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Intercountry Adoption

Department of Social Services

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By email: ICAPrograms@dss.gov.au

Consultation on the Intercountry Adoption Family Support Service

Relationships Australia (National Office) thanks the Department of Social Services for the opportunity to make a submission to the consultation on the Intercountry Adoption Family Support Service and, in particular, to respond to the Discussion Paper released during February 2020.

Relationships Australia is a leading provider of relationship support services for individuals, families and communities. We aim to support all people in Australia to achieve positive and respectful relationships.

We are a community-based, not-for-profit Australian organisation with no religious affiliations. Our services are for all members of the community, regardless of religious belief, age, gender, sexual orientation, lifestyle choice, cultural background or economic circumstances.

Relationships Australia provides a range of family services to families, including counselling, dispute resolution, children's services, services for victims and perpetrators of family violence, and relationship and professional education. The core of our work is relationships – through our programs we work with people to enhance and improve relationships in the family, whether or not the family is together, with friends and colleagues, and within communities. We believe that people have the capacity to change how they relate to others. Relationships Australia has provided family relationships services for 70 years.

We respect the rights of all people, in all their diversity, to live life fully within their families and communities with dignity and safety, and to enjoy healthy relationships. In the content of Intercountry Adoption Family Support, our work is underpinned by reference to the *Convention on the Rights of the Child* and *The Hague Convention on the Protection of Children and Co-operation in Respect to Intercountry Adoption*.¹ In particular, the Convention principles and UNICEF guidelines,² which include:

- “each State should take, as a matter of priority, appropriate measures to enable the child to remain in the care of his or her family of origin” (*Preamble*)
- “ensure that intercountry adoptions are made in the best interests of the child and with respect for his or her fundamental rights...” (*Preamble*)
- adoption shall take place only if the competent authorities of the State of origin have established that the child is adoptable and determined, after possibilities for placement of the child within the

¹ <https://www.hcch.net/en/instruments/conventions/full-text/?cid=69>

² Cantwell, Nigel (2014). *The Best Interests of the Child in Intercountry Adoption*, *Innocenti Insight*, Florence: UNICEF Office of Research. URL: https://www.unicef-irc.org/publications/pdf/unicef%20best%20interest%20document_web_re-supply.pdf

State of origin have been given due consideration, that an intercountry adoption is in the child's best interests (*Article 4*)

- States take all appropriate measures to promote the development of adoption counselling and post adoption services (*Article 9*)
- staff be qualified by their ethical standards and by training or experience to work in the field of intercountry adoption (*Articles 11 and 22*)
- intercountry adoption is an exceptional measure which forms one possible component of wider child care and protection provision and used only when no suitable alternatives exist or can be created in that child's country of origin (Cantwell 2014).

Our commitment to providing intercountry adoption support services also encompasses:

- Working in rural and remote areas, recognising that there are fewer resources available to people in these areas, and that they live with pressures, complexities and uncertainties not experienced both those living in cities and regional centres.
- Collaboration. We work collectively with local and peak body organisations to deliver a spectrum of prevention, early and tertiary intervention programs with elders, men, women, young people and children. We recognise that often a complex suite of supports (for example, drug and alcohol services, family support programs, mental health services, gambling services, and public housing) is needed by people affected by family violence and other complexities in relationships.
- Enriching family relationships, including providing support to parents, and encouraging good and respectful communication.
- Ensuring that social and financial disadvantage is not a barrier to accessing services.
- Contributing its practice evidence and skills to research projects, to the development of public policy and to the provision of effective supports to families.

This submission draws upon:

- our experience delivering programs in adoption, post-adoption and forced adoption support services and a range of communities, including culturally and linguistically diverse, Aboriginal and Torres Strait Islander people, people who identify as part of the LGBTIQ community
- evidence-based programs and research, and
- our leadership and policy development experience.

