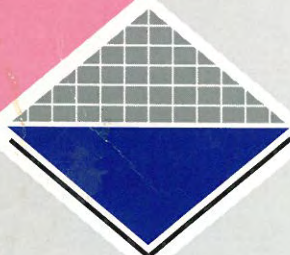


ChildWelfare Series
Number 11

**Adoptions
Australia
1993-94**

**Penelope Zabar
Graham Angus**



AUSTRALIAN INSTITUTE OF
HEALTH & WELFARE

Australian Institute of Health and Welfare

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CHILD WELFARE SERIES Number 11

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Australia
1993–94**

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AUSTRALIAN INSTITUTE OF HEALTH AND WELFARE
CANBERRA

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Any enquiries about or comments on this publication should be directed to:

Mr Graham Angus
Australian Institute of Health and Welfare
GPO Box 570
Canberra ACT 2601

Telephone (06) 243 5015

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Contributing departments

The data in this report have been provided by the following State and Territory departments. Their cooperation is acknowledged.

New South Wales (NSW)

Department of Community Services
Locked Bag 28
Ashfield 2131
Phone: (02) 716 2222

Victoria (Vic)

Department of Health and Community Services
GPO Box 4057
Melbourne 3001
Phone: (03) 616 7777

Queensland (Qld)

Department of Family Services and Aboriginal and Islander Affairs
GPO Box 806
Brisbane 4001
Phone: (07) 224 2111

Western Australia (WA)

Department for Community Development
PO Box 6334
East Perth 6004
Phone: (09) 222 2555

South Australia (SA)

Department for Family and Community Services
PO Box 39
Rundle Mall
Adelaide 5000
Phone: (08) 226 7000

Tasmania (Tas)

Department of Community and Health Services
GPO Box 125B
Hobart 7001
Phone: (002) 33 4700

Australian Capital Territory (ACT)

Housing and Community Services Bureau
Locked Bag 3000
Woden 2606
Phone: (06) 207 5111

Northern Territory (NT)

Department of Health and Community Services
PO Box 40596
Casuarina 0811
Phone: (089) 89 2400

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Preface

This report was prepared by Penelope Zabar and Graham Angus of the Australian Institute of Health and Welfare. It is the Institute's fourth report on adoptions and the eleventh in its Child Welfare Series.

The use of information from the report *Parenting an adopted child*, compiled by the Australian Capital Territory Housing and Community Services Bureau, is acknowledged.

Those tables in this publication that show statistics only for the whole of Australia are available for individual States and Territories on request.

Symbols used

The following symbols are used in the tables of this report:

- nil or rounded to zero
- .. not applicable
- n.a. not available.

Summary

Three important issues in relation to adoptions are discussed in this publication:

- the continued decrease in the number of adoption orders made in Australia;
- the country of birth of children adopted by non-relatives;
- changes in adoption law in Australia that have allowed adopted persons, birth parents and birth relatives access to information about their adoption.

The following are among the main findings of the report:

- Between 1 July 1993 and 30 June 1994, 764 adoption orders were made—a decrease of 2% from the previous year and a decrease of 92% since the peak in 1971–72.
- The majority of adoption orders (536, or 70%) were made by non-relatives; adoptions by step-parents accounted for 214 (28%) and adoptions by other relatives 14 (2%).
- Of the children adopted by non-relatives, 49% were aged under 1 year. The majority (71%) of children adopted by relatives were aged between 5 and 14 years.
- Of children adopted by non-relatives, 41% were born overseas. Of these, 53% were girls.
- The number of overseas-born children adopted by non-relatives decreased by 2% since 1992–93 and 47% since 1989–90.
- The majority (82%) of adoptions of Australian-born children by non-relatives involved an ex-nuptial child (259 out of 314).
- There were 259 ex-nuptial Australian-born children adopted by non-relatives in 1993–94, the same number as in the previous year but a decrease of 51% from 1988–89.
- Seven of the 13 Aboriginal and Torres Strait Islander children adopted were placed with Aboriginal and Torres Strait Islander people.
- In 1993–94, 6,135 applications were made for information about past adoptions in Australia. Access to information legislation has been introduced only in the last five to ten years so it is likely that the number of applications for information will stay high for some time.

1 Introduction

This publication presents adoption statistics provided by State and Territory welfare departments for the period 1 July 1993 to 30 June 1994. These statistics cover all finalised adoptions notified to State and Territory welfare departments and all children legally available for adoption during that year.

Children are often placed with a family several months before an adoption order is made. It should be noted that this report shows the number of adoptions finalised within the year, with the exception of Table 3, which shows placements of overseas-born children.

The data provided by State and Territory departments were collated according to the definitions and explanatory notes set out in 'Adoptions Australia: data collection: standards, tables and counting rules', dated June 1994 and agreed to by the States, the Territories and the Australian Institute of Health and Welfare. The definitions used are shown in Section 7, 'Explanation of terms'. Data for years before 1985-86 are from the Australian Bureau of Statistics publication Adoptions, Australia (catalogue number 4406.0). Data for the years 1987-88 to 1989-90 are from the WELSTAT publication Adoptions: national data collection.

This report presents data across Australia according to standardised definitions and counting rules. The tables and figures are based on the data provided, so their accuracy is dependent on factors such as the scope and completeness of data collection, reporting procedures, policy guidelines and the legal requirements of the particular State or Territory. These factors may also affect the comparability of data across States and Territories.

2 Adoptions in Australia

Introduction

Adoption is essentially a process of finding parents for children. Once an adoption order is granted the adopted child becomes the child of the adoptive parents as if he or she had been born to them in marriage. The adoption order severs the legal relationship between the biological parents and the child and the child assumes the legal relationship of his or her new family (Boss 1992).

Each State and Territory in Australia has responsibility for all aspects of adoption within its jurisdiction. Generally, in all States and Territories except Queensland a court grants the adoption order after considering a written report from the Director-General of the authorised department or the Principal Officer of an authorised non-government adoption agency. The court must also consider whether the adoption would be in the best interests of the child. In Queensland adoption orders are granted by the Director-General of the department responsible and do not proceed to court.

The parties involved in arranging an adoption vary between the States and Territories. In Queensland, the Australian Capital Territory and the Northern Territory adoptions can be arranged only through the department responsible. In New South Wales, Victoria and Tasmania adoptions can also be arranged through non-government agencies. Although by law in South Australia adoptions can be arranged only through the department responsible, allocation and placement of overseas-born children can be arranged through a non-government agency. Further, in New South Wales, Victoria and Western Australia adoptions by relatives can be arranged through solicitors.

Recently there has been a major change in attitudes towards secrecy surrounding adoptions. In the past various State and Territory legislative provisions were based on the premise that secrecy protected all parties. Emerging practice, both in Australia and overseas, is moving towards a more open adoption process for both existing adoptions and future adoptions. Recent practice around Australia is for a register to be provided, allowing adopted children and their birth relatives to make contact. In some States and Territories the birth parents and the adoptive parents can negotiate an adoption plan before placement of the adoptee; the plan can range from no contact and no exchange of information to regular contact between parties (Western Australian Parliament 1993).

The dominant feature of adoption in Australia in recent years has been the decline in the number of adoptions of both Australian-born and overseas-born children. This is due mainly to the falling numbers of children available for adoption.

The decline in the number of Australian-born children available for adoption has resulted from an increase in the retention of children by single mothers:

Changing community attitudes along with supporting parents benefits, effective birth control and easier access to safe abortions have given women coping with an unplanned pregnancy more alternatives to explore. (ACT Housing and Community Services Bureau 1994, p. 7)

There has also been a decline in the number of overseas-born children available for adoption in Australia due to the development of domestic adoption programs and changing attitudes within the source countries. The United Nations Convention on the Rights of the Child recommends inter-country adoption only if a child cannot be placed in a foster or adoptive family or cared for in any suitable manner in his or her country of origin (United Nations General Assembly 1989).

Access to information

As noted, adoption law in Australia has undergone significant change in the past decade, particularly in the area of access to information. Victoria led the way with the *Adoptions Act 1984*, and all States and Territories have now legislated to grant rights to information to adopted people over 18 years old and their birth parents. However, the extent of these rights and of the protection of the privacy of all parties varies among States and Territories (Stonehouse 1992).

In an attempt to achieve a balance between the right to information and the right to privacy, most States and Territories have limited the right to information by requiring the consent of the person identified or by giving that person the opportunity to apply for an information veto or a contact veto to prevent disclosure of information or contact.

In the case of a veto on identifying information, in some States and Territories a party to an adoption can make an application requesting that information that could identify them not be released to the other party to the adoption. A person can lodge a contact veto when he or she does not wish to be contacted by the other party to the adoption. This veto is legally binding and if the person receiving the identifying information goes on to contact the other party legal action can be taken. A contact veto can, however, be lifted by the person who lodged it. In some States and Territories vetoes have a limited life so new applications need to be lodged for them to continue.

All States and Territories have established adoption information services, information and contact registers or similar systems. In Victoria, Western Australia, South Australia, Tasmania and the Northern Territory people requesting information must undergo counselling before the information can be released. The purpose of counselling is to ensure that the rights of all parties involved are fully understood and to make people aware of some of the issues that may arise in the search and reunion.

New South Wales

In New South Wales the *Adoption Information Act 1990* provides that at 18 years of age or older adoptees can have access to their original birth certificates. It also enables birth parents to have access to details of their offspring's adopted identity when that child reaches 18 years of age.

The New South Wales approach is to provide for unqualified rights to information, but also to give birth parents and adult adoptees the right to lodge a contact veto. On the lodgement of such a document, it becomes an offence for the information recipient to attempt to make contact with the person who imposed the contact veto. (Anon. 1993)

Victoria

In Victoria an adopted person aged 18 years or older may apply for a copy of their original birth certificate and file information. An adopted person under the age of 18 years requires their adoptive parents' agreement before information can be given, and the written consent of the birth parents is required before identifying information can be given. Birth parents and birth relatives may obtain non-identifying information from records about the adopted person, and identifying information can be given with the written consent of the adopted person or of their adopted parents if the adopted person is under 18 years of age.

A register operates on which people can record their wishes in relation to giving or receiving information and making contact. There is no veto system. While adopted people can make contact with birth relatives themselves, an authorised agency makes contact with adopted people on behalf of birth parents and relatives or with birth parents on behalf of adoptive parents. The agency will ask the parties what their wishes are and mediate between them.

Queensland

In Queensland an adopted person aged 18 years or older and his or her birth parents may apply for and receive identifying information as long as the other party has not lodged an objection to its disclosure. It is possible to lodge either an objection to disclosure of information and contact or an objection to contact only. This means that one party can allow the other party access to identifying information, but then request that they not be contacted.

Western Australia

In Western Australia an adopted person aged 18 years or over can have access to his or her original birth certificate, provided there is no veto by the birth parents. Only adopted people can have access to identifying data under the current legislation.

South Australia

In South Australia adopted people aged 18 years or over can have access to information contained in their original birth certificate as well as details (if known) such as occupation, date of birth, physical attributes and the personal interests of their natural parents. Adopted people are also entitled to know the names of any biological siblings who were adopted. Once the adopted person reaches 18 years of age the birth parents can have access to the adoptive name of their relinquished child and the names of the adoptive parents. Both adopted persons and birth parents can veto the release of identifying information, thus restricting contact, although a specific contact veto is not available. The veto provision is effective only for adoptions that occurred before the State's *Adoption Act 1988* came into force.

Tasmania

In Tasmania an adopted person aged 18 years or over may apply for access to his or her pre-adoption birth record and information from the adoption record. An adopted person aged less than 18 years may apply with the permission of his or her adoptive parents. The written consent of the birth parents is required before identifying information is given to a minor. Birth parents and birth relatives may obtain non-identifying information from the adoption record and may be given identifying information only with the written consent of the adopted person, or, if under 18 years, the adoptive parents.

Tasmania does not have a veto system but operates an Adoption Information Register, where people affected by adoption may record their wishes in relation to contact and exchange of information. Adopted people aged 18 years or over may search for and contact their birth family themselves or may request the adoption agency's help. Birth parents and relatives may request the agency to seek the adopted person's views about contact and exchange of information.

Australian Capital Territory

Under the Australian Capital Territory's *Adoption Act 1993* persons aged 18 or more years, their birth parents, their adoptive parents and their birth relatives may apply for identifying information in relation to their adoption. The Act also makes provision for greater accountability in obtaining consents to adoptions, augments the rights of the birth parents, and promotes a more open system of adoption.

Northern Territory

In the Northern Territory legislation prior to the *Adoption of Children Act 1994* did not provide for the release of information to any parties to an adoption. The Act allows for a more open process, with identifying information being available unless a veto has been lodged. Veto provisions relate only to adoption orders made under the repealed legislation. There is no right of veto where orders were made under the Act.

Adoptions by relatives

The majority of adoptions by relatives are adoptions by step-parents wishing to incorporate children in the new family.

Adoption by relatives other than step-parents is comparatively less common because most States and Territories pursue policies that promote the use of guardianship or custody orders, rather than adoptions, to place children in the care of non-parental relatives.

