



Australian Government

**Australian Institute of
Health and Welfare**

Adoptions Australia 2014–15

CHILD WELFARE SERIES NO. 62



Australian Government

**Australian Institute of
Health and Welfare**

*Authoritative information and statistics
to promote better health and wellbeing*

CHILD WELFARE SERIES

Number 62

Adoptions Australia

2014–15

Australian Institute of Health and Welfare
Canberra

Cat. no. CWS 56

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This publication is part of the Australian Institute of Health and Welfare's Child welfare series. A complete list of the Institute's publications is available from the Institute's website <www.aihw.gov.au>.

ISSN 978-1-74249-871-3 (PDF)

ISBN 978-1-74249-872-0 (Print)

ISSN 2205-5037 (PDF)

ISSN 1320-081X (Print)

Suggested citation

Australian Institute of Health and Welfare 2015. Adoptions Australia 2014–15. Child welfare series no. 62. Cat. no. CWS 56. Canberra: AIHW.

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Published by the Australian Institute of Health and Welfare

**Please note that there is the potential for minor revisions of data in this report.
Please check the online version at <www.aihw.gov.au> for any amendments.**

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Acknowledgements

Merryl Uebel-Yan authored this report. Sam Chambers, David Braddock and Justine Boland gave essential advice and guidance during the project. Georgina Jepsen and Josh Sweeney from the Child Welfare and Prisoner Health Unit also provided valuable input and feedback.

Thanks are extended to the following state and territory departments for providing data and valuable advice and support on the report's content, and to the Australian Government Attorney-General's Department and the Department of Social Services for comments on previous drafts.

- Department of Family and Community Services, New South Wales
- Department of Health and Human Services, Victoria
- Department of Communities, Child Safety and Disability Services, Queensland
- Department for Child Protection and Family Support, Western Australia
- Department for Education and Child Development, South Australia
- Department of Health and Human Services, Tasmania
- Community Services Directorate, Australian Capital Territory
- Department of Children and Families, Northern Territory.

The Australian Institute of Health and Welfare is a statistical agency; enquiries from people wishing to adopt or find out more about the adoption process in Australia should be directed to the above departments in their relevant state or territory, or to Intercountry Adoption Australia <www.intercountryadoption.gov.au/>.

Abbreviations

AGD	Australian Government Attorney-General's Department
AIHW	Australian Institute of Health and Welfare
DCCSDS	Queensland Department of Communities, Child Safety and Disability Services
DHHS Tas	Tasmanian Department of Health and Human Services
DHHS Vic	Victorian Department of Health and Human Services
F	female
Hague Convention	Hague Convention on Protection of Children and Co-operation in respect of Intercountry Adoption
M	male
P	persons

Symbols

–	nil or rounded to zero
..	not applicable
<	less than
>	greater than
n.p.	not published

Summary

Adoption numbers continued to decline

In 2014–15, 292 adoptions were recorded as finalised. This is the lowest annual number of adoptions on record, and is a fall of 8% from the 317 adoptions in 2013–14, and of 74% from the 1,142 adoptions 25 years earlier, in 1990–91. The decline over the past decade has been driven primarily by intercountry adoptions, which fell to 83 in 2014–15 from 421 in 2005–06.

Almost one-third of all adoptions were carer adoptions

While adoption numbers overall have declined over time, ‘known child’ adoptions by carers are increasing. In 2014–15, carers, such as foster parents, adopted 94 children, the highest number at any point in the previous decade—more than 4 times the 21 adoptions in 2005–06. Carer adoptions comprised almost one-third (32%) of all finalised adoptions in 2014–15.

Local adoptees were younger than intercountry adoptees

Adoption of Australian children not known to their adoptive parents are called ‘local’ adoptions. In 2014–15, 56 local and 83 intercountry adoptions were finalised, representing 19% and 28% of all adoptions, respectively. Almost all local adoptees were aged under 5 (98%), with 41% aged under 1, compared with only 10% of intercountry adoptees being aged under 1. The decline in intercountry adoption is most pronounced among children in this age group.

Intercountry processing times increased to more than 5 years

The median length of time to complete an intercountry adoption had been increasing each year between 2007–08 (when data were first reported) and 2013–14, when it remained stable at 5 years. In 2014–15, it increased to 5 years and 4 months.

The median length of time varied considerably across countries, ranging from nearly 3.5 years for Taiwan to almost 8 years for China.

Taiwan remains the main country of origin for intercountry adoptions

The main country of origin for intercountry adoptions has changed over time. Between 2005–06 and 2008–09, the main country of origin was China; between 2009–10 and 2011–12 it varied between China, the Philippines and Taiwan; and, since 2012–13, it has been Taiwan. In 2014–15, 36% of intercountry adoptions were from Taiwan.

A new intercountry adoption service established

On 17 May 2015, the Australian Government established a new service – Intercountry Adoption Australia – to guide people wanting to adopt children from overseas. State and territory central authorities remain responsible for adoption legislation and managing adoption applications, including assessing the eligibility and suitability of those seeking to adopt children from overseas and processing their applications. The Australian Attorney-General’s Department remains responsible for ensuring that Australia meets its obligations under the Hague Convention on Protection of Children and Co-operation in respect of Intercountry Adoption.

1 Introduction

1.1 Adoptions in Australia

Adoption is a legal process involving the transfer of the rights and responsibilities for the permanent care of a child from a child's parent(s) to his or her adoptive parent(s). When an adoption order is granted, the legal relationship between the child and the parent(s) is severed. Any legal rights that existed from birth regarding the birth parent(s), such as inheritance, are removed. In relation to the adoptive parents, the legal rights of the adopted child become the same as they would be if the child had been born to the adoptive parent(s). A new birth certificate may be issued for the child recording the name(s) of the adoptive parent(s) as the legal parent(s), and the new name of the child, if their name is changed.

As the trend data in this and previous reports reveal, patterns of adoption in Australia have changed over time, due to social, economic and legislative changes, since the 1960s. A complex interplay of factors has developed, including among others contraception and legalised abortion, the availability of financial support for unwed mothers, a reduction in stigma around illegitimacy, the end of forced adoption practices, the increasing labour force participation of women, and reproductive innovations (Carmichael 2014; Constantinidis & Cook 2012; Kenny et al. 2012; Mills et al. 2011). Combined with parents postponing having children, and the consequent reduction in fertility rates, these factors have led to fewer children in need of adoption and more families seeking to adopt (Ertman 2015; Schmidt et al. 2012).

Intercountry adoptions have also changed. International conventions such as the Hague Convention on Protection of Children and Co-operation in respect of Intercountry Adoption (Hague Convention) and the United Nations Convention on the Rights of the Child, along with social trends and changing social attitudes, have made it easier for children to remain either with their families or within their country of origin. This has reduced the number of children in need of intercountry adoption. While there is variation across countries, in general, older children and those with special needs represent a growing proportion of the children for whom intercountry adoption is deemed to be appropriate.

Another key change, which has occurred within the adoption process itself, has been in the levels of secrecy attached to the process and between parties to an adoption. The secrecy that surrounded past adoptions of Australian children has largely given way to a system predominantly focused on the needs of the child, characterised by the open exchange of information. Adoptive parents openly discussing adoption-related issues with an adopted child is now recognised as beneficial for the child's adjustment (Brodzinsky 2006; Passmore et al. 2009). Access to the adopted child by parties to an adoption (referred to in this report as an 'open' adoption) is facilitated in all states and territories, although the degree to which this occurs varies across the jurisdictions (Appendix B.2).

1.2 Recent developments

Carer adoptions

A relatively recent change to the pattern of adoption in Australia can be seen among known child adoptions, where the rate of carer adoption is increasing. This reflects the desire to provide permanency of placement for children in out-of-home or foster care environments (Munro & Manful 2011).

On 1 April 2014, more than 12 months after a comprehensive discussion paper was publicly released, and following extensive consultation with the public and the sector, the New South Wales Parliament passed the *Child Protection Legislation Amendment Bill 2014*. The amendments make the process of adopting children and young people in out-of-home care quicker and easier, including streamlining processes for authorised carers.

Similarly, amendments to the *Adoption Act 1994* in Western Australia (effective late 2012) reintroduced relative adoption as a legislative option to secure long-term permanent care for children, and strengthened the carer adoption process. Carers or relatives must meet the eligibility requirements and have cared for the child for at least 2 years (previously 3 years). The court must first be satisfied that the child's adoption would be preferable to certain orders, such as a protection order (special guardianship).

Establishment of a new intercountry adoption service

Intercountry Adoption Australia was established by the Australian Government on 17 May 2015. It guides people through the intercountry adoption process, and connects them with services and resources. The service consists of:

- a free 1800 information line operated by qualified social workers who provide general support, help with immigration, citizenship and passport processes, and referrals to support services
- a new national website, <www.intercountryadoption.gov.au>, which provides an overview of the intercountry adoption process, partner countries, things to consider when adopting, access to state or territory government information, and links to support services
- the service provides information throughout the intercountry adoption process including information about visa, citizenship and passport processes for intercountry adoption clients (IAA 2015a).

State and territory central authorities remain responsible for adoption legislation, and continue to manage adoption applications, assessing the eligibility and suitability of those seeking to adopt children from overseas, and processing their applications.

The Australian Attorney-General's Department is responsible for ensuring that Australia meets its obligations under the Hague Convention (including that intercountry adoption occurs in the best interests of the child). The department also manages country programs. For further information see 'Chapter 2.2 Adoption legislation and processes'.

1.3 Data sources and processes

The Adoptions Australia collection is the authoritative source of national adoptions data for Australia. This report presents data extracted from the administrative systems of each state and territory department responsible for adoptions, according to definitions and technical specifications agreed by the jurisdictions and the Australian Institute of Health and Welfare (AIHW). The Glossary provides definitions in use.

The Australian Government Department of Immigration and Border Protection provided data on adoption visas issued in 2014–15. However, the confidentiality provisions of the new *Australian Border Force Act 2015* have resulted in reduced detail for reportable visa data.

