we do appreciate that the wait can be very frustrating. Individual approaches embarrass the agencies and contravene the terms of the Hague Convention between countries.

Please use the staff from AV as a means of communication with each country.

### **Travel to overseas country during application period**

Applicant families are asked to advise AV should they be required to travel to the country where their application file is lodged. Families must agree to make no contact with adoption authorities or orphanages should they travel to the overseas country for business, tourism or other purposes at any time during their application to Adoption Victoria (AV).

### **Travel to collect child**

Once the overseas agency notifies Adoption Victoria that the formal procedures have been completed (including obtaining a visa for the child, advice is provided in relation to travel arrangements for yourselves and the child. Adoptive parents are required to travel to the overseas country to meet their child and to complete all necessary adoption formalities.

It is imperative that parents do not arrange travel before AV confirms that the relevant authority in the overseas country has formally pronounced that the child is ready to travel. Delays are common and parents have been financially disadvantaged by delays in the child's country of origin.

Adoption Victoria advises and provides assistance to adoptive parents preparing to travel. Once in country, the staff of the adoption authority guide and support families through the adoption formalities.

### **When the child arrives**

This is known as the post placement period and Adoption Victoria has a responsibility to monitor the wellbeing of the child while also offering the family support and referral assistance.

Adoptive parents are visited a minimum of four times over the first twelve months of the child's placement. Requirements for supervision of adopted children and support of adoptive parents do vary depending on the legal status of the child and the overseas country requirements. The primary purpose of visits is to supervise the wellbeing of the child. AV also offers support to the parents and the child during the settling in period and where and if required, provides advice in relation to community services and or other specialist services. The support role is very important and recognises both the initial and ongoing impact that a child with additional special needs may bring.

### **Requirement for parent to remain home after placement**

Children placed for adoption have additional needs, including attachment needs, particularly in the first twelve months of placement. Prospective adoptive parent(s) should be able to provide full time care of a child for the appropriate period of time necessary to provide emotional security and stability for the child. This could range from 32 weeks or longer after the child is placed with them for adoption. While not all children will require the



lengthier period of adjustment, all approved adoptive applicants must be willing and able to meet a child's needs in this manner if required.

Note that most employed applicants are entitled to Parental Leave/Adoption Leave.

### **Post Placement Supervision (PPS)**

AV has a responsibility to ensure that every intercountry adopted child's physical and emotional development is promoted within the adoptive family. This includes assessing the well-being and adjustment of the child and determining the level of support required. In addition, all overseas countries require AV to send post placement reports for all children adopted from their program/agency.

Post placement supervision and the sending of reports to the overseas countries is a requirement of all country programs as well as a requirement of the Victorian program. A minimum of 4 post placement visits and reports (dependant on age of child at placement) across the first 12 months is mandatory. In some cases, a family may require additional support visits and this can be easily requested of AV.

Adoptive parents are required to complete a brief report on the progress of the child every three months for the first 12 months of the child's placement. These reports must be sent into AV. A copy could be sent overseas, depending on the country's requirement. These reports are significant, because they represent your personal view of the adoption. They also make wonderful additions to a child's life book as they are a complete record of their physical, developmental and emotional milestones.

There are some significant differences in the post placement reporting requirements across the country programs. Some countries require post placement reports for the first 5 years of placement (e.g. China). Most countries also require AV to send them evidence that a child has been made an Australian citizen, so a copy of the child's citizenship certificate is required. Thailand has a special requirement that all adoptions of Thai children are registered through their local Thai embassy, so families may need to travel to Canberra for one day to complete this process. The first post placement visit to your home occurs 2 weeks after you have returned from overseas.

### **Legalisations of Adoptions**

Adoptions from some countries are automatically recognised on entry to Australia. This includes all Hague countries where a full adoption order was made in the overseas country. These adoptions are finalised after the 12 month period of supervision by ensuring any documentation requirements of the overseas country program are completed.

Adoptions from other country programs are legalised in Victoria after a period of supervision of the placement with a recommendation by AV for an adoption order to be made at the County Court in Victoria. In these cases, the children's guardianship is delegated to the Department of Justice and Community Safety until an adoption order is made in the County Court. This means that the Department of Justice and Community Safety would have the responsibility for guardianship decisions until the date an adoption order is made. Children under guardianship must not leave Australia during the period of supervision without the guardian's consent. Guardianship ceases on the granting of a Victorian adoption order. Examples of other areas where guardianship would be exercised include: medical treatment; education commencement; travel outside of the State of Victoria.