Indeed, in all States and Territories but Western Australia legislative provisions now allow for adoptions by relatives only in exceptional circumstances; that is, when a guardianship or custody order would not adequately provide for the welfare and interests of the adoptee. Consequently, since full implementation of the *Tasmanian Adoption Act 1988*, adoptions by relatives have largely been replaced by the use of other orders.

New South Wales, Victoria and Western Australia are the only jurisdictions in which adoptions by relatives can be arranged other than through the appropriate department or an agency.

Thus, in New South Wales when a custodial parent remarries, a solicitor may organise applications for formal adoptions by step-parents without notifying the Department of Community Services. The Supreme Court validates these adoptions but does not at present provide the information in the form required for the purposes of this collection. The figures for children adopted by step-parents through solicitors are therefore not included here. The Department of Community Services estimates that approximately 200 adoptions by relatives are validated by the Supreme Court each year, although the number is declining.

In contrast, in Victoria when a custodial parent remarries, a solicitor may organise applications for formal adoptions by step-parents, but the Department of Health and Community Services or an approved non-government adoption agency must be notified of the application. The Department or approved agency conducts an assessment of the prospective parent and submits a report to the court. Because approval of the adoption is dependent on this report, such adoptions are classified in this report as being arranged by either the Government or a non-government agency.

In Western Australia adoptions by step-parents can be arranged privately and processed through solicitors, although the relevant department must be notified. The department may choose to carry out an assessment to be submitted to the court, although this is not mandatory. In recent years most adoptions by step-parents were arranged by solicitors. Data for Western Australia have been collated by the Department for Community Development and are included in this collection.

Adoptions by non-relatives

A child is legally available for adoption by non-relatives if all the necessary consents to his or her adoption have been obtained or dispensed with. Nearly half of all adoptions by non-relatives are inter-country adoptions.

A couple wishing to adopt a child must satisfy the department or agency concerned that they will be suitable parents. Generally, only married couples are allowed to adopt unrelated children, although de facto couples are eligible in New South Wales, South Australia and the Australian Capital Territory. Other factors considered in the assessment of potential parents are their age, health, fertility, reasons for wanting to adopt, and the stability of their relationship. Section 4 summarises the adoption process for non-relatives.

In New South Wales, Victoria, and Tasmania adoptions by unrelated persons may be arranged by either the authorised department or an approved adoption agency. As noted, although adoptions in South Australia can be arranged only through the department responsible, allocation and placement of overseas-born children can be arranged through a non-government agency. In this report such adoptions are classified as being arranged by a non-government organisation. In Queensland, the Australian Capital Territory and the Northern Territory all adoptions must be arranged through the authorised department. In Western Australia most adoptions by non-relatives are arranged through the Department for Community Development; only a small number are arranged privately.

Inter-country adoptions

The United Nations Convention on the Rights of the Child recognises,

...inter alia, that inter-country adoption may be considered as an alternative means of child care if the child cannot be placed in a foster or adoptive family, or cannot be cared for in any suitable manner in the child's country of origin. (United Nations General Assembly 1989)

From the mid-1970s to the mid-1980s there was in Australia a substantial increase in the number of adoptions of children born overseas, predominantly involving children from Asian countries. The process has been strictly controlled by the Commonwealth under the *Immigration (Guardianship of Children) Act 1946* and adoption Acts in each State and Territory. While the Commonwealth Government and State and Territory governments are jointly responsible for investigating and approving overseas adoption programs, a suitable central agency in the overseas country is required to administer the programs in accordance with Australian standards.

The number of inter-country adoptions increased steadily until 1989–90 but has since been declining. South Korea, which provided the majority of children for adoption in recent years, had limited the number of new applications and the program was scheduled for complete closure in 1996. This decision has, however, recently been reversed, because the number of domestic adoptions within Korea has remained too low to provide homes for all orphaned or deserted children. The number of children adopted from South Korea rose by 28% (from 50 to 64) between 1992–93 and 1993–94.

Adoptions of Aboriginal and Torres Strait Islander children

Few Aboriginal and Torres Strait Islander children are adopted. The States and Territories have differing legislation and policies relating to the adoption of such children. The prevailing view is that, when it is deemed appropriate to adopt Aboriginal and Torres Strait Islander children, the children should be adopted by Aboriginal or Torres Strait Islander people so as to maintain their cultural integrity.

Thus, although not recognised in legislation, the adoption policies of the responsible department in Tasmania do recognise the cultural differences of Aboriginal and Torres Strait Islander peoples, while in New South Wales every effort is made to place Aboriginal children with Aboriginal parents.

Victoria, Queensland, South Australia and the Australian Capital Territory have restrictive eligibility criteria for adoptive parents of Aboriginal children:

In Victoria, for example, the parent of an Aboriginal child can place conditions on a consent to adoption, that the child go to an Aboriginal family, or that a right of access to the child be granted to the natural parents, other relatives and members of the Aboriginal community. (Stonehouse 1992, p. 5)

In Queensland the *Adoption of Children Act 1964* states,

...the Director shall have regard to the indigenous or ethnic or cultural background of the child and shall approve a prospective adopter who, or prospective adopters one of whom, has a similar indigenous or ethnic and cultural background, unless:

(a) it appears to the Director that such a prospective adopter or prospective adopters is not or are not available, or cannot reasonably be expected to become available promptly; or

(b) in the Director's opinion, the welfare and interests of the child would not be best served by doing so.

In Western Australia, in his second reading speech on Adoption Bill No. 2 of 1993, the Minister for Community Development stated,

Wherever possible it will be the Government's intention to support the placement of children in their own ethnic group; however, recognising that this may not always be possible, and may sometimes conflict with the stated views of relinquishing parents, this legislation seeks to provide greater flexibility for practitioners to place children with the best possible family that is available. The Bill ensures that the widest range of options is available for children. When placing children with ethnic or Aboriginal backgrounds, the guiding principle will always be placement based on the best interest of the child.

(Western Australian Parliament 1993, p. 8377)

In the Northern Territory the *Adoption of Children Act 1994* limits the ability of courts to make adoption orders in respect of Aboriginal and Torres Strait Islander children to those cases where alternative custody cannot be arranged within the child's extended family. In the event that an adoption order is made, the court is to ensure that the placement is in accordance with the Aboriginal Placement Principle.

3 Adoptions 1993–94

All adoptions

During 1993–94 there were 764 adoptions orders made in Australia. This was a decrease of 19 (2%) from the previous year, and a decrease of 92% since the peak in 1971–72 (Table 17).

The majority (536, or 70%) of adoptions were by non-relatives, with adoptions by step-parents (see 'Adoption by relatives' in Section 2) accounting for 214 (28%) and adoptions by other relatives 14 (2%) (Table 1; Figure 1).

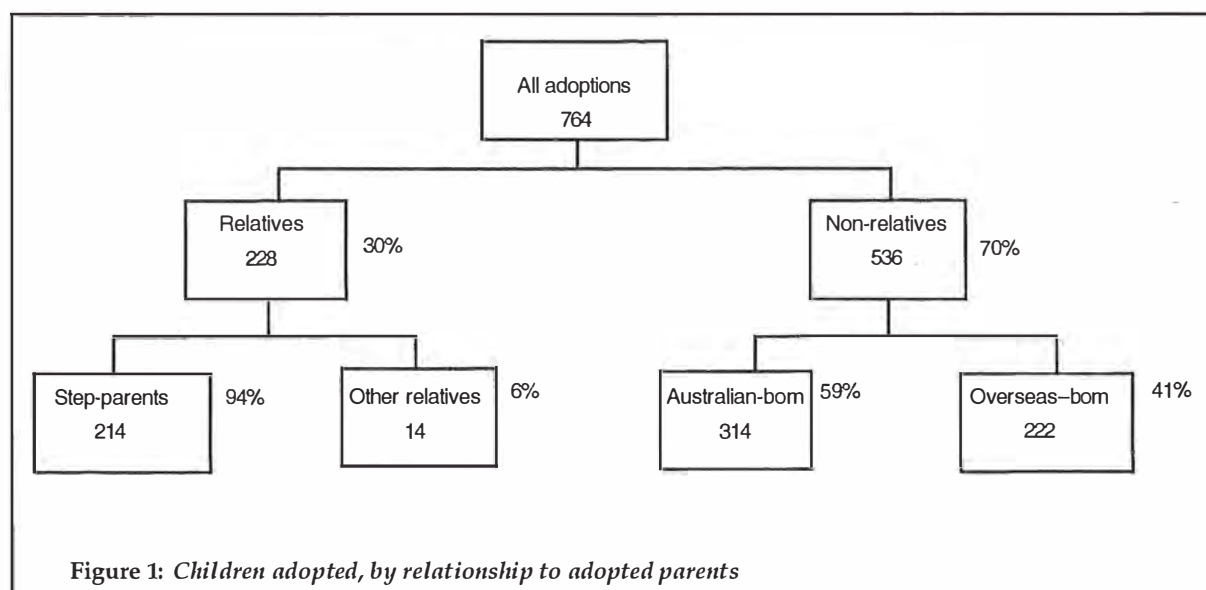
Table 1: Children adopted: arranging body by relationship of adoptive parents, 1993–94

Arranging body	Relatives			Non-relatives	Total
	Step-parents ^(a)	Other relatives	Total		
State/Territory welfare department	168	10	178	435	613
Non-government organisation	-	-	-	101	101
Other ^(b)	46	4	50	-	50
Total	214	14	228	536	764

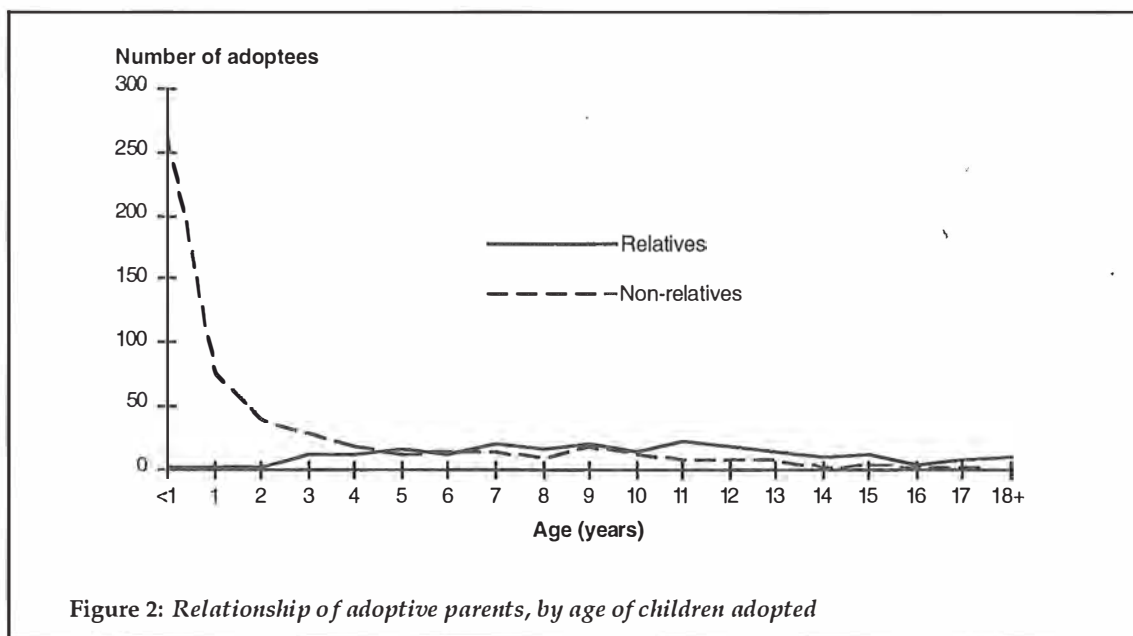
(a) Data on adoptions by step-parents not available for New South Wales.

(b) Arranged privately and legalised through solicitors.

Most adoptions (80%) were arranged through State and Territory welfare departments. In Queensland, the Australian Capital Territory and the Northern Territory all adoptions were arranged in this way. All adoptions arranged by non-government organisations were adoptions by non-relatives (Table 4).



Children adopted by non-relatives were generally younger than those adopted by relatives, the former group having 264 out of 536 children (49%) aged under one year and 80% under five years. In contrast, only two people adopted by relatives were aged under one year, the majority (71%) being aged between 5 and 14 years (Figure 2; Table 5).



As noted, New South Wales, Victoria and Western Australia are the only States or Territories in which adoptions by relatives can be arranged by someone other than the welfare department or a non-government agency. These adoptions are arranged privately and processed through solicitors. In Victoria and Western Australia the relevant department is notified of the adoption application and may make a written report to the court. In New South Wales the relevant department is not notified.

In 1993–94 there were 50 such adoptions in Western Australia; no data were available for New South Wales (Table 4). In Victoria there were ten such adoptions; these are classified in this report as being arranged by government since the adoption is dependent on the assessment report submitted to the courts by the responsible department (see 'Adoptions by relatives' in Section 2).

Adoptions by relatives

Of the 764 adoptions in Australia in 1993–94, 228 (30%) were by relatives. The proportion of total adoptions by relatives was, however, much higher in Queensland (50%) and Western Australia (59%) than in the other States and Territories (Table 4). Adoptions by relatives in these two States totalled 153, or 67% of all adoptions by relatives in Australia. As noted, no data were provided on adoptions by step-parents in New South Wales.