Due to the size of the target population of this collection, some analyses contain small counts. These data have been cleared for release by the state and territory departments responsible for adoption, and, in some instances, reflect data that are publicly available elsewhere at the same level of disaggregation. Further information on the data contained in this collection can be found in the data quality statement at Appendix D.

1.4 Report structure

This report has 4 chapters:

- Chapter 1 – an introduction of the report
- Chapter 2 – an overview of the adoption process in Australia
- Chapter 3 – detailed data on adoption in 2014–15
- Chapter 4 – comparable trend data for adoptions in Australia over periods up to 25 years.

Appendix A provides more detailed statistical tables, Appendix B summarises each state and territory's adoptions legislation, Appendix C lists the countries party to the Hague Convention, and Appendix D provides a data quality statement.

2 Adoptions in Australia

This report generally refers to the parents of children who were adopted as ‘mother’, ‘father’ or ‘parent(s)’, in recognition of the sensitivities around the term ‘birth mother’. In a minority of cases, ‘birth mother’, ‘birth father’ or ‘birth parent(s)’ have been used for clarity. The parents in adoptive families are called ‘adoptive parent(s)’, and the children who have been the subject of an adoption order are referred to as ‘adopted children’ or ‘adoptees’.

2.1 Categories of adoption

The categories of adoption used in this report are:

- **Intercountry adoptions** – adoptions of children from countries other than Australia who are legally able to be placed for adoption (Section 2.2), but generally have had no previous contact or relationship with the adoptive parent(s). Expatriate adoptions are not included in the numbers for intercountry adoptions.
- **Local adoptions** – adoptions of children who were born or permanently residing in Australia before the adoption, are legally able to be placed for adoption, but generally have had no previous contact or relationship with the adoptive parent(s).
- **Known child adoptions** – adoptions of children who were born or permanently residing in Australia before the adoption, who have a pre-existing relationship with the adoptive parent(s), and are generally not able to be adopted by anyone other than the adoptive parent(s). Known child adoptions include adoptions by step-parents, other relatives and carers.

Data on intercountry known child adoptions are not readily available, due to the limited involvement of Australian adoption authorities, and so are outside the scope of this publication.

2.2 Adoption legislation and processes

A child can legally be adopted if all the necessary consents to the child’s adoption have been obtained or dispensed with (dispensation refers to the legal process where a court declares that the consent of a parent is not required for an adoption order to be granted).

People wishing to adopt a child must satisfy the government department or agency concerned that they will be suitable parents. Factors that may be considered in assessing the suitability of potential parents include their parenting capacity, age, health, reasons for wanting to adopt, marital status and the stability of their relationship. Eligibility requirements to adopt a child vary between jurisdictions (see Appendix B.1), as do eligibility requirements set by countries of origin for intercountry adoptions (IAA 2015b).

Intercountry adoptions

Legislation and responsibilities

The adoption process for intercountry children is strictly controlled:

- by each state and territory under the relevant state legislation
- by the Australian Government under the:
 - *Immigration (Guardianship of Children) Act 1946*
 - *Migration Act 1958*
 - *Family Law Act 1975*
 - Migration Regulations 1994
 - Family Law (Hague Convention on Intercountry Adoption) Regulations 1998
 - Family Law (Bilateral Arrangements – Intercountry Adoption) Regulations 1998
 - *Australian Citizenship Act 2007*
- in accordance with the principles of the Hague Convention and the United Nations Convention on the Rights of the Child.

Australia has been a party to the Hague Convention since December 1998, which establishes:

- uniform standards and procedures between countries, including legally binding standards and safeguards
- a system of supervision to ensure that these standards and procedures are observed
- channels of communication between authorities in countries of origin and receiving countries for children being adopted
- principles that focus on the need for intercountry adoptions to occur only where it is in the best interests of the child and with respect for his or her fundamental rights, and to prevent the abduction, sale of, or traffic in children.

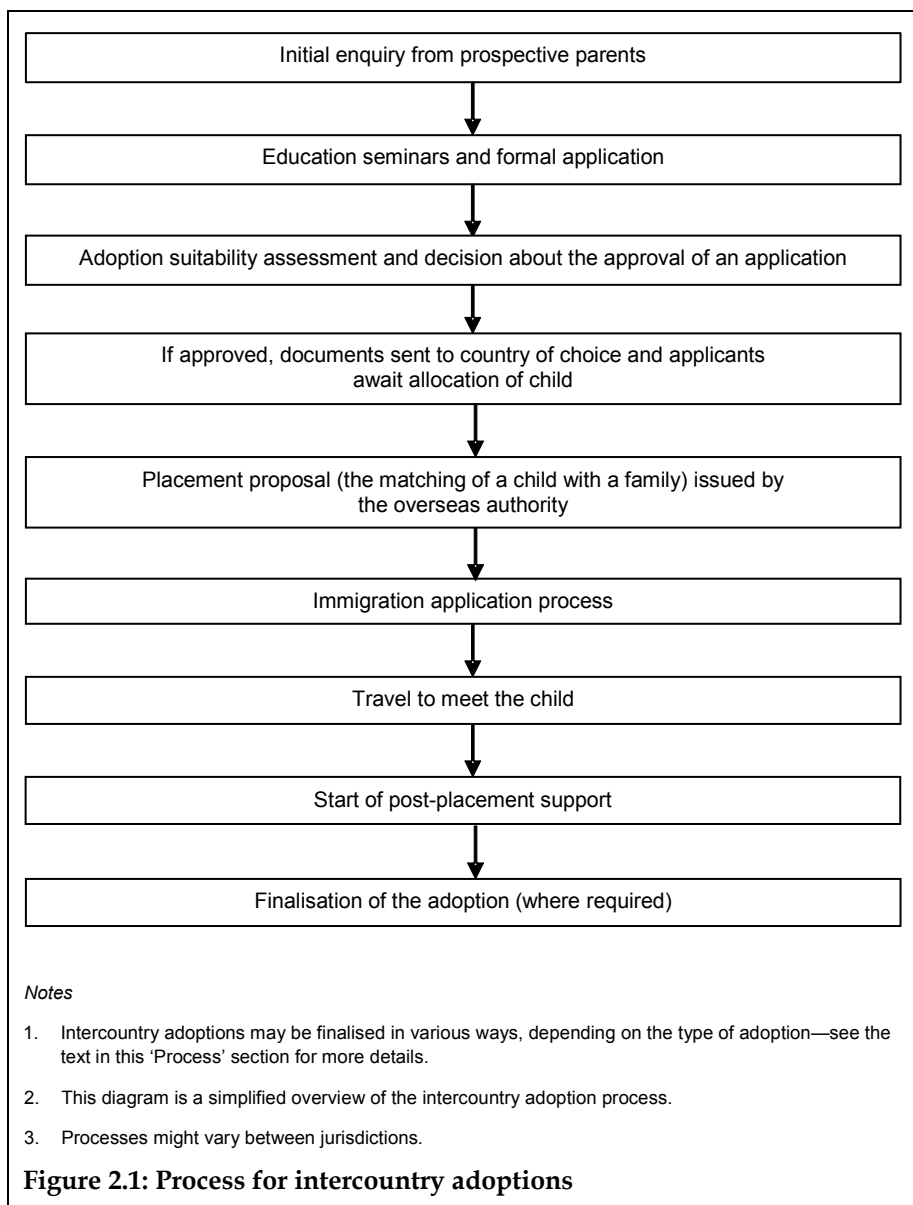
A list of countries currently party to the Hague Convention is provided at Appendix C.

The Australian Government Attorney-General's Department (AGD) – the Australian Central Authority for the Hague Convention in Australia – is responsible for ensuring that Australia fulfils its obligations under the Hague Convention. In accordance with their responsibilities for intercountry adoption, each state and territory has also established a Central Authority under the Hague Convention.

The AGD has primary responsibility for establishing and managing Australia's intercountry adoption arrangements. It works closely with state and territory governments to ensure that programs are effectively and efficiently maintained, and that opportunities for new programs are identified and explored. The state and territory governments process adoption applications, and assess and approve prospective adoptive parents.

Process

Although each state and territory has its own legislation for intercountry adoption, the general process is similar across the jurisdictions (Figure 2.1). The AGD and the states and territories work cooperatively to ensure that all of Australia's adoption programs meet the standards of the Hague Convention, regardless of whether partner countries are signatories.



Countries of origin have eligibility requirements for adoptive parents, in addition to those set by Australian state and territory adoption authorities. These requirements vary between countries, and include, but are not limited to, the age of parents, marital status, current family structure and nationality or ethnic background. Fees associated with intercountry adoption vary depending on the country of origin of the child, are subject to change, and are affected by various factors. Details on eligibility, fees and on programs are on the Intercountry Adoption Australia website (IAA 2015b).

Waiting periods, between when a partner country receives an application and when applicants are matched with a child, are influenced by several factors that are outside the control of Australian authorities. These include the number and characteristics of children in need of intercountry adoption, the number of applications received, and the resources of the overseas authority. Waiting times for intercountry adoptions vary between countries, and are generally increasing. Families can often wait 3 to 5 years from the time they apply to the overseas country to when they are matched with a child (see 'Country of origin' in Section 3.2 and 'Adoption of overseas children' in Section 4.1).

An intercountry adoption may be finalised in various ways. In some cases, a full adoption order can be made in the child's country of origin. This order is automatically recognised in Australia if the country is a party to the Hague Convention and has issued an adoption compliance certificate. Full adoption orders made in Taiwan and South Korea (the non-Hague countries with which Australia has bilateral arrangements) are also automatically recognised in Australia, if the relevant state or territory authority agrees that the adoption could proceed.

Alternatively, some children, whose adoptions are not recognised automatically under Australian family law, enter Australia under the care of a prospective adoptive parent. In this case, the federal immigration Minister becomes the legal guardian of the child when he or she arrives in Australia under what is termed a guardianship order. This guardianship is usually delegated to the relevant state or territory central adoption authority. The Minister's delegated guardianship remains valid until the child turns 18, leaves Australia permanently, becomes an Australian citizen, or, as happens in most cases, the adoption is finalised in Australia.