A final report endorsing application to the Victorian County Court for an Adoption Order is required before legalisation can proceed.

Adoptive families are required to make an application to the County Court of Victoria. AV assists parents with the legalisation process. A statutory fee is payable to the court for legalisation.



## Supports

### The importance of self-care and support

The journey to adopt a child from overseas can be long and difficult. It is extremely important to get as much information as you possibly can about the nature of the application process and how to manage the long waiting periods.

There are a number of support organisations that are staffed by intercountry adoptive parents who can offer insight through the lived experience. Many organisations also offer a number of social opportunities as well as access to workshops, seminars and recommended reading that can be undertaken during the waiting periods to better prepare for the complex and varied issues that an intercountry adoptive family may face.

### Permanent Care and Adoptive Families (PCA Families)

PCA Families is an early intervention service that provides support to families formed through kinship care, permanent care and adoption. PCA Families believes in strong families that build successful life outcomes for children. Established in 2003, PCA Families has delivered high-impact early-intervention supports and services to families for over 10 years.

PCA Families offers a range of support services including peer support groups, an information helpline and referral to support services; advocacy and advice help carers support children and young people in their care.

Carer Helpline

Address: Suite 6, Level 1, 69-71 Rosstown Road, Carnegie, VIC 3163 Phone: (03) 9020 1833

Parent Helpline: (03) 9416 4292

Email: [info@pcfamilies.org.au](mailto:info@pcfamilies.org.au)

Website <http://www.pcfamilies.org.au/>

### Victorian Adoption Network for Information and Self Help (VANISH)

VANISH office is open between 9am and 5pm, Monday to Friday excluding public holidays. Outside these hours, messages can be left on the answering service and a staff member will return your call at the earliest opportunity.

Address: 1st Floor, 50 Howard Street North Melbourne, VIC 3051

Phone: (03) 9328 8611 - Toll Free: 1300 VANISH (1300 826 474)

Email: [info@vanish.org.au](mailto:info@vanish.org.au)

Website: <https://vanish.org.au>

### Relationships Australia Intercountry Adoptee and Family Support Service (ICAFSS)

Phone: 1800 422 377

Email: [icafss@rasa.org.au](mailto:icafss@rasa.org.au)

Website: [Help and support for intercountry adoptees and their families - Relationships Australia South Australia \(rasa.org.au\)](http://Help.and.support.for.intercountry.adoptees.and.their.families.-.Relationships.Australia.South.Australia.(rasa.org.au))



### **Disability Support Initiative for Adoption and Permanent Care**

The Disability Support Initiative for Adoption and Permanent Care (DSIAPC) funding is targeted to establish and support the adoption of children with a disability. Each Adoption service has a pool of Discretionary Grant funds to assist carers in meeting the exceptional costs of caring for a child with an intellectual, physical, sensory disability, acquired brain injury or developmental delay placed by the program.

### **Parent support groups**

Parent Support Groups have a long history in the original development of Intercountry Adoption in Australia. They continue to provide support and country specific information to families and can offer lifelong support, referral, mentoring, workshops, social and cultural connection opportunities to adoptive parents and their families.

#### Families with Children from China – Australia (FCC-Australia)

*Adoptive families and children from China, Hong Kong and Taiwan*

PO Box 13143

Law Courts VIC 8010

Email: [info@fccaustralia.com.au](mailto:info@fccaustralia.com.au)

#### Korean Adoptive Families of Victoria – Han Ho Inc (Vic)

Han Ho President: Stephen Staughton

Email: [kafhanho@gmail.com](mailto:kafhanho@gmail.com)

#### Thai Parent Support Group

Jenny and John Van Haandel

Phone 9817 4306 / 0418 329 299

Email [jvanhaandel@bigpond.com](mailto:jvanhaandel@bigpond.com)





## Supporting adoptees

Adoption is a life long journey and the learnings and experiences of adult adoptees, their adoptive parents and families and the effects of adoption on birth parents and family continue to inform contemporary adoption practice.