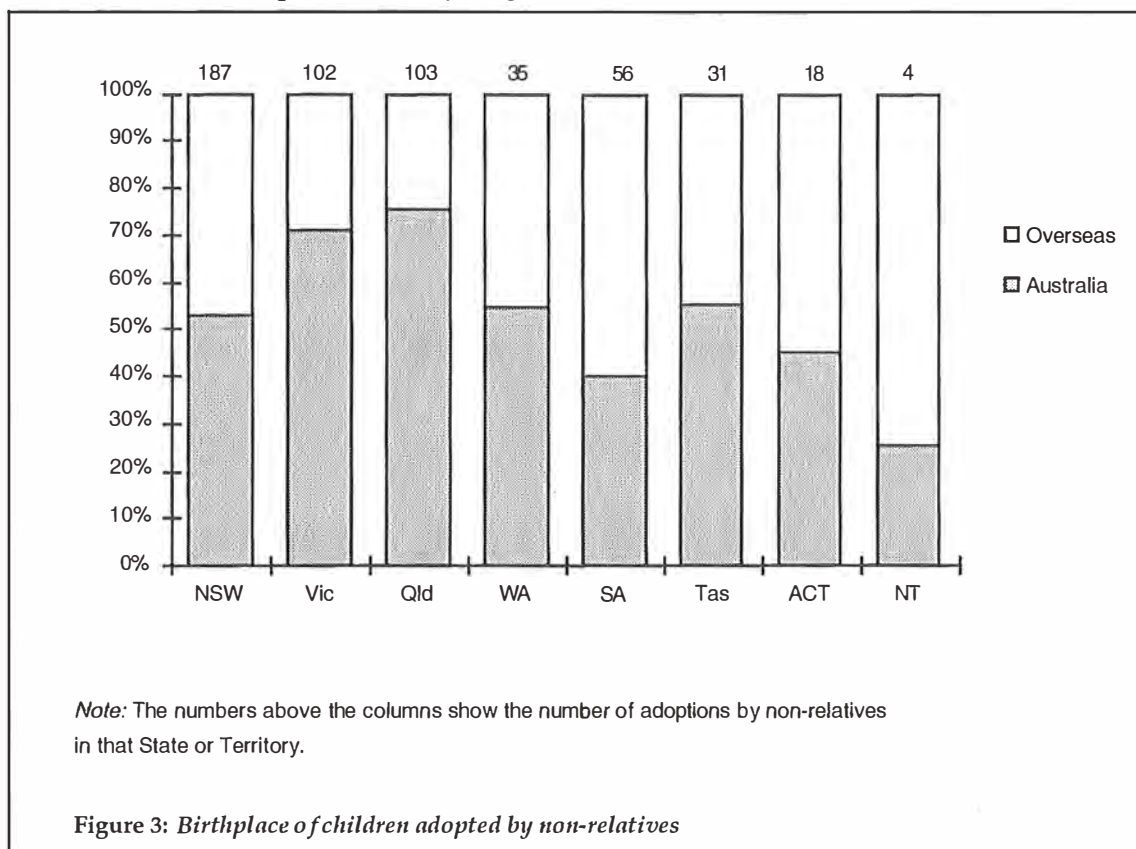
Almost all children adopted by relatives were adopted by step-parents (214 out of 228). In Victoria, Tasmania and the Northern Territory there were no adoptions by relatives other than step-parents.

Seventy-eight per cent of adoptions by relatives were arranged through State and Territory welfare departments (Table 1). The actual proportion of adoptions arranged in this way is, however, probably somewhat lower because there are no data on adoptions by step-parents in New South Wales, such adoptions being arranged by solicitors and validated by the Supreme Court.

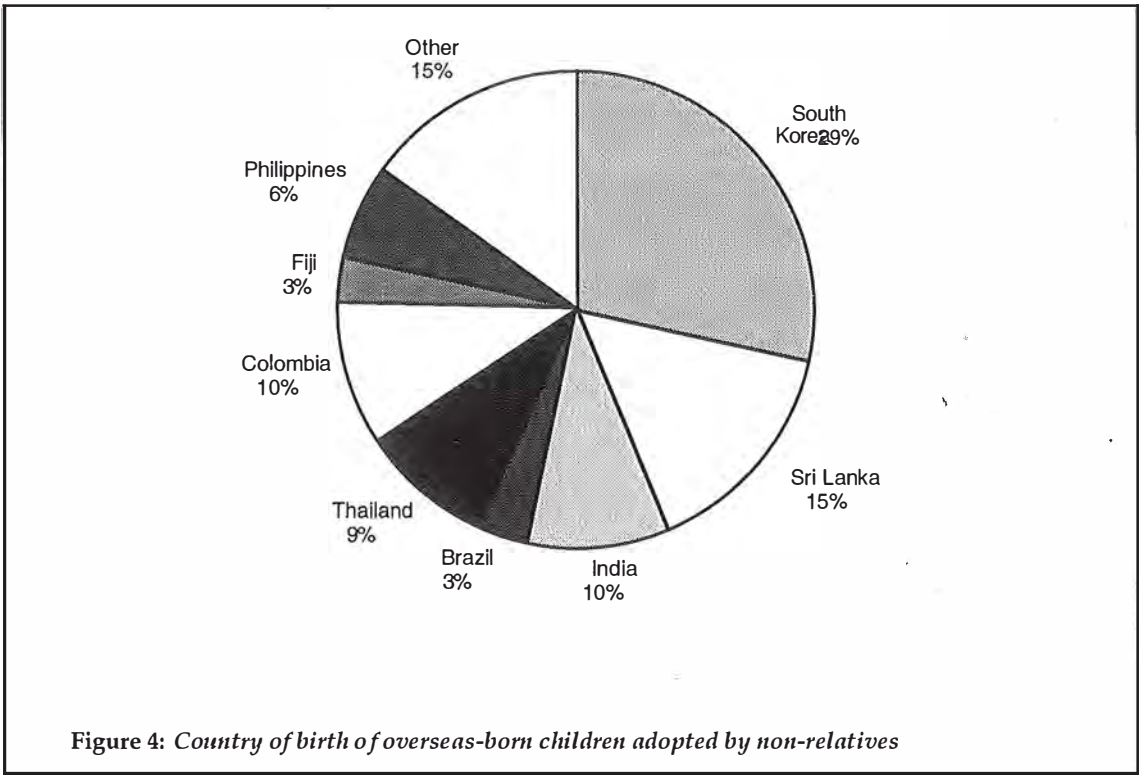
Adoptions by non-relatives

Overseas-born adoptees

Of the 536 children adopted in 1993–94 by non-relatives, 41% (222) were born overseas. The proportion of children adopted by non-relatives who were born overseas varied markedly between States and Territories, with only 25% (26) in Queensland compared with 75% (three) in the Northern Territory, 61% (34) in South Australia, and 56% (10) in the Australian Capital Territory (Figure 3; Table 8).



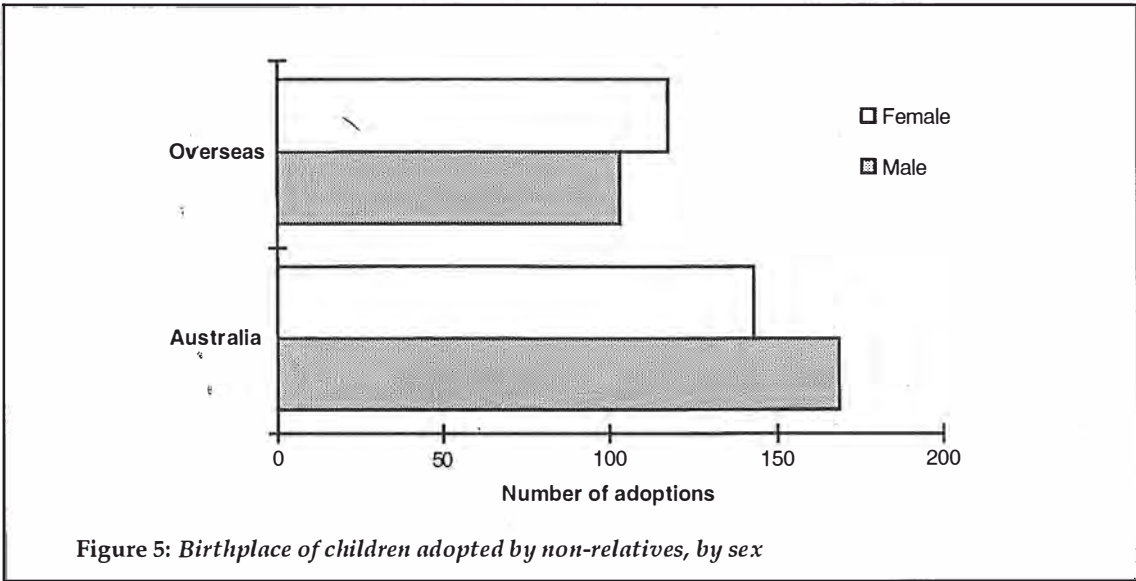
Overseas-born children adopted in Australia during 1993–94 came from a wider range of source countries than in previous years. Of the children adopted from overseas, 64, or 29%, were born in South Korea, 33, or 15%, were born in Sri Lanka, and 22, or 10%, were born in Colombia and in India (Figure 4; Table 9). Other source countries include Thailand, the Philippines, Fiji, Brazil, Chile, Ethiopia, Cambodia, Samoa, Bangladesh, Portugal and Nepal. The number of adoptions of children born in South Korea has increased 28% from the previous year but has declined by 40% since 1990–91, for reasons noted previously (see 'Inter-country adoptions' in Section 2).



Of overseas-born children adopted by non-relatives, 39% were under one year of age and 73% under five years of age (Table 9).

Of overseas-born adoptees, 53% were female, compared with 66% in 1990–91. This reflects the decrease in the number of adoptions from South Korea since 1990–91, whence a high proportion of girls had previously been adopted.

Of the adoptions of children born overseas, there were more girls than boys adopted in New South Wales, Victoria, Western Australia, Tasmania and the Australian Capital Territory, while in South Australia more boys than girls were adopted. In Queensland and the Northern Territory there were almost equal numbers of overseas-born girls and boys adopted (Table 8).



New South Wales received all of the three children adopted from Chile as well as 20 (91%) of the 22 children adopted from Colombia and 18 (55%) of the 33 children adopted from Sri Lanka. South Australia received 11 (55%) of the 20 children adopted from Thailand and six (43%) of the 14 children adopted from the Philippines. This pattern reflects the process of adoption in Australia, whereby an agency establishes contacts in a particular country and generally deals only with prospective parents in its State or Territory (Table 8).

Australian-born adoptees

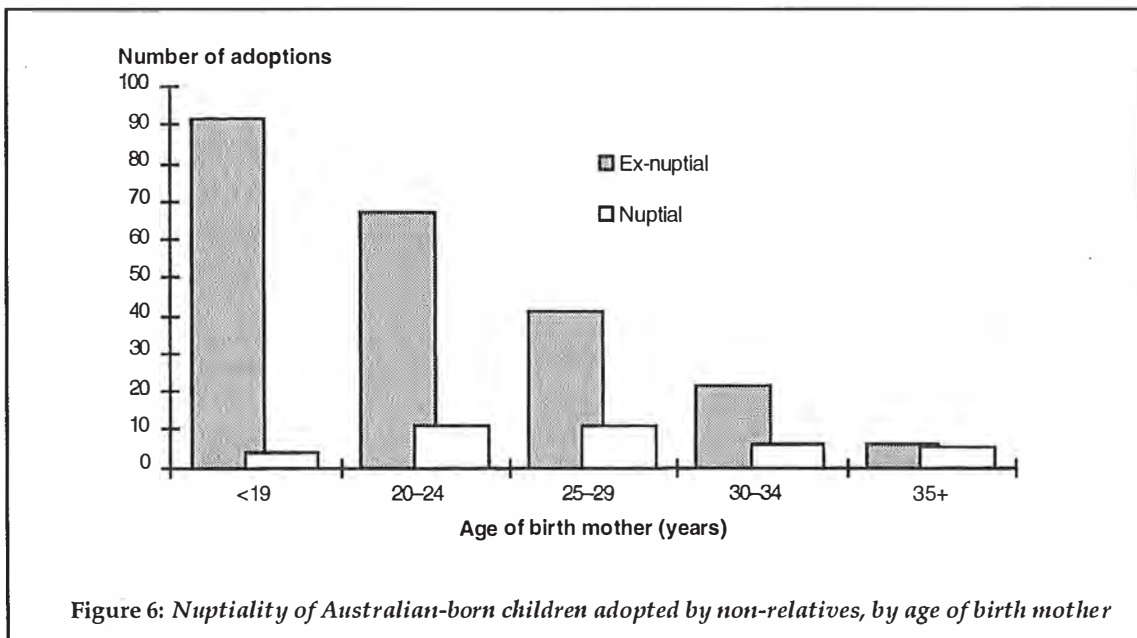
In 1993–94, 314 Australian-born children were adopted by non-relatives, an increase of 3% from the previous year but a decrease of 48% since the recent peak in 1988–89 (Table 21). Of the 314 Australian-born children 170, or 54%, were male, a slightly higher percentage than in the previous year (52%) (Table 8).