Australia's intercountry adoption programs

As at mid-2015, Australia had intercountry adoption programs with 14 countries: Bolivia, Chile, China, Colombia, Fiji, Hong Kong, India, Lithuania, the Philippines, South Africa, South Korea, Sri Lanka, Taiwan and Thailand. Due to a decision either by the Attorney-General or the relevant overseas authority, programs with Bolivia, Fiji and India were on hold during 2014–15 (AGD 2015). For much of 2011–12, an Ethiopian program was also in operation. This was closed on 28 June 2012, affecting subsequent numbers of finalised adoptions from Ethiopia (see 'Section 4.1 Trends in categories of adoptions').

Not all of the countries with which Australia has an adoption program are parties to the Hague Convention. However, programs are established only where Australia can be satisfied that the principles of the Hague Convention are being met, regardless of whether the country is a signatory. In this context, bilateral arrangements exist with South Korea and Taiwan, which are not party to the Hague Convention (South Korea signed the Hague Convention in May 2013, but had not finished implementing all requirements by the end of 2014–15). Investigations into possible new intercountry adoption partner countries are ongoing (AGD 2015).

Ad hoc requests and private adoptions

Requests to adopt children from countries with which Australia does not have an existing intercountry adoption program are referred to as 'ad hoc requests'. The relevant state or territory Central Authority considers these on a case-by-case basis.

As a general principle, individual ad hoc requests for intercountry adoption are likely to be considered only in exceptional circumstances, as they are not consistent with Australia's management of intercountry adoption. For example, an application may be considered where prospective adoptive parents have a genuine and profound understanding of, and connection with, the culture and circumstances of an overseas country that satisfies Hague Convention standards and requirements.

The relevant state or territory must have accepted an ad hoc request before prospective adoptive parents can make a formal application for adoption and be assessed for suitability to adopt. If the request is accepted, applicants will be subject to the normal intercountry adoption process (and waiting times) applicable in their relevant state or territory.

State and territory Central Authorities do not support adoptions arranged through a privately-contracted adoption agency, or those that do not go through a government's Central Authority – known as private adoptions. Adoptions to Australia must either be approved by a state or territory Central Authority or meet Australian immigration requirements for expatriate adoption (DIBP 2015) (see 'Section 3.2 Expatriate adoptions').

Local adoptions

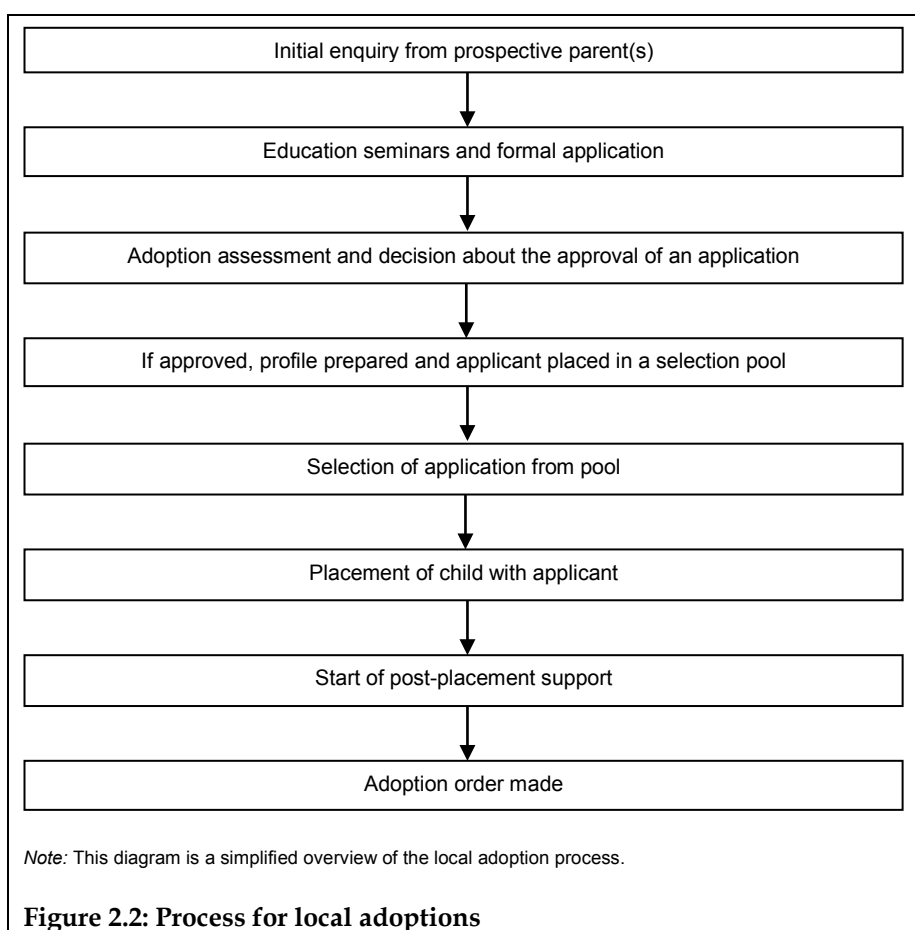
Legislation and responsibilities

Each state and territory has its own legislation that governs local adoption practices – an outline of the legislation for each jurisdiction is provided at Appendix B. The relevant state or territory authority for adoption works to ensure that local adoption practices follow the regulations set out by their jurisdiction.

For local adoptions, in most cases, the responsible state or territory department will be the guardian of a child for whom general consents for adoption have been signed. For some approved non-government adoption agencies, the agency's principal officer will be the guardian. The guardianship of a child remains in force until the adoption order is made, or consents for adoption are revoked, or until some other specified event occurs (such as when a suitable and willing relative is able to care for the child).

Process

Figure 2.2 shows the process involved in placing local children with prospective adoptive parent(s), although the precise order of the steps might vary slightly between jurisdictions.



Known child adoptions

Legislation and responsibilities

Known child adoptions are administered and/or recorded by the department responsible for adoption in each state and territory.

The majority of known child adoptions are by step-parents wishing to incorporate children into a newly formed family, or by long-term carers, such as foster parents.

The aim of this type of adoption is to provide the child with a clear legal position, status and stability within the new family arrangement. In some circumstances, the adoption may be finalised after the adoptee is legally considered an adult. The role of the department varies between jurisdictions when administering adult adoptions (see Appendix B.1). As a result, not all such adoptions are captured in this report.

Adoption by relatives other than step-parents is less common. This is because most states and territories have policies that promote the use of parental responsibility orders rather than adoption when a child is to be permanently cared for by another relative, such as permanent care and guardianship/custody orders. Adoptions by relatives are generally discouraged, as they might confuse and distort biological relationships. For example, if a child was adopted by his/her grandmother, the birth parent would legally become the child's sibling.

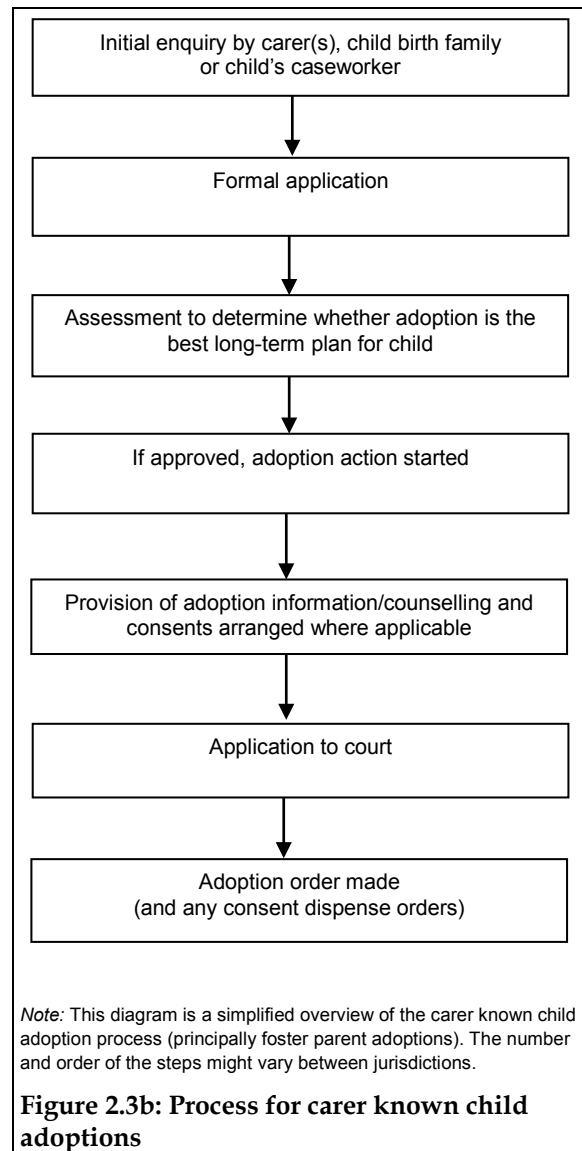
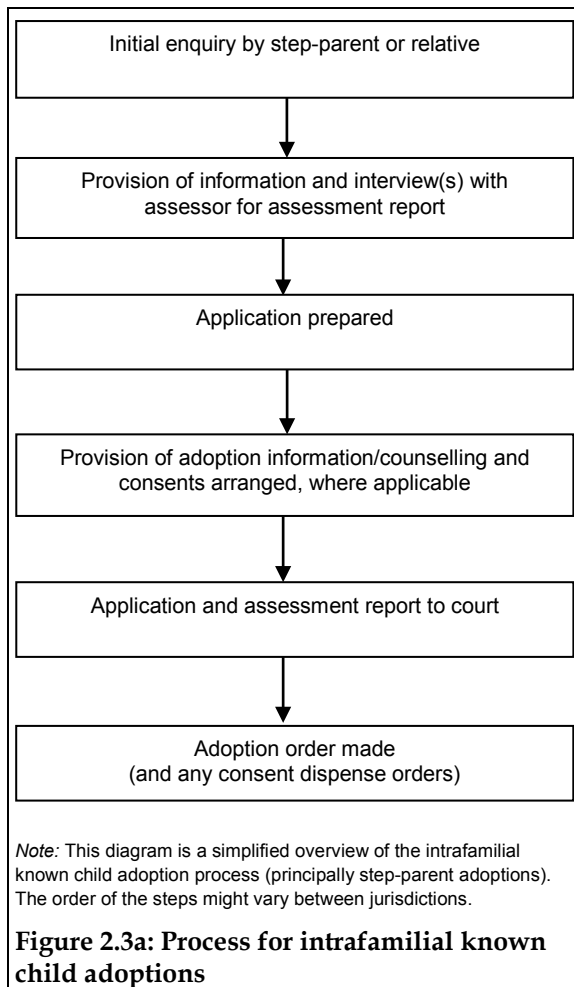
In most states and territories, legislation allows carers or relatives other than step-parents to adopt a child only in exceptional circumstances—that is, when a parental responsibility order would not adequately provide for the welfare of the child (see Appendix B.1). However, this is changing in some jurisdictions, particularly for carer adoptions.