Adopted children and young people require support and information from the very beginning of placement. Needs are varied and highly individual, but practice wisdom and research studies indicate significant effects resulting from abandonment and relinquishment, institutionalisation, attachment trauma and separation from country and culture. With informed support from their adoptive parents and families, intercountry adopted children and young people must develop their own unique sense of self, integrating their adoptive status and their racial identity, often with little or in some cases no significant background information.

Return travel to countries of origin and orphanages, though recommended can be confronting and sometimes frustrating, particularly when detailed information about a child's background may be guarded by overseas country law until age 18, or by continued fear of stigma or reprisals for birth parent(s)/family. Searches and potential reunions with birth parent(s) and or family can raise profoundly complex emotions and expectations. There are a number of organisations and pathways for support and information that may assist children and young people at these significant times in their journey.

Whilst it is acknowledged that Parent Support Groups offer support to adopted children as well as their families, the organisations below may offer an additional and specific support function to the adoptee.

### Intercountry Adoptee Voices (ICAV)

This website allows the adoptee experience in all its forms to be accessible to those who wish to learn and gain an understanding of the issues and complexities adoptees face.

Website <https://intercountryadopteevoices.com/>

Facebook page <https://www.facebook.com/groups/4213333023/>

### Korean Adoptees in Australia Network (KAIAN Inc)

Korean Adoptees in Australia Network (KAIAN, Inc) is a resource for adult Korean adoptees in Australia, providing information, raising awareness, and building a supportive community.

Email [info@kaian.org.au](mailto:info@kaian.org.au)

Website: [KAIAN - Korean Adoptees in Australia Network](http://KAIAN - Korean Adoptees in Australia Network)

Facebook page <https://www.facebook.com/KAIANAus>

Korean adoptees in Australia are invited to join the private discussion group on Facebook

<https://www.facebook.com/groups/167804436626538/>

### Adoptee LGBTIQ+ Support Group

A Facebook group for Adoptees who belong to the LGBTIQ+ community. This group is run by adoptees and provides a place to talk about all things LGBTIQ+ and Adoption related.

Facebook page: < <https://www.facebook.com/groups/LGBTIQADOPTTEES/> >



### **The Adoption Victoria team**

A duty service provided by Adoption Victoria case managers operates Monday to Friday between 9:00am and 5:00pm.

Should you have any questions or require any assistance, please email Adoption Victoria [adoptionvic@justice.vic.gov.au](mailto:adoptionvic@justice.vic.gov.au) or visit the Adoption Victoria website: [www.vic.gov.au/adoption](http://www.vic.gov.au/adoption)

### Providing feedback or making a complaint about Adoption Victoria

If you have a compliment or feedback about the services provided by Adoption Victoria or would like to make a suggestion about how we could improve our services, we would like to hear from you.

You can provide feedback directly to Adoption Victoria or, if you have submitted an application, to your Case Manager. Alternatively, you can ask to speak to an Adoption Victoria Team Leader.

You can also lodge a complaint through the Making a complaint page of the Department of Justice and Community Safety website < <https://www.justice.vic.gov.au/feedback-complaints-and-compliments> >

Adoption Victoria also provides applicants with feedback forms throughout the process. The feedback provided is greatly valued and we use this to improve our service.



## Adoption Victoria Assessment Standards

The Adoption Victoria Manager is responsible for the approval of applications. In order to ensure that assessments are undertaken in a manner that is consistent and appropriate, the Manager of Adoption Victoria will from time to time provide written advice to staff and contracted workers outlining a standard related to an aspect of the assessment. These are called 'assessment standards'.

An assessment standard may be written when an issue has been found to impact on the assessment of multiple applications and requires clarification. An assessment standard is recommended where specialist advice, such as medical or legal advice, has been sought in relation to an aspect of the assessment.

The assessment standard should clearly discriminate between (1) requirements of applicants that must be met in order to be approved, (2) undertakings that are required from applicants in order to be approved but where action is to occur after the application is sent overseas or even after the child is placed and (3) recommendations that are in the best interests of the child and will assist the application but are not specifically required to be approved.

The assessment standard must also clearly state the link between any requirement of the program and the basis for the requirement, be it the Adoption Act or another reason.