Of Australian-born children adopted by non-relatives 56% were under one year of age and 84% under five years of age (Table 9).

Nuptiality of Australian-born adoptees

The majority of adoptions of Australian-born children by non-relatives involved an ex-nuptial child (82%, or 259 out of 314). The number of adoptions by non-relatives involving an ex-nuptial child remained the same as in the previous year but has decreased by 51% from the recent peak in 1988–89 (Table 22).

In the case of non-relatives adopting an ex-nuptial child, 36% (93) of such children were relinquished by unmarried mothers aged 19 years or less and 42% (110) were relinquished by unmarried mothers aged 20 to 29 years (Figure 6; Table 12).



The number of Australian-born children born nuptially who were adopted by non-relatives increased from 45 in 1992–93 to 53 in 1993–94 (18%). There were considerable variations between the States and Territories in the proportion of adoptions of Australian-born children born nuptially who were adopted by non-relatives: 27% in South Australia, 23% in New South Wales, 21% in Victoria, 6% in Tasmania, and none in the Australian Capital Territory and the Northern Territory (Table 22).

Any explanation why parents give away children born nuptially.

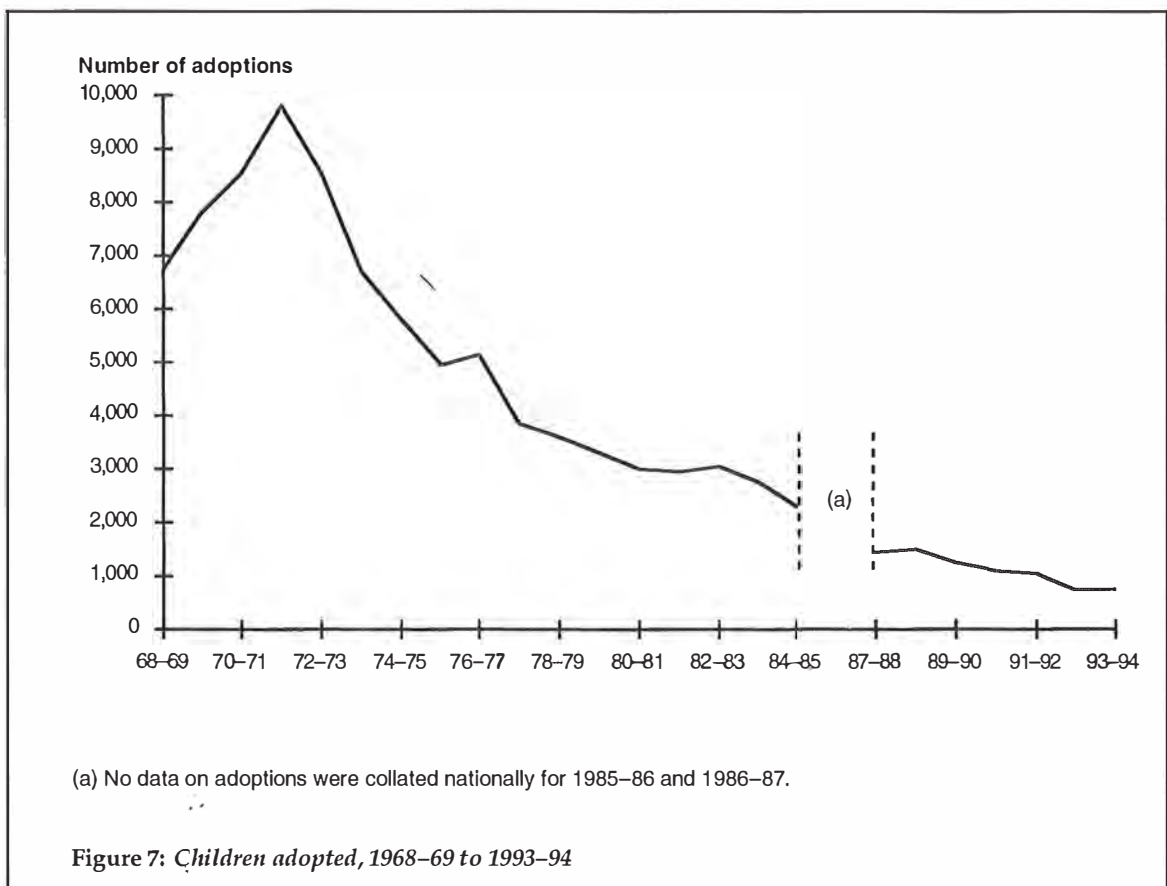
Adoptions of Aboriginal and Torres Strait Islander children

Thirteen Aboriginal and Torres Strait Islander children were adopted in 1993–94: nine males and four females. Of the 13, seven were adopted by Aboriginal or Torres Strait Islander people (Table 14).

Changes over time

All adoptions

The number of adoptions in 1993–94, 764, was 19 fewer than for the previous year (a decrease of 2%). Although this decrease is considerably smaller than annual decreases in recent years, it continues the decline evident since the number of adoptions peaked in 1971–72 at 9,798 (Figure 7; Table 17). The omission of adoptions by step-parents from the New South Wales figures since 1987–88 does, however, exaggerate the decline (there were 254 adoptions by step-parents and other relatives in New South Wales in 1984–85, the most recent year for which data are available) (Table 19).



Adoptions by relatives

Apart from a small increase (6%) from 1990–91 to 1991–92, the number of adoptions by relatives has declined steadily in recent years. The number has declined 86% since 1979–80 but, as noted, the decline is exaggerated by the omission of adoptions by step-parents from the New South Wales figures since 1987–88 (Table 19).

Adoptions by non-relatives

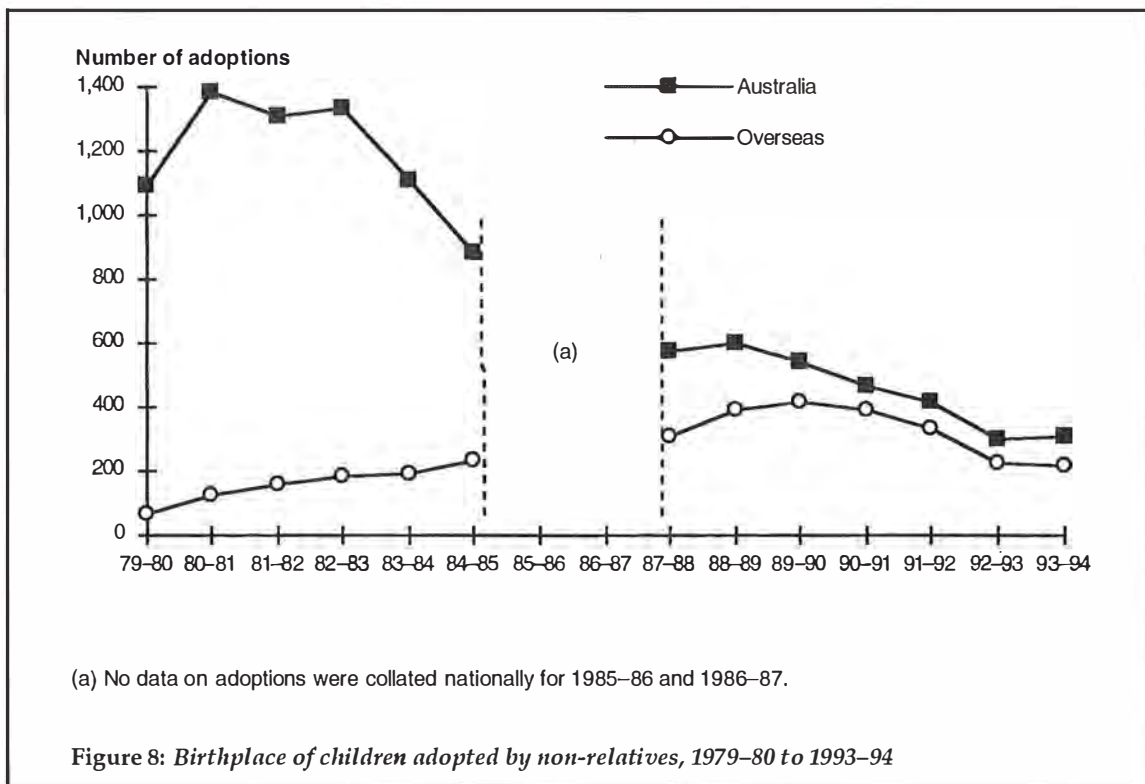
Adoptions by non-relatives in 1993–94 increased marginally from 1992–93, but have decreased by 220 (29%) from 1991–92 and by 1,164 (68%) from 1979–80 (Table 19).

Since the recent peak in 1988–89 the number of Australian-born children adopted by non-relatives fell from 606 to 314 (48%) (Table 20).

In 1993–94, 41% of children adopted by non-relatives were born overseas. In contrast, only 8% of adoptions by non-relatives in 1980–81 involved an overseas-born child. As the number of Australian-born children available for adoption falls, greater reliance is being placed on inter-country adoptions, although the number of overseas-born children adopted has continued to fall in the past four years (Table 21).

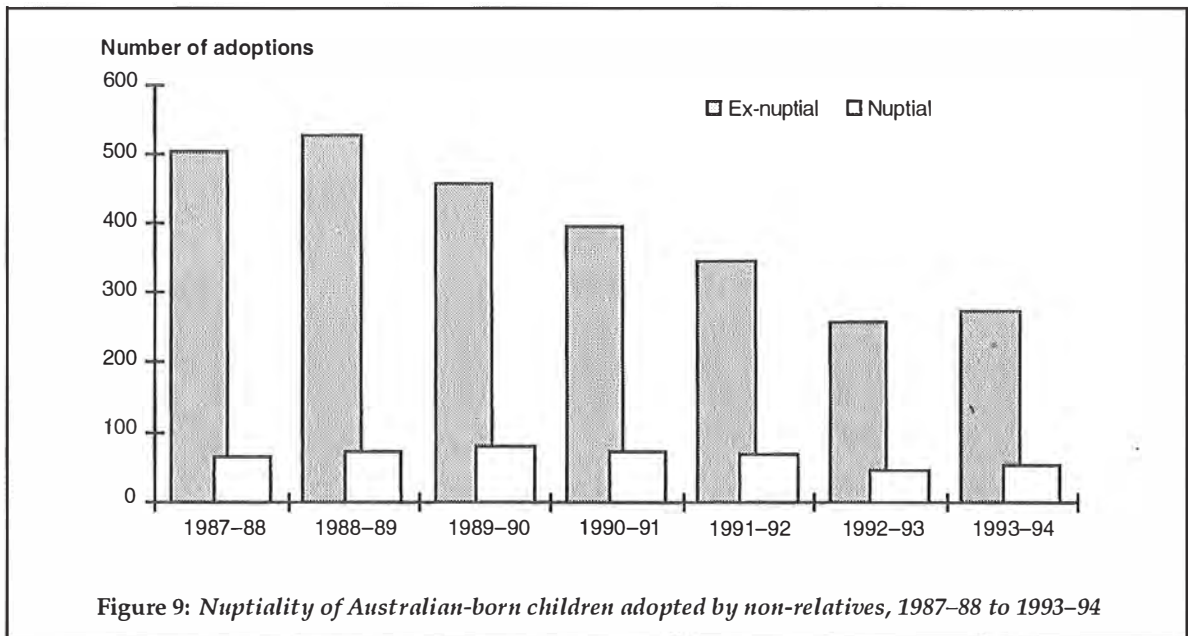
Overseas-born adoptees

The number of overseas-born children adopted peaked at 420 in 1989–90 but has fallen in recent years. In 1993–94 there were 222 overseas-born children adopted in Australia; this represents a decrease of 2% from the previous year and a decrease of 47% from 1989–90 (Figure 8; Table 21). As noted, there were 64 children adopted from South Korea in 1993–94, which is considerably lower (68% lower) than the figure of 203 for 1990–91: South Korea had begun to scale down its adoption program to Australia but recently reversed that decision. Thus there were 28% more adoptions of children born in South Korea during 1993–94 than in the previous year.



Australian-born adoptees

There were 259 ex-nuptial Australia-born children adopted by non-relatives in 1993–94, the same number as in the previous year and a decrease of 51% from the recent peak in 1988–89. While the number of Australia-born children who were born nuptially and adopted by non-relatives increased by eight (18%) over the previous year, the total has declined from 80 in 1989–90 to 53 in 1993–94 (34%) (Figure 9; Table 22).