In the case of Indigenous children, jurisdictions have additional legislation or regulations that help determine whether an adoption should be considered over other arrangements, such as the use of an alternate legal order.

Known child adoptions by people who are not carers or relatives, such as by commissioning (surrogate) parents, are uncommon in Australia. These adoptions are captured in this report under the 'other' category in known child adoptions.

Process

Each state and territory has its own process for the adoption of known children. The most common types of known child adoptions are step-parent adoptions and carer adoptions. Figure 2.3a broadly shows the process for adoptions by step-parents and other relatives (intrafamilial adoptions). In some jurisdictions, the department responsible for adoption has limited involvement in this process, with prospective parents responsible for preparing and lodging their own applications directly with the court. Figure 2.3b broadly shows the process for adoptions by carers, such as foster parents. In both cases, the precise order of the steps might vary slightly between jurisdictions. Further, some of the additional complexities associated with adoptions by carers are not shown.



2.3 Motivations and expectations around adoption

People have many reasons for adopting, and these can influence the type of adoption that prospective adoptive parents choose over alternative options (including fostering). It has been argued that intercountry adoption, in particular, began as a humanitarian response to children in disasters but has become an accepted way of forming a family in many western countries (Fronek & Cuthbert 2012; Young 2012b).

Parents give many reasons for choosing adoption, including humanitarian or altruistic motives, the desire to be a parent, infertility, or simply wanting to adopt (Malm & Welti 2010; Welsh et al. 2008).

Research on why current and prospective adoptive parents choose a particular type of adoption has found differing views about the potential advantages of 1 type of adoption over others.

Many parents viewed intercountry adoption as the most attractive option. Reasons given for this included the belief that having birth parent(s) involved would complicate local adoptions and fostering (Malm & Welti 2010; Welsh et al. 2008; Young 2012a; Zhang & Lee 2011). And where complex backgrounds may have been viewed as social problems for foster children, they were perceived by some as interesting challenges for children in intercountry adoptions (Young 2012a; Zhang & Lee 2011). Many also believed intercountry adoption created permanent, lifelong bonds (compared with the perceived impermanent bonds for fostering), and that more children were in need overseas than in Australia (Young 2012a).

Further, many prospective adoptive parents had a strong desire for a younger baby, partly because they thought older children would have more health and behavioural issues, and often believed finding a younger child was more likely through intercountry adoption. Research in the United States also found that parents perceived that local adoptions took longer and were more complex than intercountry adoptions (Malm & Welti 2010; Zhang & Lee 2011).

These perceptions are not necessarily supported by available data. For example, although national data on processing times for local adoptions are not currently available in Australia, data for intercountry adoptions reveal a long offshore process, with an average wait time of more than 5 years. Further, national data for Australia indicate few intercountry adoptees are infants under 12 months, and that local adoptees are predominantly younger. These data are explored in greater detail in the following sections.

Those who chose local over intercountry adoption often believed they would more likely adopt a healthy child. And those who chose to foster rather than adopt often cited the lower cost or faster outcome as main reasons (Malm & Welti 2010). However, fostering and adoption do lead to different outcomes legally and in terms of relationships with the child's family of origin.

The full impact of the advent and increased use of assisted reproductive technologies (including IVF and maternal surrogacy) might result in changes in the patterns of adoption over time (Cohen & Chen 2010; Deonandan & Bente 2014).

3 Detailed analysis of adoptions in Australia in 2014–15

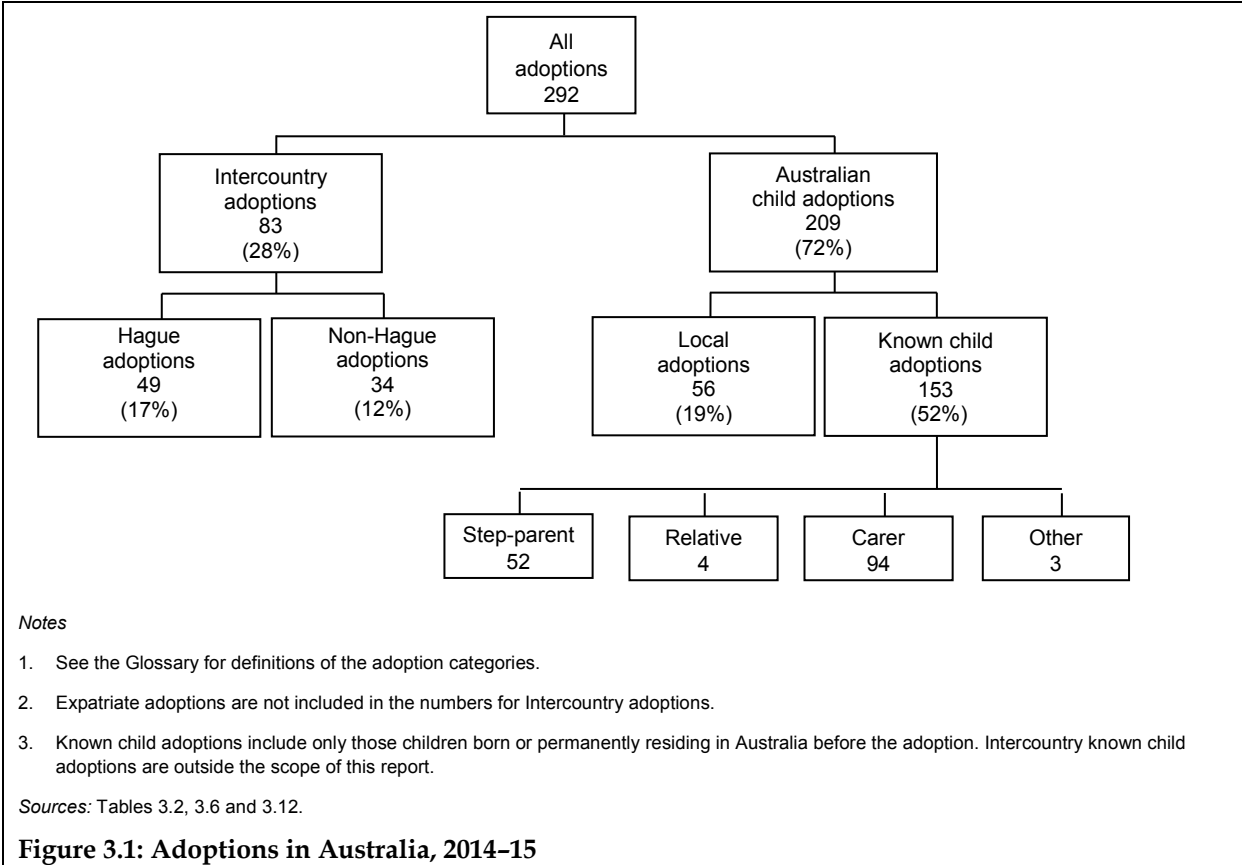
This chapter provides an in-depth analysis of intercountry, local and known adoptions in Australia in 2014–15. Given the small numbers involved, there can be volatility in the data observed from year to year. Due to this, changes identified over short periods (such as a single year) reported in this chapter should be interpreted with caution.

Chapter 4 focuses on trends over longer periods, which can provide a more reliable picture of change in small populations. More information about the implications of the small size of the adoptions population can be found at Appendix D.