Assessment standards will be:

- made available on request to anyone who asks for it
- provided to all applicants where the standard impacts upon their assessment
- provided to all Adoption Victoria employees and contractors to Adoption Victoria.

Upon request the Manager of Adoption Victoria may exempt any application from a standard. The Manager must however be satisfied that such a decision continues to meet all legal requirements, requirements of the overseas sending country and the best interests of the child.

The Adoption Victoria Manager is responsible for the approval of applications. In order to ensure that assessments are undertaken in a manner that is consistent and appropriate, the Manager of AV will from time to time provide written advice to staff and contracted workers outlining a standard related to an aspect of the assessment.

When issuing an assessment standard the Manager of Adoption Victoria must also consider the following:

- the requirements of the Adoption Act and related regulations: Adoption Regulations (2019) and Adoption (Fees) Regulations (2012)
- ensuring that all children are not at risk of abuse or neglect and that their care is stable
- that each overseas sending country stipulates specific requirements that must be met
- that Adoption Victoria is required to provide the sending overseas country with a general assessment of the applicant's capacity and the environment and care they would provide for a child.
- Australia's obligations under the Hague Convention on Protection of Children and Co-operation in respect of Intercountry Adoption
- Australia's obligations under the United Nations Convention on the Rights of the Child
- practices within other state and territory Intercountry Adoption Programs



The table below lists the current Adoption Victoria assessment standards. You can access a copy of any or all of these standards at any time. Simply click on the link below at the bottom of this page.

<b>Number</b>	<b>Assessment standard name</b>
1	Child safety (water)
2	Child safety (travel in vehicles)
3	Child safety (animals and pets)
4	Child safety (first aid)
5	Child health (immunisation)
6	Applicant and child health (smoking)
7	Child well-being (behavioural management)
8	Child well-being (culture and religion)
9	Child well-being (retention of name)
10	Applicant health (cancer)
11	Applicant health (weight)

For a full list of the Adoption Victoria Assessment Standards, please visit this page:

<https://www.dropbox.com/s/5yqtbg9facf9jc4/Adoption%20Victoria%20Assessment%20Standards.pdf?dl=0>



## CONTACT LIST FOR PERMANENT CARE TEAMS AND AGENCIES

### Permanent Care (PC) Teams

#### PC - NORTH DIVISION

Northern Suburbs DFFH (03) 9479 0558

[APCNorth@dhhs.vic.gov.au](mailto:APCNorth@dhhs.vic.gov.au)

#### PC - EAST DIVISION

Eastern Suburbs DFFH (03) 9843 6413

[APCEast@dhhs.vic.gov.au](mailto:APCEast@dhhs.vic.gov.au)

#### PC- OVENS MURRAY GOULBURN

Shepparton, Seymour, Benalla, Wangaratta, Wodonga & Surrounding Areas DFFH (03) 5832 1500

[Adoption.and.permanent.care.ovens.murray.Goulburn@dhhs.vic.gov.au](mailto:Adoption.and.permanent.care.ovens.murray.Goulburn@dhhs.vic.gov.au)

#### PC - BARWON

Geelong, Warrnambool, Portland, Hamilton DFFH (03) 5226 4540

[APCBarwon@dhhs.vic.gov.au](mailto:APCBarwon@dhhs.vic.gov.au)

### Permanent Care agencies

#### SOUTH DIVISION - Uniting

(03) 9521 5666

[Connections.carerenquiries@vt.uniting.org](mailto:Connections.carerenquiries@vt.uniting.org)

#### GIPPSLAND - Anglicare

(03) 5133 9555

[Gippsland.Adoption&PermCare@anglicarevic.org.au](mailto:Gippsland.Adoption&PermCare@anglicarevic.org.au)

#### LODDON-MALLEE -Anglicare

(03) 5440 1100

[carerenquiries@anglicare.org.au](mailto:carerenquiries@anglicare.org.au)

#### GRAMPIANS – Child and Family Services

(03) 5337 3333

[adoppermcare@cafs.org.au](mailto:adoppermcare@cafs.org.au)

#### WEST DIVISION - Anglicare

(03) 9396 7400

[APCWest@anglicarevic.org.au](mailto:APCWest@anglicarevic.org.au)

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