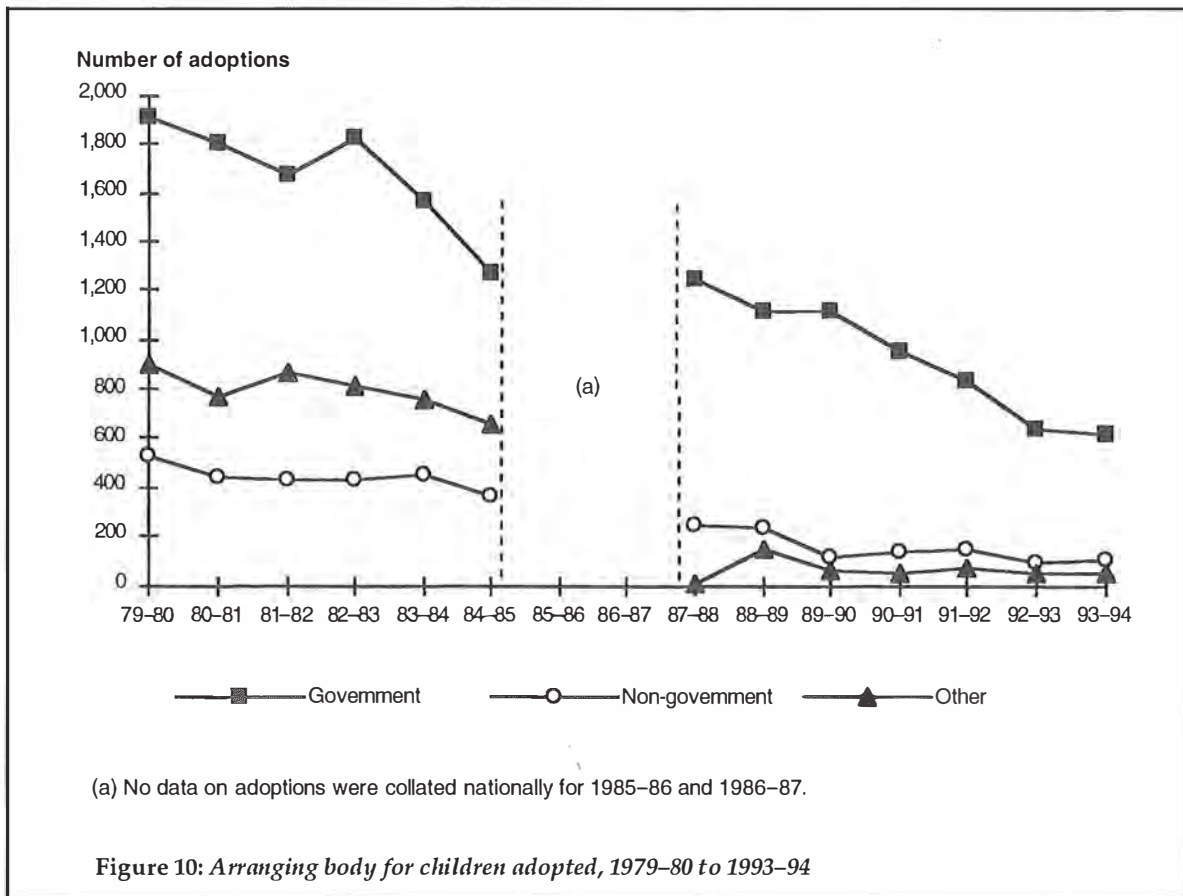


Between 1987-88 and 1993-94 almost all children legally available for adoption in the States and Territories (except for Victoria and South Australia, for which data were not available) were either living with prospective adoptive parents (the largest category) or in foster care. The exception to this was Queensland where children were placed in foster care (the largest category) or with an approved person—not the prospective parent—until the adoption was finalised (Table 23).

An overseas-born child entering Australia with prospective parents is not considered available for adoption: he or she has been placed with their adoptive family and they are undergoing a post-placement supervision period after which time an adoption order is made.

Arranging body

The number of adoptions arranged through government agencies decreased from 1,909 in 1979-80 to 613 in 1993-94. Adoptions not involving government agencies decreased even more dramatically, from 1,428 to 151 in the same period. Government agencies arranged 80% of adoptions in 1993-94, compared with 57% in 1979-80 (Figure 10; Table 16). The actual proportion of adoptions arranged through government agencies is, however, probably somewhat lower because there are no data on adoptions by step-parents in New South Wales, which, as noted, are arranged by solicitors and validated by the Supreme Court.



Access to information

In 1993-94 there were 6,135 applications made for adoption information, the majority being lodged by adopted people. In the same period 185 contact vetoes were lodged and 174 identifying information vetoes, the majority of each category being lodged by adopted people (Table 2).

Thus, the number of applications for adoption information far exceeded the number of vetoes lodged against contact or the release of identifying information. It should be noted, though, that these vetoes do not necessarily relate directly to the information applications lodged. Vetoes may have been lodged in relation to adoptions for which information may never be requested.

There were over 50,000 adoption orders made in the 1970s alone, so with access to information legislation in most State and Territories introduced only in the last five to 10 years, it is possible that the number of applications for information could be high for some years to come.

Table 2: Information applications and contact or identifying information vetoes lodged, 1993–94

	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Australia
Applications for information									
Adopted person	n.a.	947	828	414	n.a.	146	47	50	n.a.
Birth parents	n.a.	240	248	153	n.a.	36	35	24	n.a.
Other birth relative	(a)	166	36	69	n.a.	18	9	–	n.a.
Total	2,186 (b)	1,353	1,112	636 (c)	483 (d)	200	91	74	6,135
Contact vetoes lodged									
Adopted person	81	(e)	17	27	(f)	(e)	8	–	133
Birth parents	42	(e)	3	2	(f)	(e)	5	–	52
Other birth relative	(a)	(e)	–	–	(f)	(e)	0	–	–
Total	123	(e)	20	29	(f)	(e)	13	–	185
Identifying information vetoes lodged									
Adopted person	(g)	(e)	83	(h)	17	(e)	–	9	109
Birth Parents	(g)	(e)	31	2	28	(e)	–	4	65
Other birth relative	(g)	(e)	–	(h)	–	(e)	–	–	–
Total	(g)	(e)	114	2	45	(e)	–	13	174

(a) In NSW only adopted persons and birth parents are able to lodge applications.

(b) Applications by adopted persons and birth parents were not recorded separately; the Department of Community Services estimated the ratio to be 3:1 (that is, three applications from adopted persons for every one application from birth parents).

(c) Total number of inquiries received.

(d) Applications by adopted persons, birth parents and other birth relatives were not recorded separately.

(e) No veto system operates in this State: the relevant Act does not provide for the release of identifying information.

(f) Identifying information vetoes only. There are no provisions for contact vetoes under South Australian legislation.

(g) In NSW there is no option of vetoing the release of identifying information.

(h) In WA prior to January 1995, only birth parents could veto release of identifying information.

Placements of overseas-born children

As noted, children are often placed with a family before an adoption order is finalised. This is particularly the case when the adoption involves an overseas-born child, who may be placed with the prospective adoptive parents six to 12 months, or in some cases even longer before an adoption order is made.

During 1993–94 there were 228 overseas-born children placed in Australia. While the adoption of some of these children may have been finalised during 1993–94, others will be finalised in the following year. Five of these children were placed with relatives.

Of the overseas-born children placed in Australia during 1993–94, 73 (or 32%) were born in South Korea, 36 (or 16%) were born in Colombia and 27 (or 12%) were born in Thailand. This pattern is consistent with the number of adoption orders made during 1993–94 (Table 3; Table 8).

Another sentence describing relation between the two tables.

Table 3: Placement of overseas-born children: country of birth, by State/Territory, 1993–94

Country of birth	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Total
Chile	–	3	–	–	–	–	–	–	3
Colombia	32	–	1	–	–	–	1	2	36
Ethiopia	–	–	1	–	–	–	2	–	3
Fiji	–	3	–	1	2	–	1	–	7
Guatemala	–	3	2	–	–	–	–	–	5
India	7	7	2	2	–	–	1	–	19
Philippines	1	7	2	1	11 ^(a)	1	1	–	24
South Korea	22	17	10	6	11	1	3	3	73
Sri Lanka	10	3	1	–	1	–	–	–	15
Taiwan	8	–	1	–	–	–	–	–	9
Thailand	9	4	2	–	11	–	1	–	27
USA	1	–	–	–	1	–	–	–	2
Other overseas ^(b)	3	–	–	2	–	–	–	–	5
Total	90	47	22	10	37	2	10	5	223

(a) Includes five placements with relatives.

(b) Includes one child from each of Brazil, Malaysia and South Africa placed in New South Wales, and one child from each of Hong Kong and Singapore placed in Western Australia.

4 The adoption process for non-relatives

Australian-born children

Each State and Territory has its own legislation relating to adoption, so the process may vary between the States and Territories and may also differ between agencies within a particular State or Territory. Generally, the main steps involved in the adoption of an Australian-born child by a non-relative are as shown in Figure 11.

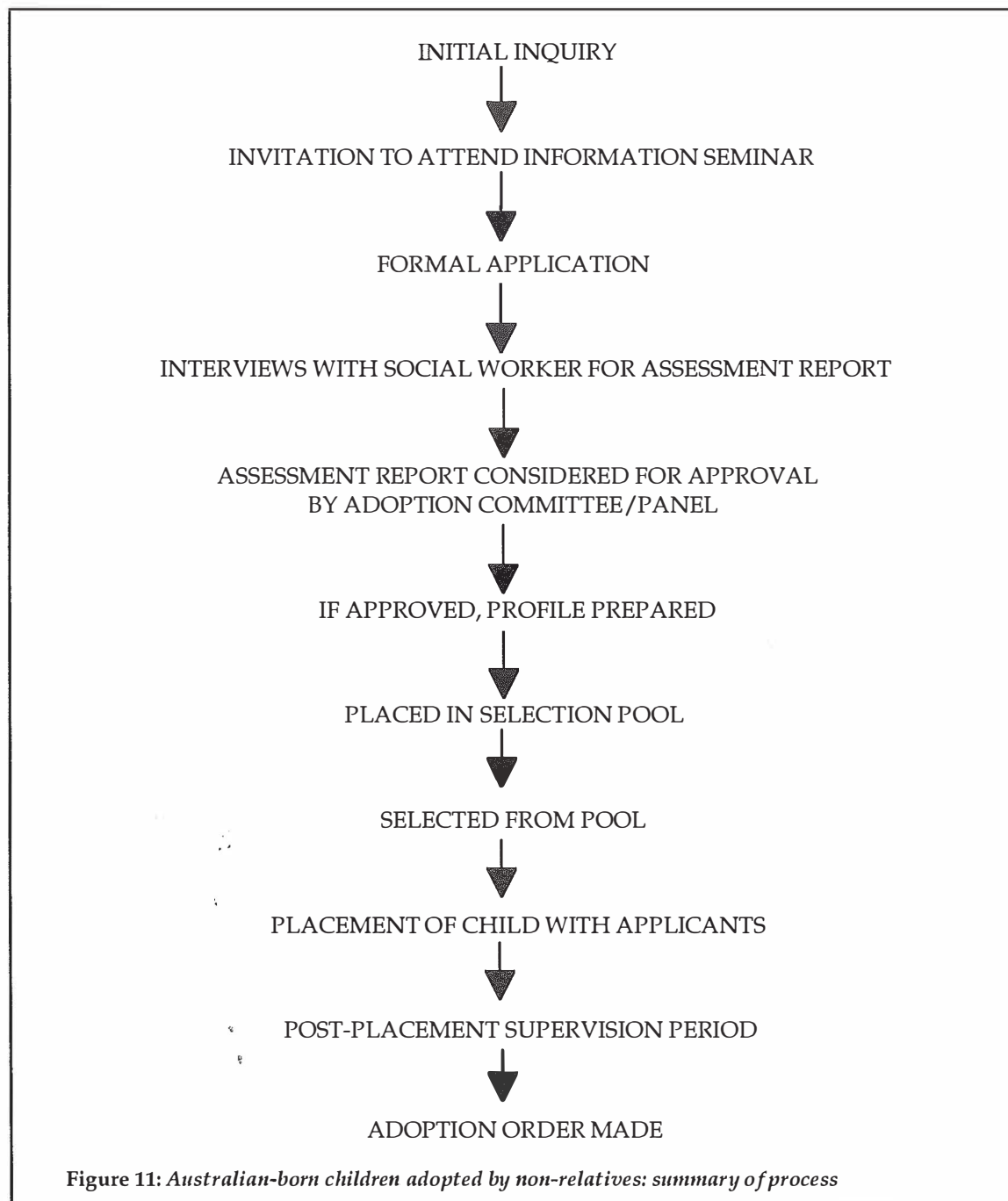
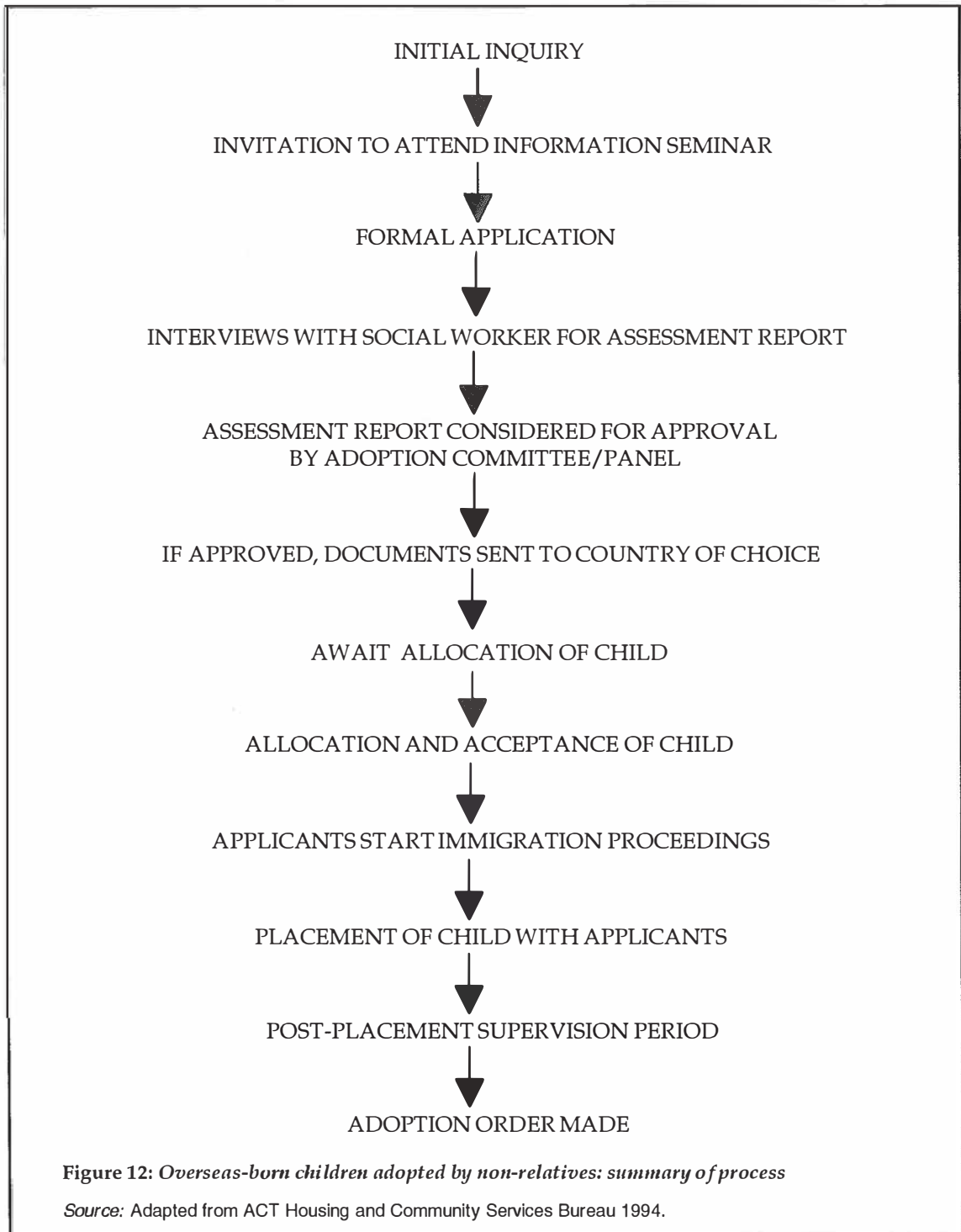