3.1 Adoptions in 2014–15

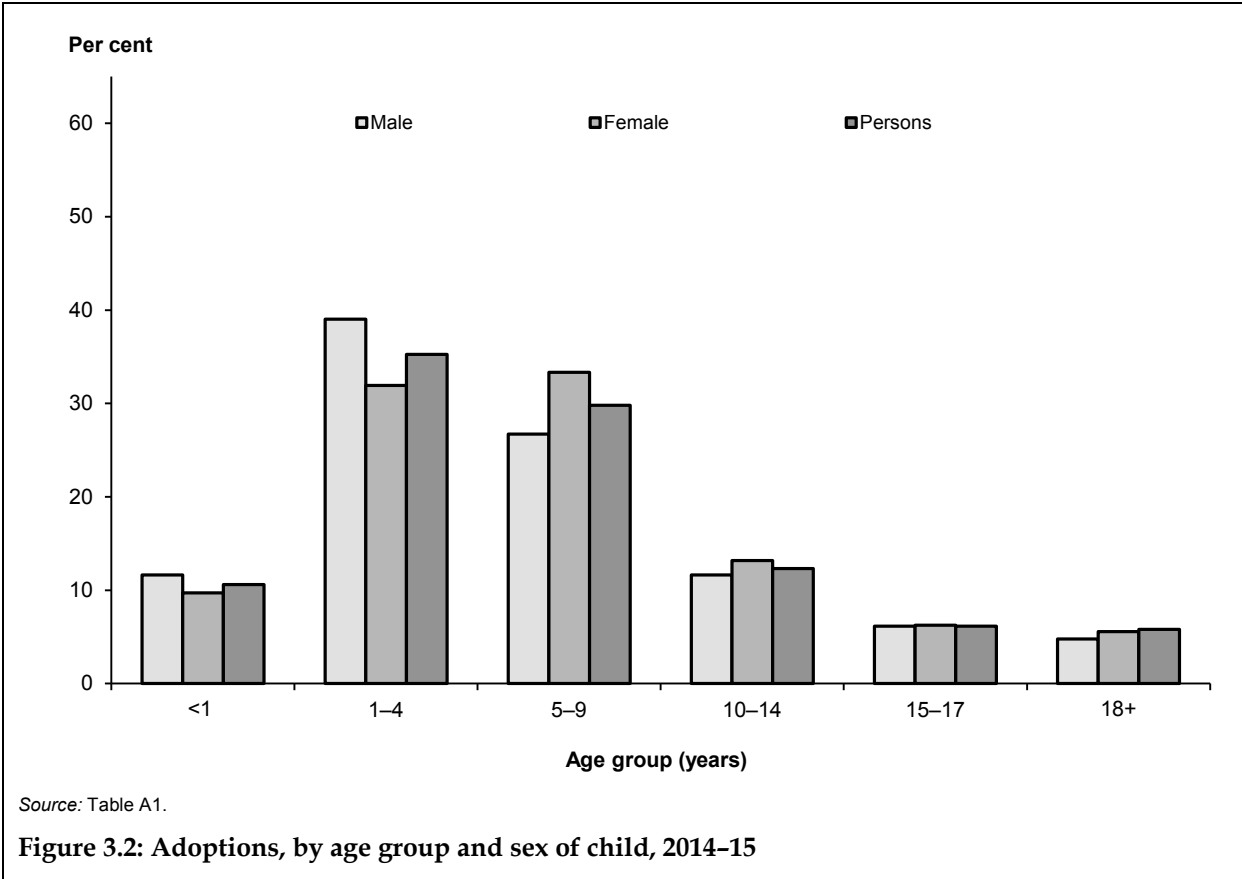
In 2014–15, 292 adoptions of children were finalised in Australia. This is the lowest annual number of adoptions on record, and a fall of 8% from the 317 adoptions in 2013–14, and of 74% from the 1,142 adoptions recorded 25 years earlier in 1990–91.

Of the 292 adoptions, 83 (28%) were children adopted from overseas and 209 (72%) were children from Australia – 56 local adoptions and 153 known child adoptions (Figure 3.1).



Adoptees from intercountry, local and known child adoption processes have differing age profiles. For example, adoptees from known child adoption processes are generally older than intercountry and local adoptees. The reasons for these differences are explored in detail in subsequent sections.

In 2014–15, known child adoptions comprised the highest proportion of all finalised adoptions (52%), and given the tendency for known child adoptees to be older, fewer than half (134 or 46%) of all children who were the subject of a finalised adoption were aged under 5. Only 31 (11%) were infants aged under 12 months (Figure 3.2; Table A1).



The number of adoptions increased in several states saw between 2013–14 and 2014–15, including New South Wales (from 141 to 148), South Australia (from 15 to 17) and Queensland (from 34 to 38). Consistent with the national trend, however, the number of adoptions fell in other states and territories in the same period (Table A2).

For local and intercountry adoptions, children may be placed with their adoptive families before the adoption order is finalised (see Figure 2.1 and 2.2). There were 155 such placements during 2014–15 (Table A3). For some of these children the adoption order will not have been finalised during the 2014–15 period, so they would not be included in the reported 292 finalised adoptions. In addition, some adoption orders finalised in 2014–15 might relate to children who were placed in previous years.

3.2 Intercountry adoptions

In 2014–15, 83 intercountry adoptions were finalised, representing 28% of all adoptions (Figure 3.1). This was a decrease of 31 adoptions, or 27%, from 2013–14 (Table A4).

Adoptions finalised in 2014–15 will have been preceded by sometimes lengthy processes of application, assessment, placement proposal, immigration formalities and placement with the family (see Figure 2.1).

While intercountry adoptions increased in Queensland (from 15 to 19) and marginally in New South Wales, they decreased in all other jurisdictions, except South Australia which remained the same (Table A4).

In 2014–15, 93 visas were issued for intercountry adoptions, arranged by an Australian state or territory authority (Table A5). However, not all children who were issued with visas in 2014–15 would have necessarily entered Australia during this period. Further, some of these visas reflect intercountry known child adoptions that are excluded from intercountry and finalised adoption numbers reported elsewhere in this report (see also visas issued under 'Expatriate adoptions' in this section).

Applicants for intercountry adoption

In 2014–15, 153 applicants became official clients of Australian adoption authorities (Table 3.1). Applicants may be married couples, de facto couples or single people. Table 3.1 shows the number of applicants progressing to the point defined in their jurisdiction as becoming an official client within the year. This point varies between jurisdictions. For example, it might be when the department first opens a file, when the applicant registers, or when the applicant is invited to attend an information session (see Appendix B.1).

National data on the number of applicants who become an official client in a given year has been reported since 2011–12. During this period, the number decreased from 203 to 153 in 2014–15 (AIHW 2012; Table 3.1). However, as this has not been a smooth downward trend, and until a longer time series is available, this should be interpreted with caution.

In 2014–15, adoption authorities made the formal decision to approve 80 applicants as eligible and suitable to adopt a child. Not all of these approvals relate to applicants who became official clients during 2014–15, as some might have become official clients during a previous year. In addition, this number does not reflect all approved applicants, but only those who were newly approved during 2014–15 (see 'Limitations in existing data' in Appendix D).

Australian adoption authorities also sent 77 files overseas during 2014–15 to await matching with a child (Table 3.1).

Table 3.1: Level of activity in intercountry adoption, by state and territory, 2014–15

	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Australia
Number of applicants who became official clients ^(a)	28	8	46	35	18	3	3	12	153
Number of applicants who were approved as eligible and suitable for adoption ^(b)	23	6	13	19	5	4	3	7	80
Number of files sent overseas ^(c)	26	8	13	8	7	7	2	6	77

(a) Counts the applicants who became official clients of the adoptions section of the relevant state/territory department between 1 July 2014 and 30 June 2015.

(b) Counts the number of applicants whose application to adopt was approved by the department between 1 July 2014 and 30 June 2015. An approval is when a formal decision is made by the responsible person that the applicant(s) are eligible and suitable to adopt a child.

(c) Counts the number of files that the department or non-government agency sent to another country to await the allocation of a child between 1 July 2014 and 30 June 2015.

Note: Each category is separate, and while some applicants might appear in each category (for example, if they became official clients and were approved as eligible in the same year), not all do. For example, some applicants might have become official clients in 2012–13, been approved in 2013–14 and had their file sent overseas in 2014–15. These applicants would appear only in the last category.

Source: AIHW Adoptions Australia data collection.

Country of origin

Of the finalised intercountry adoptions in 2014–15, 94% of children were from Asian countries and 6% were from South/Central American countries (Table A6). There were no finalised adoptions from Africa or other regions. This distribution reflects the number of countries in each region with which Australia has an adoption program, and the characteristics of these programs.

The most common countries of origin were Taiwan (30 adoptions or 36%), the Philippines (22 or 27%) and Thailand (13 or 16%) (Table 3.2). Proportions for countries of origin have changed considerably over time, while the numbers of children adopted have steadily declined overall (Table A7). See ‘Adoptions of overseas children’ in Section 4.1 for a detailed discussion of trends in intercountry adoption.

Table 3.2: Number of intercountry adoptions, by type of adoption and child's country of origin, 2014–15

Country of origin	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Australia
Hague adoptions									
China ^(a)	1	1	—	—	1	1	—	—	4
India	—	2	—	—	—	—	—	—	2
Philippines	12	—	3	2	3	1	1	—	22
Thailand	7	3	1	—	2	—	—	—	13
Other ^(b)	1	1	3	—	3	—	—	—	8
<i>Total Hague adoptions</i>	<i>21</i>	<i>7</i>	<i>7</i>	<i>2</i>	<i>9</i>	<i>2</i>	<i>1</i>	<i>—</i>	<i>49</i>
Non-Hague adoptions									
South Korea	2	—	1	—	—	—	1	—	4
Taiwan	8	2	11	1	5	2	—	1	30
<i>Total non-Hague adoptions</i>	<i>10</i>	<i>2</i>	<i>12</i>	<i>1</i>	<i>5</i>	<i>2</i>	<i>1</i>	<i>1</i>	<i>34</i>
Total	31	9	19	3	14	4	2	1	83
%	37.3	10.8	22.9	3.6	16.9	4.8	2.4	1.2	100.0