Addressing the needs of those who use the ICAFSS

When addressing the needs of the intercountry adoption community, Relationships Australia advocates for the rights of the child to be placed at the centre of all adoption-related work. We acknowledge the profound impact adoption has on all involved, and consequently, any service redesign should provide for appropriate and adequate support, including:

- Support that is trauma-informed, relationship-based, educational and responsive to the needs of those affected by intercountry adoption.
- Recognise that children who are adopted face a tremendous amount of grief and loss in order for them to be placed in adoptive families in another country.

- Acknowledge that for intercountry adoptees, there will be many gaps in knowledge about their early life experiences, and that this has an effect on them throughout their lifespan.
- Support workers who have adoption competency – ensuring they are well-versed in issues faced by adoptees and their families, such as cultural identity, mental health, trauma, grief and loss and social issues.
- Easily accessible services for clients across Australia, especially in regional, rural and remote areas where adoptees face specific challenges. While telephone, email and video-link services should be an option, it is important that any online contact is strengthened by face-to-face service alternatives where possible.
- Options for intensive, long-term and early intervention support, as well as referrals to other service as needed.

A 'children as rights-bearers' framework necessarily recognises the significant benefits gained from the involvement of those with lived experience of adoption. In particular, this consultation should be informed by lessons from past adoption practices, especially from inquiries into the experiences of cohorts such as the Stolen Generation, Forgotten Australians, and those affected by forced adoption policies and practices. By incorporating our contemporary awareness of the nature and effects of trauma (including intergenerational trauma), we believe work in the adoption space has the capacity to better protect and uphold the rights of the child.

Ideas for different forms of support

Relationships Australia notes that a key part of ensuring that the available funding is accessed equitably by the intercountry adoption community is providing widespread service delivery. While this can be supported through digital means, Relationships Australia recognises the need for robust in-person support as well as online services. We believe that at a minimum, the delivering organisation/s should be located in every state and territory, preferably with outreach services to cater to adoptees and their families in regional, rural and remote Australia. Currently, we see greater potential for outreach within the service model.

Secondly, due to the variety of clients and differing needs of those involved, support services need to have the capacity to respond in a variety of formats and intensities. This can range from group support through to intensive case management. For example, Relationships Australia has noted the popularity and effectiveness of a range of delivery methods within our own client groups, including monthly adoptee support groups, mentoring programs for adoptees, school holiday programs and activity sessions, parenting support and discussions groups, community education groups and workshops. These services often complement the individual counselling and support services we provide. For example, the Therapeutic Parenting Program, run by Relationships Australia South Australia, has received particular attention for its ability to assist and support families through adoption beyond the initial period. It assists parents to meet the needs of their adopted child and creates long-term transformative changes for the adoptee and their parents. This program also recognises that parenting children who have experienced significant early trauma and loss requires different parenting tools than what we may ordinarily be familiar with.

Thirdly, adequate funding should be made available for engagement activities. This will allow service providers to ensure people understand where to access relevant support post-adoption once the initial post-placement process has finished. Similarly, more long-term support, especially for the needs of adopted children who have entered adolescence and adulthood, is necessary. Due to the enduring nature

of the issues adoptees often experience, providing long-term support is crucial. Due to the growing number of adults in Australia who have been adopted as children through intercountry adoption, the need for adult-centred adoptee support has become paramount.

Relationships Australia believes that each of these suggestions is necessary to afford paramountcy to the rights of the child, as required by the *Convention on the Rights of the Child* (see, in particular, Article 21). Support that is equally accessible (regardless of geography), widespread, comprehensive, innovative and long-term is essential to protecting the rights of the child and to ensure that future support services for adoptees are designed and delivered with children's development as their core purpose.