Figure 11: Australian-born children adopted by non-relatives: summary of process

Overseas-born children

In addition to variations in the requirements of State and Territory legislation in Australia the process of adoption of an overseas-born child may also vary according to the requirements of different source countries. Generally, the main steps involved in the adoption of an overseas-born child by a non-relative are as shown in Figure 12.



5 References

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Western Australia Parliament 1993. Hansard. 30 November 1993.

6 Detailed tables

Table 4: *Children adopted: relationship to adoptive parents and arranging body by State/Territory, 1993-94*

Relationship/arranging body	NSW	Vic ^(a)	Qld	WA	SA	Tas	ACT	NT	Australia
Step-parents									
Government	n.a.	10	100	-	45	6	2	5	168
Non-government	n.a.	-	-	-	-	-	-	-	-
Other ^(b)	n.a.	-	-	46	-	-	-	-	46
Total	(c)	10	100	46	45	6	2	5	214
Other relatives									
Government	1	-	3	-	5	-	1	-	10
Non-government	-	-	-	-	-	-	-	-	-
Other ^(b)	-	-	-	4	-	-	-	-	4
Total	1	-	3	4	5	-	1	-	14
Non-relatives									
Government	171	64	103	35	23	17	18	4	435
Non-government	16	38	-	-	33	14	-	-	101
Other ^(b)	-	-	-	-	-	-	-	-	-
Total	187	102	103	35	56	31	18	4	536
Total									
Government	172	74	206	35	73	23	21	9	613
Non-government	16	38	-	-	33	14	-	-	101
Other ^(b)	-	-	-	50	-	-	-	-	50
Total	188	112	206	85	106	37	21	9	764

(a) In Victoria all adoptions by relatives are organised through a solicitor but approval is dependent on an assessment report from either a government or non-government organisation being submitted to the court.

(b) Arranged privately and legalised through solicitors.

(c) Data on adoptions by step-parents not available for New South Wales.

Table 5: Children adopted: age, by relationship to adoptive parents and sex, 1993–94

Age	Adopted by relatives ^{(a)(b)}			Adopted by non-relatives			Total		
	Males	Females	Persons	Males	Females	Persons	Males	Females	Persons
Under 1 year	–	2	2	131	133	264	131	135	266
1–4 years	16	10	26	90	73	163	106	83	189
5–9 years	34	49	83	37	32	69	71	81	152
10–14 years	38	41	79	16	18	34	54	59	113
15 years and over	16	19	35	–	6	6	16	25	41
Total	106	122	228	274	262	536	380	384	764

(a) Data on adoptions by step-parents not available for New South Wales.

(b) All except seven males and seven females were adopted by step-parents; six aged 1–4 years, four 5–9 years and four 10–14 years.

Table 6: Children adopted by relatives: State/Territory, by sex, 1993–94

State/Territory	Males	Females	Persons
New South Wales ^(a)	1	–	1
Victoria	7	3	10
Queensland	43	60	103
Western Australia	20	30	50
South Australia	27	23	50
Tasmania	4	2	6
Australian Capital Territory	2	1	3
Northern Territory	2	3	5
Australia	106	122	228

(a) Data on adoptions by step-parents not available for New South Wales.

Table 7: Children adopted by relatives: age, by State/Territory, 1993–94

Age	NSW ^(a)	Vic	Qld	WA	SA	Tas	ACT	NT	Australia
Under 1 year	–	–	–	2	–	–	–	–	2
1–4 years	1	2	5	11	5	–	1	1	26
5–9 years	–	3	43	17	15	–	2	3	83
10–14 years	–	2	40	11	21	4	–	1	79
15 years and over	–	1	15	8	9	2	–	–	35
Unknown	–	2	–	1	–	–	–	–	3
Total	1	10	103	50	50	6	3	5	228

(a) Data on adoptions by step-parents not available for New South Wales.

Table 8: Children adopted by non-relatives: country of birth, by State/Territory and sex, 1993-94

Country of birth	NSW		Vic		Qld		WA		SA		Tas		ACT		NT		Australia		
	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	P
Australia	58	40	37	35	42	35	7	12	10	12	11	6	4	4	1	-	170	144	314
Overseas																			
Brazil	1	1	-	2	-	-	-	-	-	-	1	2	-	-	-	-	2	5	7
Chile	3	3	-	-	-	-	-	-	-	-	-	-	-	-	-	-	3	3	6
Columbia	10	10	-	-	1	-	-	-	-	-	-	-	-	1	-	-	11	11	22
Fiji	-	-	-	2	-	-	-	-	1	1	1	1	-	1	-	-	2	5	7
India	1	6	-	4	2	2	2	1	-	-	1	2	-	1	-	-	6	16	22
South Korea	8	8	6	4	2	8	2	5	7	4	1	3	1	2	2	1	29	35	64
Philippines	2	-	2	1	-	1	-	-	4	2	1	-	1	-	-	-	10	4	14
Sri Lanka	8	10	2	2	6	1	-	1	-	3	-	-	-	-	-	-	16	17	33
Thailand	3	-	3	-	2	-	-	-	8	3	-	-	-	1	-	-	16	4	20
Other overseas	4	11	1	1	-	1	2	3	1	-	1	-	-	2	-	-	9	18	27
Total overseas	40	49	14	16	13	13	6	10	21	13	6	8	2	8	2	1	104	118	222
Total	98	89	51	51	55	48	13	22	31	25	17	14	6	12	3	1	274	262	536

M = males F = females P=persons.

Table 9: Children adopted by non-relatives: country of birth, by age, 1993-94

Country of birth	Age (years)					Total	
	Under 1	1-4	5-9	10-14	15 and over		
Australia		177	86	34	13	4	314
Overseas							
Brazil	-		1	4	2	-	7
Chile	1		3	1	1	-	6
Columbia	12		4	5	1	-	22
Fiji	-		3	1	2	1	7
India	4		10	6	2	-	22
South Korea	40		20	1	2	1	64
Philippines	3		9	1	1	-	14
Sri Lanka	17		10	4	2	-	33
Thailand	-		9	7	4	-	20
Other overseas	10		7	6	4	-	27
Total overseas	87		76	36	21	2	222
Total	264		162	70	34	6	536

Table 10: Children adopted by non-relatives: State/Territory, by birthplace, 1993–94

State/Territory	Australia		Overseas		Total	
	No.	%	No.	%	No.	%
New South Wales	98	52.4	89	47.6	187	100
Victoria	72	70.6	30	29.4	102	100
Queensland	77	74.8	26	25.2	103	100
Western Australia	19	54.3	16	45.7	35	100
South Australia	22	39.3	34	60.7	56	100
Tasmania	17	54.8	14	45.2	31	100
Australian Capital Territory	8	44.4	10	55.6	18	100
Northern Territory	1	25.0	3	75.0	4	100
Australia	314	58.6	222	41.4	536	100

Table 11: Children adopted by non-relatives: age, by State/Territory 1993–94

Age	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Australia
Under 1 year	127	–	52	21	26	20	14	4	264
1–4 years	33	73	34	5	12	3	3	–	163
5–9 years	22	16	10	5	11	5	0	–	69
10–14 years	5	11	5	4	5	3	1	–	34
15 years and over	–	2	2	–	2	–	–	–	6
Total	187	102	103	35	56	31	18	4	536

Table 12: Australian-born children adopted by non-relatives: age of birth mother, by nuptiality and sex of adopted child, 1993–94

Age of birth mother	Nuptial			Ex-nuptial			Total		
	M	F	P	M	F	P	M	F	P
13 years and under	–	–	–	–	1	1	–	1	1
14 years	–	–	–	2	1	3	2	1	3
15 years	–	–	–	7	5	12	7	5	12
16 years	–	–	–	7	7	14	7	7	14
17 years	1	1	2	8	10	18	9	11	20
18 years	1	–	1	8	10	18	9	10	19
19 years	–	2	2	19	8	27	19	10	29
20–24 years	6	6	12	35	33	68	41	39	80
25–29 years	9	3	12	25	17	42	34	20	54
30–34 years	5	2	7	12	10	22	17	12	29
35–39 years	1	5	6	3	2	5	4	8	12 ^(a)
40 years and over	–	–	–	2	–	2	2	–	2
Unknown	7	4	11	11	16	27	19	20	39 ^(a)
Total	30	23	53	139	120	259	170	144	314

M = males F = females P = persons.

(a) Includes one adoption where nuptiality is unknown.

Table 13: Australian-born children adopted by non-relatives: State/Territory, by nuptiality, 1993–94

State/Territory	Nuptial	Ex-nuptial	Total
New South Wales	18	78	98 (a)
Victoria	15	57	72
Queensland	10	67	77
Western Australia	3	16	19
South Australia	6	16	22
Tasmania	1	16	17
Australian Capital Territory	–	8	8
Northern Territory	–	1	1
Australia	53	259	314

(a) Includes one male and one female child where nuptiality is unknown.

Table 14: Persons adopted: Aboriginality and sex of adopted person by relationship and Aboriginality of adoptive parents, 1992-93

Aboriginality/sex of adopted child	Adopted by relatives		Adopted by non-relatives		Total	
	ATSI	Other	ATSI	Other	ATSI	Other
ATSI						
Males	–	–	5	4	5	4
Females	1	–	1	2	2	2
Persons	1	–	6	6	7	6
Other						
Males	–	78	–	231	–	309
Females	–	99	–	227	–	326
Persons	–	177	–	458	–	635
Total						
Males	–	78	5	235	5	313
Females	1	99	1	229	2	328
Persons	1	177	6	464	7	641

ATSI = Aboriginal or Torres Strait Islander.

Notes

1. Table excludes six adoptions (two males, four females) where the relationship of the adoptive parent to the adopted child is unknown, and four adoptions (one male, three females) where the Aboriginality of the adopted child is unknown.
2. Data for South Australia and for adoptions by step-parents in New South Wales are not available.