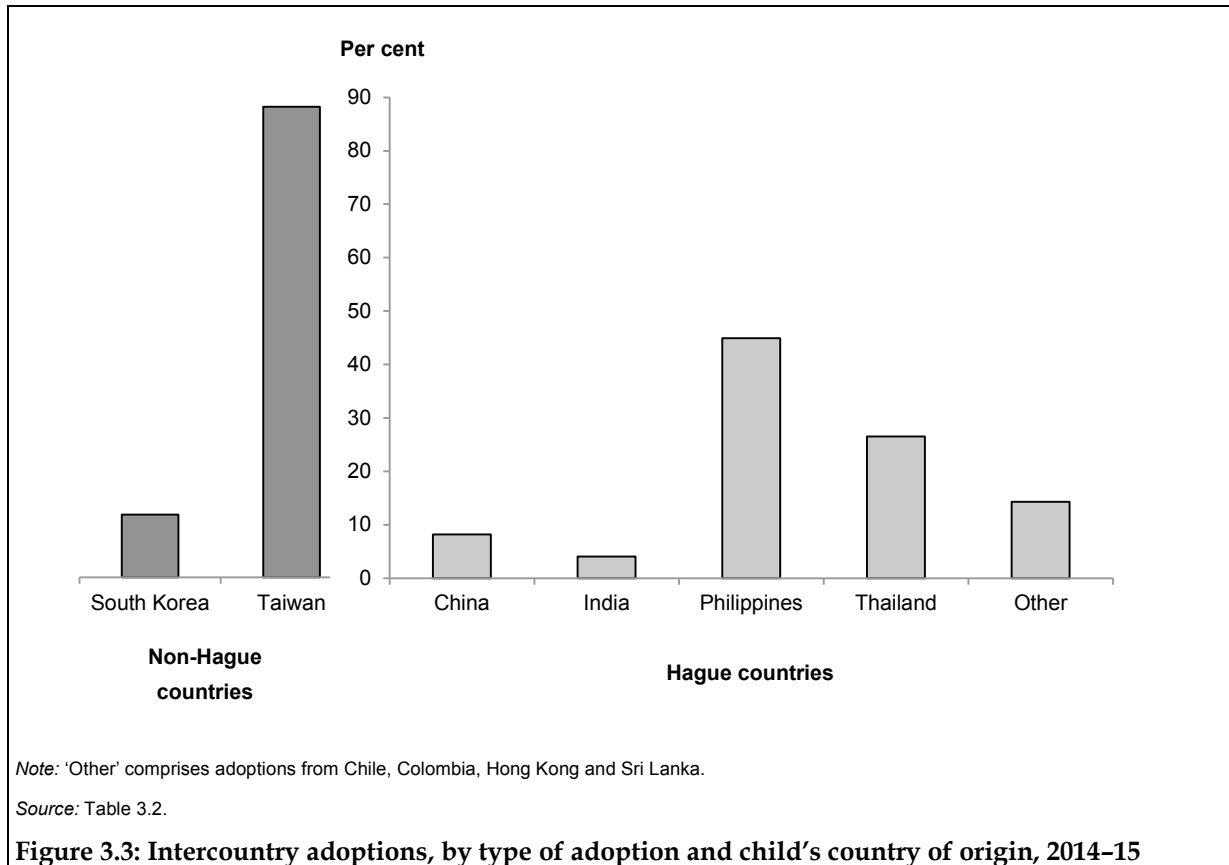
(a) Excludes Special Administrative Regions and Taiwan Province.

(b) 'Other' comprises adoptions from Chile, Colombia, Hong Kong and Sri Lanka.

Note: Percentages might not add to 100 due to rounding.

Source: AIHW Adoptions Australia data collection.

Of those intercountry adoptions finalised in 2014–15, more than half (59%) were from countries that are party to the Hague Convention (Table 3.2). This was higher than the proportion in 2013–14 (50%), and represents a return to a similar level to that of 2010–11 (60%) (Table A7). The highest proportion of Hague adoptions came from the Philippines (45%), while adoptions from Taiwan comprised 88% of non-Hague adoptions (Figure 3.3).



Processing times for children placed during 2014-15

The length of the adoption process in Australia provides an insight into the lived experience of prospective parents seeking to form a family via adoption, as well as into the efficiency of contemporary adoption practices. Data are currently only available for intercountry adoptions (see 'Limitations in existing data' in Appendix D).

For children who were placed with their adoptive parent(s) in 2014-15, the median length of time from when an Australian applicant became an official client of a state or territory department to when a child was placed with them was 64 months (more than 5 years). The median length of time ranged from 41 months (nearly 3.5 years) for Taiwan to 95 months (almost 8 years) for China (Table 3.3).

Generally, the longest period in the process occurs between the time a partner country receives an applicant's file from Australia and when the overseas authority allocates a child. In 2014-15, the combined median time for all countries of origin was more than 1.5 years (20 months). But there was considerable variation between countries. In Taiwan, the median time for this period was 5 months, while in Thailand it was 60 months (5 years) (Table 3.3).

Factors that might affect the time involved in the process include:

- the number and characteristics of children needing families
- the number of prospective adoptive parents making applications
- the age and needs of the child/children an applicant is approved to adopt
- the length of time it takes the overseas country to process the application (which is subject to changes in their policies and resources).

Table 3.3: Median length of time for the intercountry adoptions process, by country of origin, for children placed in 2014–15^(a) (months)

Country of origin	From when the applicant(s) became official clients of the department to when an approval decision was made	From when an approval decision was made to when the file was sent overseas	From when the file was sent overseas to when the child was allocated	From when the child was allocated to when the child was placed	Total length of process ^(b)
Chile	19	49	20	4	92
China	12	11	48	4	95
India	15	10	33	16	77
Philippines	12	4	32	6	65
South Korea	13	18	18	23	70
Taiwan	15	3	5	8	41
Thailand	12	7	60	4	80
Other ^(c)	8	3	18	7	42
All countries	12	5	20	6	64

(a) This table includes all children who were placed with their adoptive families during 2014–15. It looks at the median length of time from when applicants became official clients of the department to when a child was placed with them.

(b) Total length of process is the overall median length of time from when the applicant(s) became official clients of the department to when the child was placed. It might not equal the sum of the preceding processes due to rounding to the nearest whole month, and because of the nature of median calculations.

(c) 'Other' comprises Colombia, Hong Kong and Sri Lanka. All of these countries had fewer than 4 placements in 2014–15, making it unsuitable to report a median measure for these countries individually.

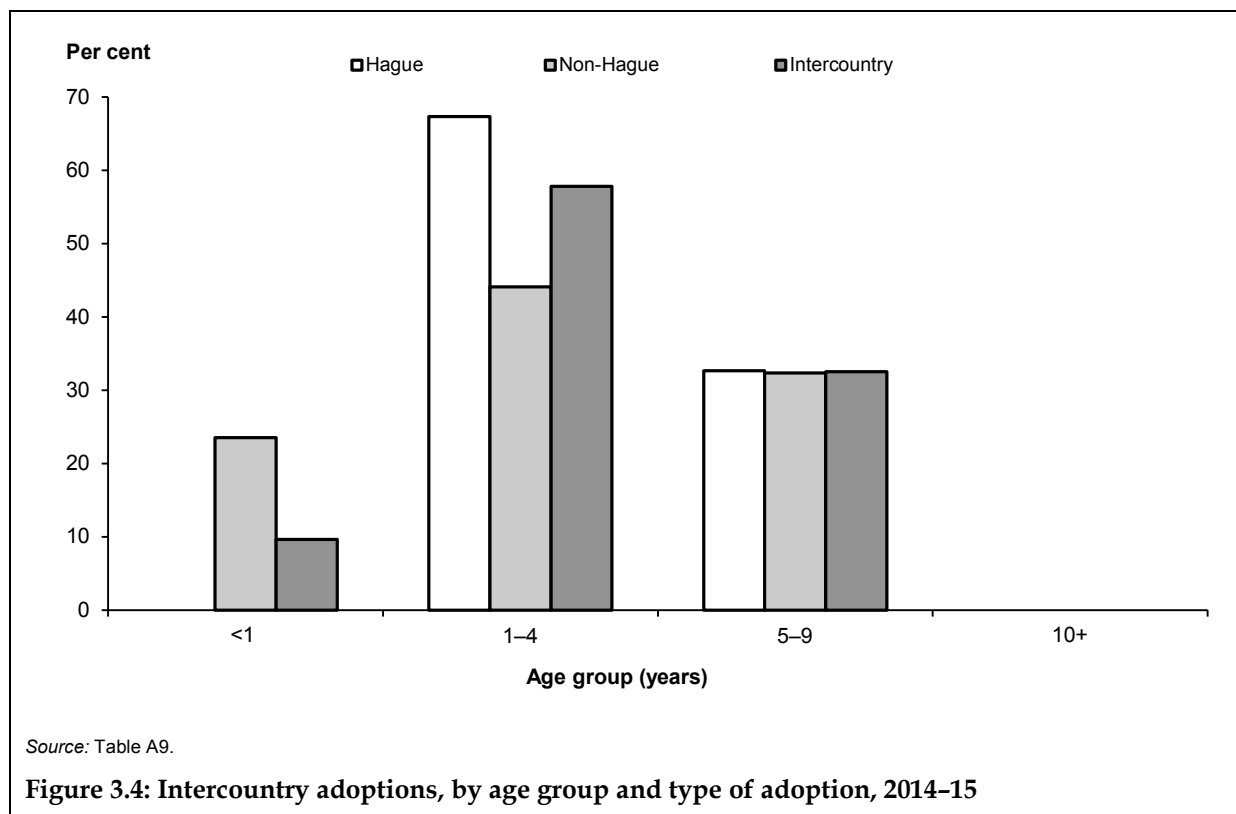
Source: AIHW Adoptions Australia data collection.

After a child is placed with his or her adoptive family, if a recognised full adoption order is not in place, there might still be a period while the adoption order is finalised or converted by Australian authorities. As a result, some children placed for adoption during 2014–15 might not have had their adoption finalised within that financial year.

Characteristics of adopted children

All of the 83 intercountry adoptees in 2014–15 were younger than 10 – more than two-thirds (67%) under 5. A greater proportion overall were males (55%), and similar proportions of male and female adoptees were aged under 5 (67% and 68%, respectively) (Table A1). While this is similar to previous years, changes to the population of children in need of adoption have led to a steady decline in adoptions of infants and children aged 1–4. Numbers of adoptees aged 5 and over have remained similar over time, with more fluctuations among females than males. Considerably fewer children in this age group have historically been adopted than younger aged children. However, this pattern is changing with the decline in infant adoption (Table A8).

Only 8 of the 83 intercountry adoptees (10%) were infants aged under 12 months (Figure 3.4), with all of these from Taiwan (Table A9). Similar proportions of male and female adoptees were infants (9% and 11%, respectively) (Table A1). (See 'Adoptions of overseas children' in Section 4.1 for a detailed discussion of trends in the age distribution of intercountry adoptees.)



In 2014-15, the majority of intercountry adoptions finalised were for single children, but 23 children were adopted as part of 11 sibling groups – that is, a child and at least 1 of their siblings were adopted at the same time by the same family. Of these, 5 sibling groups were adopted from Hague countries and 6 from non-Hague countries (Table A10).