Searching for origins

Although reunion work is a fundamental part of adoption support services,³ the process remains complex. In providing support to adoptees, Relationships Australia supports the search and reunion desires of adoptees by providing information sheets, pre search counselling, support to access records, access to interpreter services, and reunion support. This has also included the supply of factsheets, reunion mediation, family tracing, records-searching and other information. In processes of reunion, a report to the Australian Government illustrated that the degree to which reunions are considered 'successful' is complicated by memories and shifting expectations from both parties (AIFS 2012).⁴ As such, all reunion-based information should be designed so users can gain a balanced understanding of the possible impacts and outcomes of the searching journey. Also, the success of reunions should be measured in terms of support provided for the client/s seeking assistance, rather than 'successful' reunions in and of themselves, to ensure that those involved in reunions that do not result in 'success' are provided with the appropriate support throughout the experience.

Case management can be an effective form of support during this complex process. It allows staff to support clients and maintain hope, while also preparing for outcomes that may not meet their expectations. In the case of reunion, the same case manager can then provide support to assist clients to develop and maintain relationships with found birth family.

This requires staff to have extensive knowledge of the complexity of reunion, being aware that reunions can trigger trauma of the initial loss and separation, and that reunions can sometimes break down. Importantly, this is often a time when clients return to the service for further support. Relationships Australia recognises that this work must be trauma-informed and sensitive to the rights of both parties well beyond the initial reunion period.

Capacity Building

Due to the nature of intercountry adoption and the prevalence of confusion, distress and complex trauma for those involved, having staff who are adoption-aware and trauma-informed is paramount. There are several factors which assist in creating and maintaining a workforce of this calibre. Service providers should have access to the relevant and contemporary information regarding adoption and trauma work, with professional development opportunities and ongoing supervision made available to them and other support staff who work with adopted clients and their families.

We believe effective capacity building is an investment which is best integrated into a model of service provision that has substantial and current practice expertise as a foundation. Post adoption support services are well placed to provide practice expertise to allied health and private practitioners, and to the wider family relationships services sector. This practice expertise is best provided through a range of support including a mix of online and face to face consultation, supervision and workforce development training. We are mindful of workforce development commissioned to support the work of forced adoption

³ See also the Convention on the Rights of the Child, Articles 7, 8, 9 and 30.

⁴ <https://www.dss.gov.au/sites/default/files/documents/pastadoptionreport.pdf>

services which resulted in a resource which is narrowly targeted, not well known or easily accessed and is not free.

Providing supervision to practitioners is essential to best practice in social services and provides practitioners with an essential forum for reflection and development. We believe that any work conducted in the adoption space should engage in active supervision to enhance professional skills and ensure positive outcomes for the clients. Further, it is important to provide the supervisors with support, appropriate remuneration and the necessary information and knowledge to enable them to fulfil their roles.

Capacity building also remains crucial for individuals engaging in the adoption process. To achieve this, services must assist adoptees and their families to find peer support and mentorship. These services provide important support and a compassionate learning environment within which to share experiences. Through facilitation by experienced support staff, these groups have the ability to build the capacity of adoptees and their families in various aspects of their lives. They also provide an opportunity for adoptees and their families to connect with other relevant adoption services.

Ensuring there is ample opportunity for capacity building for support staff, as well as individuals involved in the adoption process, requires appropriate and continued funding. Ultimately, this protects the rights of the adoptee and their family by enhancing the capacities of everyone in the adoption space.

Measuring Success

Relationships Australia believes that the appropriate way to 'measure' success in these highly-emotive circumstances is through rights-based frameworks. This grounds any work in the paramountcy of the best interests of the child. The recommendations made throughout this letter are intended to protect the rights of children and ensure provision of essential support to all involved, both immediately, post-adoption and for the long-term.

Concluding remarks

Thank you again for the opportunity to make comment, we look forward to seeing the outcome of this consultation. Should you require any clarification of any aspect of this submission, or would like more information on the services that Relationships Australia provides, please contact our Research and Projects officer Claire Fisher (cfisher@relationships.org.au) or Mr Nick Tebbey our National Executive Officer (ntebbey@relationships.org.au).

Yours sincerely,



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