Table 15: Children adopted: relationship of adoptive parents to and Aboriginality of adopted child, by State/Territory, 1993–94

Relationship/Aboriginality of adopted child	NSW (a)	Vic	Qld	WA	SA	Tas	ACT	NT
Relatives								
ATSI	–	–	1	–	n.a.	–	–	–
Other	1	10	102	50	n.a.	6	3	5
Non-relatives								
ATSI	6	–	4	2	n.a.	–	–	–
Other	171	102	99	33	n.a.	31	18	4
Total								
ATSI	6	–	5	2	n.a.	–	–	–
Other	178 (b)	112	201	83	n.a.	37	21	9
Total	188 (c)	112	206	85	n.a.	37	21	9

ATSI = Aboriginal or Torres Strait Islander.

(a) Data on adoptions by step-parents not available for New South Wales.

(b) Includes six adoptions of a non-Aboriginal or Torres Strait Islander children where the relationship of the adopted parent to the child is unknown.

(c) Includes four adoptions by a non-relative where the aboriginality of the child is unknown.

Table 16: Children adopted: arranging body, 1979–80 to 1993–94

Year	Government	Non-government	Other (a)	Total	
1979–80		1,909	528	900	3,337
1980–81		1,802	446	770	3,018
1981–82		1,670	430	871	2,971
1982–83		1,827	435	810	3,072
1983–84		1,567	449	754	2,770
1984–85		1,270	369	655	2,294
1985–86 and 1986–87		(b)	(b)	(b)	(b)
1987–88 (c)		1,246	243	2	1,491
1988–89 (c)		1,118	240	143	1,501
1989–90 (c)		1,114	117	63	1,294
1990–91 (c)		955	132	55	1,142
1991–92 (c)		839	145	68	1,052
1992–93 (c)		635	95	53	783
1993–94 (c)		613	101	50	764

(a) Arranged privately and legalised through solicitors.

(b) No data on adoptions were collated nationally for 1985–86 and 1986–87.

(c) Data on adoptions by step-parents not available for New South Wales from 1987–88.

Source: Adoptions Australia, Australian Bureau of Statistics, Canberra (cat. no. 4406.0), 1979–80 to 1984–85; Adoptions: national data collection, WELSTAT, 1987–88 to 1989–90.

Table 17: *Children adopted: number of adoptions, by State/Territory, 1968-69 to 1993-94*

Year	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Australia
1968-69	1,715	1,789	1,448	540	797	348	100	36	6,773
1969-70	2,346	2,031	1,500	703	834	243	102	61	7,820
1970-71	3,275	2,057	1,562	301	879	289	122	68	8,553
1971-72	4,539	1,768	1,774	457	776	303	127	54	9,798
1972-73	3,315	1,765	1,678	717	649	268	121	29	8,542
1973-74	1,936	1,557	1,458	783	558	268	120	25	6,705
1974-75	1,799	1,168	1,394	528	551	243	123	33	5,839
1975-76	1,449	1,032	1,112	531	549	211	87	19	4,990
1976-77	1,770	908	1,014	497	658	185	82	74	5,188
1977-78	1,068	951	660	417	506	164	55	46	3,867
1978-79	1,020	956	563	380	415	173	56	40	3,603
1979-80	853	914	450	387	475	148	85	25	3,337
1980-81	794	711	454	305	505	140	74	35	3,018
1981-82	855	753	467	261	306	119	81	39	2,971
1982-83	926	692	555	270	424	117	59	29	3,072
1983-84	698	686	517	250	438	87	51	43	2,770
1984-85	623	631	331	293	222	97	74	23	2,294
1985-86	(a)	(a)	359	(a)	(a)	(a)	(a)	(a)	(a)
1986-87	(a)	(a)	268	(a)	(a)	(a)	(a)	(a)	(a)
1987-88	280 ^(b)	114	306	191	416	120	36	28	1,491
1988-89	335 ^(b)	288	353	147	221	85	47	25	1,501
1989-90	360 ^(b)	212	278	128	174	71	50	21	1,294
1990-91	329 ^(b)	258	210	136	103	61	25	20	1,142
1991-92	310 ^(b)	185	232	120	112	58	23	12	1,052
1992-93	209 ^(b)	101	222	87	111	23	20	10	783
1993-94	188 ^(b)	112	206	85	106	37	21	9	764

(a) No data on adoptions were collated nationally for 1985-86 and 1986-87.

(b) Data on adoptions by step-parents not available for New South Wales from 1987-88.

Source: *Adoptions Australia*, Australian Bureau of Statistics, Canberra (cat. no. 4406.0), 1979-80 to 1984-85; *Adoptions: national data collection*, WELSTAT, 1987-88 to 1989-90.

Table 18: Children adopted: arranging body, by State/Territory, 1982-83 to 1993-94

Year/arranging body	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Australia
1982-83									
Government	436	123	555	181	341	103	59	29	1,827
Non-government	126	189	-	89	17	14	-	-	435
Other ^(a)	364	380	-	-	66	-	-	-	810
Total	926	692	555	270	424	117	59	29	3,072
1983-84									
Government	271	120	517	150	342	73	51	43	1,567
Non-government	88	151	-	100	96	14	-	-	449
Other ^(a)	330	415	-	-	-	-	-	-	754
Total	698	686	517	250	438	87	51	43	2,770
1984-85									
Government	237	139	331	168	208	90	74	23	1,270
Non-government	114	111	-	125	12	7	-	-	369
Other ^(a)	272	381	-	-	2	-	-	-	655
Total	623	631	331	293	222	97	74	23	2,294
1985-86 and 1986-87									
	(b)	(b)	(b)	(b)	(b)	(b)	(b)	(b)	(b)
1987-88 ^(c)									
Government	195	68	306	115	392	106	36	28	1,246
Non-government	85	46	-	74	24	14	-	-	243
Other ^(a)	-	-	-	2	-	-	-	-	2
Total	280	114	306	191	416	120	36	28	1,491
1988-89 ^(c)									
Government	240	61	353	103	211	78	47	25	1,118
Non-government	95	84	-	44	10	7	-	-	240
Other ^(a)	-	143	-	-	-	-	-	-	143
Total	335	288	353	147	221	85	47	25	1,501
1989-90 ^(c)									
Government	332	153	278	65	159	56	50	21	1,114
Non-government	28	59	-	-	15	15	-	-	117
Other ^(a)	-	-	-	63	-	-	-	-	63
Total	360	212	278	128	174	71	50	21	1,294
1990-91 ^(c)									
Government	287	199	210	81	87	46	25	20	955
Non-government	42	59	-	-	16	15	-	-	132
Other ^(a)	-	-	-	55	-	-	-	-	55
Total	329	258	210	136	103	61	25	20	1,142
1991-92 ^(c)									
Government	261	130	232	52	82	47	23	12	839
Non-government	49	55	-	-	30	11	-	-	145
Other ^(a)	-	-	-	68	-	-	-	-	68
Total	310	185	232	120	112	58	23	12	1,052
1992-93 ^(c)									
Government	167	80	222	34	85	17	20	10	635
Non-government	42	21	-	-	26	6	-	-	95
Other ^(a)	-	-	-	53	-	-	-	-	53
Total	209	101	222	87	111	23	20	10	783
1993-94 ^(c)									
Government	172	74	206	35	73	23	21	9	613
Non-government	16	38	-	-	33	14	-	-	101
Other ^(a)	-	-	-	50	-	-	-	-	50
Total	188	112	206	85	106	37	21	9	764

(a) Arranged privately and legalised through solicitors.

(b) No data on adoptions were collated nationally for 1985-86 and 1986-87.

(c) Data on adoptions by step-parents not available for New South Wales from 1987-88.

Source: *Adoptions Australia*, Australian Bureau of Statistics, Canberra (cat. no. 4406.0), 1979-80 to 1984-85; *Adoptions: national data collection*, WELSTAT, 1987-88 to 1989-90.

Table 19: Children adopted: relationship to adoptive parents, by State/Territory, 1979–80 to 1993–94

Year/relationship to adoptive parents	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Australia
1979–80									
Relative	334	524	168	201	288	58	53	11	1,637
Non-relative	519	390	282	186	187	90	32	14	1,700
Total	853	914	450	387	475	148	85	25	3,337
1980–81									
Relative	347	379	153	167	309	65	41	23	1,484
Non-relative	447	332	301	138	196	75	33	12	1,534
Total	794	711	454	305	505	140	74	35	3,018
1981–82									
Relative	396	445	164	137	230	56	42	24	1,494
Non-relative	459	308	303	124	166	63	39	15	1,477
Total	855	753	467	261	396	119	81	39	2,971
1982–83									
Relative	384	380	257	134	297	55	24	17	1,548
Non-relative	542	312	298	136	127	62	35	12	1,524
Total	926	692	555	270	424	117	59	29	3,072
1983–84									
Relative	309	415	196	135	306	41	18	32	1,452
Non-relative	389	271	321	115	132	46	33	11	1,318
Total	698	686	517	250	438	87	51	43	2,770
1984–85									
Relative	254	375	130	162	132	51	42	11	1,157
Non-relative	369	256	201	131	90	46	32	12	1,137
Total	623	631	331	293	222	97	74	23	2,294
1985–86 and 1986–87	(a)	(a)	(a)	(a)	(a)	(a)	(a)	(a)	(a)
1987–88									
Relative ^(b)	4	5	131	89	301	57	10	8	605
Non-relative	276	109	175	102	115	63	26	20	886
Total	280	114	306	191	416	120	36	28	1,491
1988–89									
Relative ^(b)	2	112	146	60	131	20	19	10	500
Non-relative	332	176	207	87	90	65	28	15	1,000
Total	335 ^(c)	288	353	147	221	85	47	25	1,501
1989–90									
Relative ^(b)	n.a.	27	120	81	59	22	11	7	327
Non-relative	360	185	158	47	115	49	39	14	967
Total	360	212	278	128	174	71	50	21	1,294
1990–91									
Relative ^(b)	9	26	95	80	36	20	2	9	277
Non-relative	320	232	115	56	67	41	23	11	865
Total	329	258	210	136	103	61	25	20	1,142
1991–92									
Relative ^(b)	13	27	109	77	33	29	2	5	295
Non-relative	296	158	123	43	79	29	21	7	756
Total	310 ^(c)	185	232	120	112	58	23	12	1,052
1992–93									
Relative ^(b)	4	21	124	55	37	–	6	3	250
Non-relative	205	80	98	32	74	23	14	7	533
Total	209	101	222	87	111	23	20	10	783
1993–94									
Relative ^(b)	1	10	103	50	50	6	3	5	228
Non-relative	187	102	103	35	56	31	18	4	536
Total	188	112	206	85	106	37	21	9	764

(a) No data on adoptions were collated nationally for 1985–86 and 1986–87.

(b) Data on adoptions by step-parents not available for New South Wales from 1987–88.

(c) Includes one adoption where relationship to adoptive parents is unknown.

Source: *Adoptions Australia*, Australian Bureau of Statistics, Canberra (cat. no. 4406.0), 1979–80 to 1984–85; *Adoptions: national data collection*, WELSTAT, 1987–88 to 1989–90.

Table 20: Children adopted by non-relatives: birthplace, by State/Territory, 1987–88 to 1993–94

Year/ birthplace	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Australia
1987–88									
Australia	171	109	153	65	32	29	11	8	578
Overseas	105	n.a.	22	37	83	34	15	12	308 ^(a)
Total	276	109	175	102	115	63	26	20	886
1988–89									
Australia	184	145	159	51	26	24	11	6	606
Overseas	148	31	48	36	64	41	17	9	394
Total	332	176	207	87	90	65	28	15	1,000
1989–90									
Australia	144	135	128	27	74	26	7	6	547
Overseas	216	50	30	20	41	23	32	8	420
Total	360	185	158	47	115	49	39	14	967
1990–91									
Australia	158	127	90	34	24	25	7	7	472
Overseas	162	105	25	22	43	16	16	4	393
Total	320	232	115	56	67	41	23	11	865
1991–92									
Australia	151	91	96	19	29	16	11	5	418
Overseas	145	67	27	24	50	13	10	2	338
Total	296	158	123	43	79	29	21	7	756
1992–93									
Australia	110	43	79	18	34	14	5	3	306
Overseas	95	37	19	14	40	9	9	4	227
Total	205	80	98	32	74	23	14	7	533
1993–94									
Australia	98	72	77	19	22	17	8	1	314
Overseas	89	30	26	16	34	14	10	3	222
Total	187	102	103	35	56	31	18	4	536

(a) Excludes Victoria, for which data were not available.

Source: Adoptions: national data collection, WELSTAT, 1987–88 to 1989–90.

Table 21: Children adopted by non-relatives: birthplace, 1979–80 to 1993–94

Year	Australia	Overseas	Unknown	Total
1979–80	1,094	66	540	1,700
1980–81	1,388	127	19	1,534
1981–82	1,311	162	4	1,477
1982–83	1,336	188	—	1,524
1983–84	1,108	197	13	1,318
1984–85	888	235	14	1,137
1985–86 and 1986–87	(a)	(a)	(a)	(a)
1987–88	578	308	—	886 ^(b)
1988–89	606	394	—	1,000
1989–90	547	420	—	967
1990–91	472	393	—	865
1991–92	418	338	—	756
1992–93	306	227	—	533
1993–94	314	222	—	536

(a) No data on adoptions were collated nationally for 1985–86 and 1986–87.