Administration of Hague adoptions

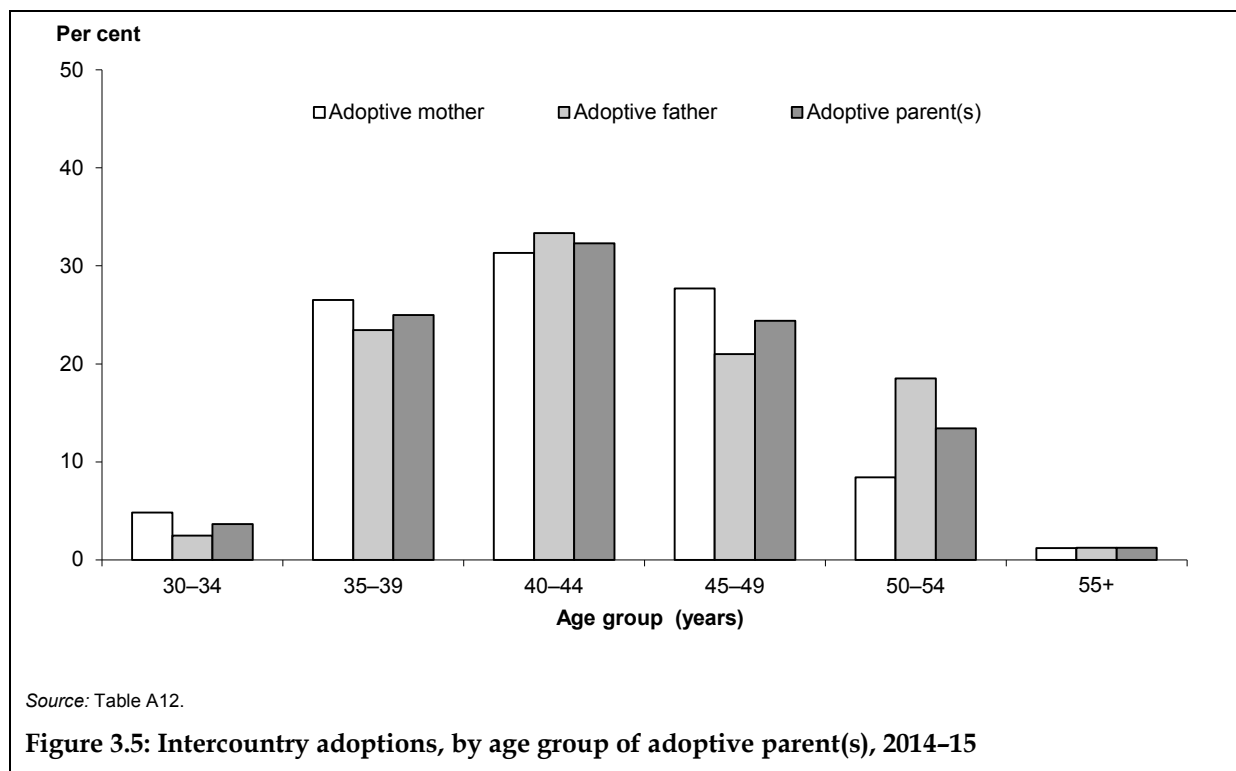
In 2013-14, just over three-quarters (76%) of the children who were the subject of a finalised Hague adoption entered Australia under guardianship orders, then had their adoption orders finalised in Australia. The remaining children entered Australia under full adoption orders made in their country of origin (Table A11).

Of the 37 children entering Australia under guardianship orders, the majority were from the Philippines and Thailand (59% and 35%, respectively) (Table A11).

Characteristics of adoptive families

Adoptive parents tend to be older than parents of non-adopted children, in part due to eligibility requirements with many programs specifying age requirements for adoptive parents. For example, China requires applicants to be aged 30-50 (or 55 for applicants to their Special Needs Program) (IAA 2015b).

In 2014-15, all adoptive parents who were part of a finalised intercountry adoption were aged at least 30, and more than 70% were aged 40 and over (Figure 3.5).



While most jurisdictions in Australia allow de facto couples to apply to adopt, and an increasing number also allow for applications from same-sex couples, each overseas adoption authority has its own eligibility requirements.

Few intercountry programs allow applications from single people, with many programs requiring prospective adoptive parents to have been married for a set period of time. For example, South Korea requires applicants to have been married for a minimum of 3 years. Further, only 1 of Australia's 14 country partners (South Africa) will allow same-sex couples to apply (IAA 2015b). These requirements not only contribute to the older age profile of adoptive parents, but might also influence the types of parental relationships seen in the data.

In 2014-15, nearly all intercountry adoptees (98%) became part of families where the parents were in a registered marriage (Table 3.4).

Table 3.4: Intercountry adoptions, by type of adoption and marital status of the adoptive parent(s), 2014-15

Marital status of the adoptive parent(s)	Hague adoption		Non-Hague adoption		All intercountry adoptions	
	Number	%	Number	%	Number	%
Registered married couple	47	95.9	34	100.0	81	97.6
De facto couple	—	—	—	—	—	—
Single person ^(a)	2	4.1	—	—	2	2.4
Total	49	100.0	34	100.0	83	100.0

(a) Might include widowed parents.

Source: AIHW Adoptions Australia data collection.

In 2014–15, half (50%) of children who were the subject of a finalised intercountry adoption were adopted into families with no other children, while nearly a third (31%) were adopted into families with other adopted children only (Table 3.5). (This excludes adoptions for New South Wales, for which data were not available).

As with marital status and the age of adoptive parents, some countries of origin have specific eligibility criteria that directly affect these proportions – such as infertility requirements or restrictions on family size (IAA 2015b).

Table 3.5: Intercountry adoptions, by type of adoption and composition of the adoptive family, 2014–15^(a)

Composition of the adoptive family	Hague adoption		Non-Hague adoption		All intercountry adoptions	
	Number	%	Number	%	Number	%
No other children	13	46.4	13	54.2	26	50.0
Biological children only	5	17.9	3	12.5	8	15.4
Adopted children only	8	28.6	8	33.3	16	30.8
Biological and adopted children	2	7.1	—	—	2	3.8
Total	28	100.0	24	100.0	52	100.0

(a) Excludes adoptions from New South Wales, which was unable to report on the composition of the family.

Source: AIHW Adoptions Australia data collection.

Expatriate adoptions

Expatriate adoptions occur when an Australian citizen or permanent resident living abroad for 12 months or more adopts a child through an overseas agency or government authority. Australian adoption authorities are not responsible for facilitating expatriate adoptions, and do not assess or approve applicants for such adoptions.

For these adoptions to be recognised in Australia, the adoptive parents must prove that they were not living overseas to bypass the legal requirements for the entry of adopted children into Australia, and that they have lawfully acquired full parental rights in adopting the child. The child is then required to obtain citizenship or have an adoption-specific visa to enter Australia.

In 2014–15, 97 adoption-specific visas were issued for children who were adopted through an overseas agency or authority, and whose adoptive parent(s) lived overseas for 12 months or more (Table A5). This was a 13% decrease from 2013–14, when 112 visas were issued (AIHW 2014). In 2014–15, visas for this type of adoption were issued from 31 countries, compared with 36 in 2013–14. (See also information on visas issued for intercountry adoptions that were arranged by Australian state or territory authorities at the beginning of section 3.2, and Table A5.)

3.3 Local adoptions

In 2014–15, 56 local adoptions were finalised, representing 19% of all adoptions (Table 3.6; Figure 3.1). This was an increase from 46 such adoptions in 2013–14 (Table A13). Due to the small number of local adoptions nationally, changes at the national, and state and territory level should be interpreted with caution.

Table 3.6: Local adoptions, by state and territory, 2014–15

State/territory	Number	%
New South Wales	9	16.1
Victoria	24	42.9
Queensland	10	17.9
Western Australia	7	12.5
South Australia	2	3.6
Tasmania	4	7.1
Australian Capital Territory	—	—
Northern Territory	—	—
Australia	56	100.0

Note: Percentages might not add to 100 due to rounding.

Source: AIHW Adoptions Australia data collection.

Characteristics of adopted children

Local adoptions were finalised for slightly more males than females in 2014–15 (29 and 27, respectively) (Table A1). A single sibling pair was adopted among the 56 local adoptions (Table A10).