(b) Excludes overseas-born adoptees for Victoria, for which data were not available.

Source: Adoptions Australia, Australian Bureau of Statistics, Canberra (cat. no. 4406.0), 1979–80 to 1984–85; Adoptions: national data collection, WELSTAT, 1987–88 to 1989–90.

Table 22: Australian-born children adopted by non-relatives: nuptiality, by State/Territory, 1987-88 to 1993-94

Year/ nuptiality	NSW (a)	Vic	Qld ^(b)	WA	SA	Tas	ACT	NT	Australia
1987-88									
Nuptial	22	8	24	8	2	1	-	-	65
Ex-nuptial	139	101	129	57	30	28	11	8	503
Total	171	109	153	65	32	29	11	8	578
1988-89									
Nuptial	18	7	30	8	6	3	-	1	73
Ex-nuptial	162	138	128	43	20	21	11	5	528
Total	184	145	159	51	26	24	11	6	606
1989-90									
Nuptial	16	6	11	7	37	2	1	-	80
Ex-nuptial	126	129	113	20	37	24	6	6	461
Total	144	135	128	27	74	26	7	6	547
1990-91									
Nuptial	20	24	12	9	3	3	-	1	72
Ex-nuptial	137	103	78	25	21	22	7	4	397
Total	158	127	90	34	24	25	7	7 ^(c)	472
1991-92									
Nuptial	37	-	21	5	2	2	-	-	67
Ex-nuptial	113	91	73	14	27	14	11	5	348
Total	151	91	96	19	29	16	11	5	418
1992-93									
Nuptial	16	5	9	2	11	1	1	-	45
Ex-nuptial	92	38	70	16	23	13	4	3	259
Total	110	43	79	18	34	14	5	3	306
1993-94									
Nuptial	18	15	10	3	6	1	-	-	53
Ex-nuptial	78	57	67	16	16	16	8	1	259
Total	98	72	77	19	22	17	8	1	314

(a) Includes adoptions where nuptiality was unknown: 10 in 1987-88, four in 1988-89, two in 1989-90, one in 1990-91, one in 1991-92, two in 1992-93 and two in 1993-94.

(b) Includes adoptions where nuptiality was unknown: one in 1988-89, four in 1989-90 and two in 1991-92.

(c) Includes two adoptions where nuptiality was unknown.

Source: *Adoptions: national data collection*, WELSTAT, 1987-88 to 1989-90.

Table 23: Children legally available for adoption: location of child by State/Territory at 30 June, 1988 to 1992

Year/location	NSW	Qld	WA	SA	Tas	ACT	NT
At 30 June 1988							
Prospective adoptive parents	123	n.a.	91	n.a.	n.a.	23	41
Foster care	65	n.a.	2	n.a.	n.a.	—	4
Hospital/nursing home	1	n.a.	2	n.a.	n.a.	—	—
Other	—	n.a.	3	n.a.	n.a.	—	1
Total	189	n.a.	98	n.a.	n.a.	23	46
At 30 June 1989							
Prospective adoptive parents	115	n.a.	57	n.a.	n.a.	26	14
Foster care	17	n.a.	9	n.a.	n.a.	—	7
Hospital/nursing home	—	n.a.	—	n.a.	n.a.	—	1
Other	3	n.a.	—	n.a.	n.a.	—	—
Total	135	n.a.	66	n.a.	n.a.	26	22
At 30 June 1990							
Prospective adoptive parents	103	n.a.	48	n.a.	n.a.	22	19
Foster care	32	n.a.	3	n.a.	n.a.	—	6
Hospital/nursing home	1	n.a.	—	n.a.	n.a.	—	1
Other	—	n.a.	—	n.a.	n.a.	—	—
Total	136	n.a.	51	n.a.	n.a.	22	26
At 30 June 1991							
Prospective adoptive parents	49	n.a.	15	n.a.	n.a.	5	10
Foster care	2	n.a.	1	n.a.	n.a.	2	2
Hospital/nursing home	—	n.a.	—	n.a.	n.a.	—	—
Other	—	n.a.	1	n.a.	n.a.	—	1
Total	51	n.a.	17	n.a.	n.a.	7	13
At 30 June 1992							
Prospective adoptive parents	89	n.a.	26	n.a.	n.a.	1	9
Foster care	20	n.a.	9	n.a.	n.a.	2	1
Hospital/nursing home	—	n.a.	—	n.a.	n.a.	—	—
Other	1	n.a.	—	n.a.	n.a.	2	1
Total	110	n.a.	35	n.a.	n.a.	5	11
At 30 June 1993							
Prospective adoptive parents	135	—	39	n.a.	29	11	10
Foster care	12	50	17	n.a.	2	1	—
Hospital/nursing home	1	3	1	n.a.	—	—	—
Other	—	20	—	n.a.	—	—	—
Total	148	73	57	n.a.	31	12	10
At 30 June 1993							
Prospective adoptive parents	107	—	31	49	4	—	1
Foster care	49	54	8	—	1	1	1
Hospital/nursing home	—	1	—	—	—	—	—
Other	1	7	—	—	—	—	—
Total	157	62	39	49	5	1	2

Notes

1. For definition of 'Children legally available for adoption', see Section 7.
2. Data for Victoria were not available.

Source: *Adoptions: national data collection*, WELSTAT, 1987–88 to 1989–90.

7 Explanation of terms

Adoption

An adoption is the legal effect of an adoption order. It establishes a child or adult as if he or she were the issue of a particular person or persons. It also establishes the adopting persons as the parents of the child, as if the child had been born to them.

Adoption order

An adoption order is an administrative order made by a court under adoption legislation. It excludes legitimation orders made under the Commonwealth *Marriage Act 1961*.

Adoptive parent

An adoptive parent is a person who has become the parent of a child or adult as the result of an adoption order. In some States a de facto partner of a parent may become an adoptive parent (See 'Adoption by non-relatives' in Section 2).

Adult

An adult is a person aged 18 or more years.

Age of child

For the purpose of this collection, the age of an adopted person is generally based on the date of the adoption order (in completed years, or in completed calendar months where the age is less than one year). In New South Wales, and for people adopted by non-relatives in South Australia and Tasmania, age is based on the date of placement (that is, the date on which the adopted person began living with the adoptive parents).

It should be noted that the date of placement could be a considerable time before the date of the adoption order.

Age of birth mother

The age of the birth mother is the age, in complete years, at the child's birth.

Child

A child is a person aged less than 18 years. Under State and Territory adoption legislation it can include an older person for whom an adoption order is sought or has been made.

Child legally available for adoption by non-relatives

A child is legally available for adoption by non-relatives if all the legally necessary consents by relatives or others to the child's adoption have been obtained or legally dispensed with. The consent of the Minister, or the director or another official of the State or Territory welfare department does not have to be obtained for the child to be available for adoption.

Children whose adoption has been deferred or who are already living with their prospective adoptive parents are included in this category. Children brought to Australia from overseas are included only if they are legally available for adoption under Australian legislation. Orphan children under the guardianship of a State or

Territory welfare department are included only if an adoption consent was signed by at least one of the child's parents or if active steps are being taken to find adoptive parents for the child.

Guardianship

In this publication 'guardianship' refers to the allocation of responsibility for a child's total welfare to a couple or individual, rather than to a welfare department or other authorised department. Guardianship is not regarded as adoption, although some children under guardianship may be included in the count of children legally available for adoption.

Location of child

A child legally available for adoption is placed in one of the following location categories: living with prospective adoptive parents, foster care, hospital or nursing home, or 'other'.

Living with prospective adoptive parents

A child in this category is living with prospective adoptive parents under the supervision of an adoption agency. The prospective parents must not be in receipt of a foster allowance for the support of the child. Cases where a child's foster parents have applied to adopt him or her are included only if the foster parents no longer receive a foster allowance for the child.

Foster care

A child is regarded as being in foster care when he or she is living in a private household apart from that of his or her natural or adoptive parents and is being cared for by one or more adults approved by the relevant welfare department. The adults are acting as substitute parents to the child and are being paid a regular allowance for the child's support by a government authority or non-government organisation.

Hospital or nursing home

A child is living in a hospital or nursing home if he or she is living in an establishment mainly engaged in providing hospital (including psychiatric or mental hospital) facilities such as diagnostic medical or surgical services as well as continuous in-patient nursing care or nursing or convalescent home facilities (including the provision of nursing or medical care as a basic part of the service).

Other

The 'other' category includes all children who are legally available for adoption and are living neither with prospective adoptive parents nor in foster care, a hospital or a nursing home. It includes children living in arrangements such as boarding schools, prisons, residential adult care establishments, with adults who are not their prospective adoptive parents or foster parents, living independently, or on unauthorised absence from their usual location.

Nuptiality of adopted child

Nuptial

The birth of an adopted child is classified as nuptial if the child's natural parents were legally married to each other at the time of the birth. Cases where the adopted child's birth father was legally married to the child's birth mother but died before the birth are included.

Ex-nuptial

The birth of an adopted child is classified as ex-nuptial if the child's natural parents were not legally married to each other at the time of the birth. Cases where the adopted child's birth father was legally married to the child's birth mother but died before the birth are excluded.

Relative

A relative is a parent or other relative as defined in the following two paragraphs.

Parent

A parent is a natural (that is, biological) parent, a spouse of a natural parent (that is, a step-parent), an adoptive parent through a previous adoption order, or a spouse of an adoptive parent. Foster parents are excluded unless they otherwise fit the definition.

Other relative

'Other relative' means a grandparent, brother, sister, aunt or uncle, whether the relationship is full blood or half-blood or by marriage, and includes relationships based on the adoption of any person or traced through, or to, a person whose parents were not married to each other at the time of the birth or subsequently.

Non-relative

A non-relative is a person who is not a parent or other relative, as defined.

Arranging body

An arranging body is an agency authorised under legislation to approve and arrange adoptions. Adoptions can be arranged by governments, State and Territory welfare departments, and non-government agencies.

Government

A government authority is an agency in Australia that is owned or controlled by the Commonwealth or a State or Territory government, including departments and statutory authorities, and public hospitals not run by religious institutions. In recent years no adoptions were arranged through government departments other than the welfare departments.

State and Territory welfare departments

A State or Territory welfare department is one of the contributing departments listed on page iii of this publication. In recent years all adoptions arranged through government departments have been arranged through welfare departments.

Non-government agency

A non-government agency is an agency in Australia that is not owned or controlled by the Commonwealth Government or by a State or Territory government. This includes public hospitals run by religious institutions, private hospitals, church organisations, religious communities, registered charities, voluntary agencies, non-profit organisations, companies, and cooperative societies and associations.

The following non-government agencies were licensed to arrange adoptions in 1993–94:

New South Wales

Centacare Adoption Services

Anglican Adoption Agency

Barnardo's Australia

Seventh Day Adventist Adoption Agency

Victoria

Copelen Street Family Services

Western Family Services

Gippsland Family Services

Catholic Family Welfare Bureau

Jewish Welfare Society

LDS Social Services

South Australia

Australians Aiding Children Adoption Agency

Tasmania

Catholic Private Adoption Agency

Other arrangements

Some adoptions by relatives are arranged without the involvement of an organisation, when arrangements are made between parties and the legal aspects are handled through solicitors. Included are private, local and overseas adoptions by relatives and local adoptions by step-parents. In 1993–94, some adoptions by relatives were arranged in this way in New South Wales and Western Australia; data for New South Wales are not collected (see 'Adoptions by relatives' in Section 2).

8 Related legislation

The following list contains State/Territory and Commonwealth Acts, Regulations and Bills relating to adoption in Australia.

Commonwealth

Immigration (Guardianship of Children) Act 1946

Marriage Act 1961

New South Wales

Adoption of Children Act 1965

Adoption Information Act 1990

Adoption Information Regulations 1991

Victoria

Adoption Act 1984

Adoption Regulations 1987

Adoption (Amendment) Act 1991

Queensland

Adoption of Children Act 1964

Adoption of Children Regulations 1988

Adoption of Children Amendment Act 1990

Adoption of Children Legislation Amendment Act 1991

Western Australia

Adoption of Children Act 1896

Adoption of Children Regulations 1986

Adoptions Bill 1993

South Australia

Adoption Act 1988

Tasmania

Adoption Act 1988

Australian Capital Territory

Adoption Act 1993

Northern Territory

Adoption of Children Act 1964

Adoption of Children Act 1994

9 Related publications

The following publications containing child welfare information have been issued by the Australian Institute of Health and Welfare.

Child welfare series

Number 1: *Adoptions Australia, 1990–91*

Number 2: *Child abuse and neglect Australia, 1990–91*

Number 3: *Children under care and protection orders Australia, 1990–91*

Number 4: *Adoptions Australia, 1991–92*

Number 5: *Child abuse and neglect Australia, 1991–92*

Number 6: *Children under care and protection orders Australia, 1991–92*

Number 7: *Adoptions Australia, 1992–93*

Number 8: *Child abuse and neglect: reporting and investigation procedures in Australia, 1994*

Number 9: *Child abuse and neglect Australia, 1992–93*

Number 10: *Children under care and protection orders Australia, 1992–93*

Other publications

Australia's welfare: services and assistance 1993