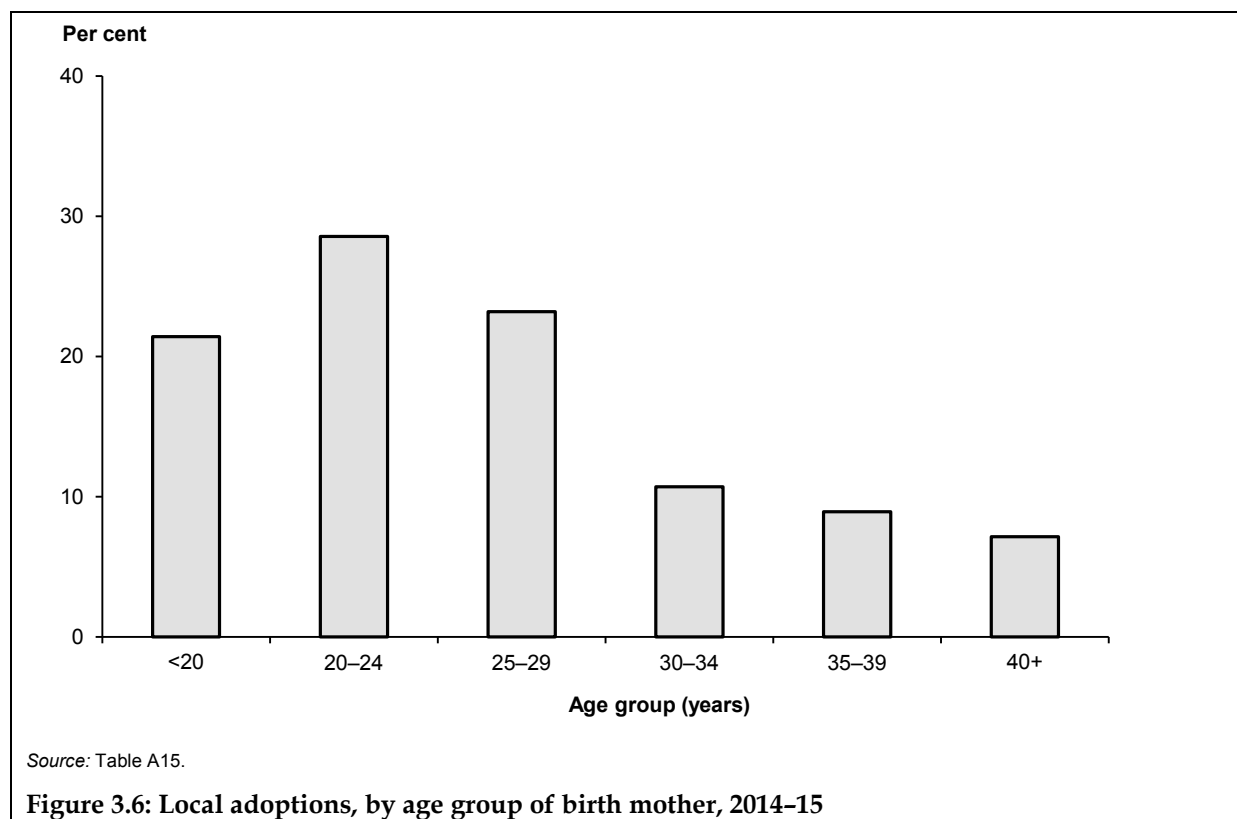
Apart from 1 adoptee aged 15–17, all local adoptees in 2014–15 were aged under 5, with more than half (57%) aged 1–4 (Table A1). While a similar proportion of children aged 1–4 were adopted from overseas (58%), there were far fewer infants (10% compared with 41% in local adoptions), and more children aged 5–9 (33% compared with none in local adoptions). As noted, the population for whom intercountry adoption is deemed appropriate has changed over recent years, and this is likely contributing to this tendency. See ‘Section 4.1 Trends in categories of adoptions’ for a more detailed discussion of trends.

Characteristics of birth mothers

While national data on birth mothers are not available for intercountry adoptees, due to the difficulties faced by countries of origin in obtaining this information (see ‘Limitations in existing data’ in Appendix D), data are available on the mothers of Australian children who are part of a local adoption. These data provide valuable information on some demographic differences between these mothers and the adoptive parents.

The median age of mothers of children with a finalised local adoption in 2014–15 was 24.5 at the time of the child’s birth, with ages ranging from 16 to 43. This median is more than 6 years younger than the median age of all Australian mothers giving birth in 2013 (30.8) (ABS 2014; Table A14).

The mothers of about three-quarters (73%) of children in local adoptions were aged under 30, including 50% who were aged under 25 (Table A15; Figure 3.6), and a large proportion were not in a registered marriage (89%) (Table A16). The marital status of these mothers is likely to be influenced by age, and patterns of decreasing registered marriages and increasing de facto relationships in the general population (ABS 2012).



Characteristics of adoptive families

Almost all (95%) of the adoptive parents involved in local adoptions in 2014-15 were in a registered marriage (Table 3.7). This was similar to adoptive parents involved in intercountry adoptions. Local adoptive parents were also generally older than the mothers of adoptees—nearly all (99%) local adoptive parents were aged 30 or over. However, they were somewhat younger than those who had adopted a child through intercountry adoption—just over one-third were 40 or over (36%) compared with 71% of those involved in finalised intercountry adoptions (Table A12; Figure 3.7).

Table 3.7: Local adoptions, by marital status of the adoptive parent(s), 2014-15

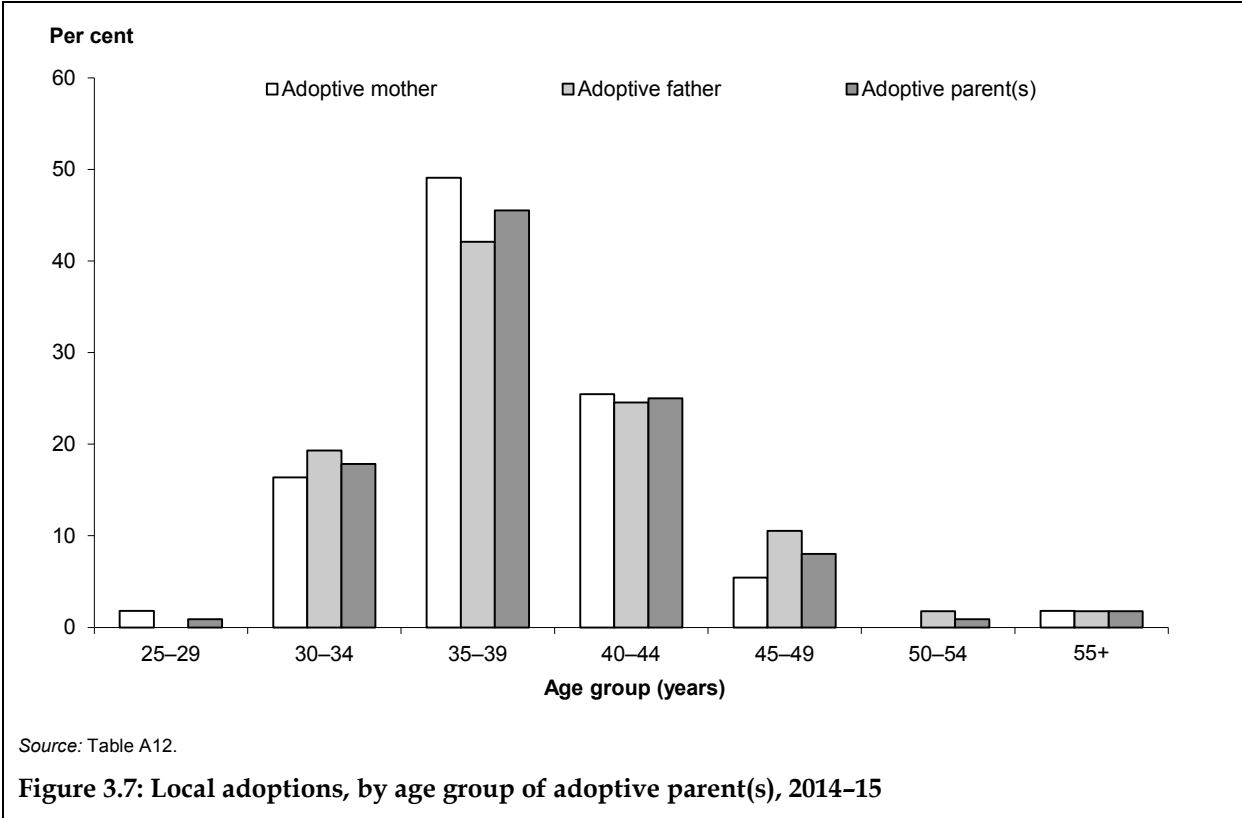
Marital status of the adoptive parent(s)	Number	%
Registered married couple	53	94.6
De facto couple	3	5.4
Single person ^(a)	—	—
Total	56	100.0

(a) Might include widowed parents.

Source: AIHW Adoptions Australia data collection.

Although eligibility criteria set by local adoption authorities in Australia are generally less restrictive than those set by agencies in countries with which Australia has an intercountry adoptions program, it is likely that these criteria still influence the proportions reported above. For example, other than in exceptional circumstances, only registered married couples are allowed to adopt in the Northern Territory. In all other jurisdictions, registered married couples and de facto couples are eligible, while same-sex couples can adopt in New South Wales, Western Australia, Tasmania and the Australian Capital Territory. Specifications on the length of time couples must have been in a married or de facto relationship, and the increasing tendency for couples to postpone having children and enter into these relationships later in life, affect the data presented in this section (Mills et al. 2011).

The circumstances under which single people can apply to adopt also vary for each state and territory. Most accept applications only under special circumstances, such as adoption of a child with special needs where the single applicant has special skills needed to parent the child (such as expertise in working with children with a disability, or nursing). In known child adoptions, a previous, longstanding relationship with the child may also constitute a special circumstance, with adoption deemed to be in the child’s best interests (Appendix B.1).



Nearly three-quarters (72%) of local adoptees in 2014-15 were adopted into families with no other children, 21% into families with other adopted children only, and 4% into families who had biological children only (excluding adoptions for New South Wales, for which these data were not available) (Table 3.8).

Table 3.8: Local adoptions, by composition of the adoptive family, 2014–15^(a)

Composition of the adoptive family	Number	%
No other children	34	72.3
Biological children only	2	4.3
Adopted children only	10	21.3
Biological and adopted children	1	2.1
Unknown	—	—
Total	47	100.0

(a) Excludes adoptions from New South Wales, which was unable to report on the composition of the family.

Source: AIHW Adoptions Australia data collection.

Administration of local adoptions

For almost 60% of local adoptions finalised in 2014–15, consent for the adoptions was given by the mother only. For the remaining almost 40%, both parents provided consent for the adoption, a considerable increase on the 24% of 2013–14 (AIHW 2014; Table 3.9).

Table 3.9: Local adoptions, by type of consent, 2014–15

Type of consent given	Number	%
From mother only ^(a)	33	58.9
From father only ^(b)	—	—
From both parents	22	39.3
Both parents' consent dispensed/not required	1	1.8
Total	56	100.0

(a) Father's consent dispensed/not required.

(b) Mother's consent dispensed/not required.

Note: Consent for local adoptions is usually required from both birth parents, and dispensation of consent is usually provided by the relevant court in each state/territory only when the parent(s) are unable to give consent themselves.

Source: AIHW Adoptions Australia data collection.

Agreements made at the time of adoption indicated that the majority (91%) of local adoptions finalised in 2014–15 could be considered 'open' – that is, all parties agreed to allow a degree of contact or information exchange to occur between families (Table 3.10).

For local adoptions, open adoption agreements have been the most common arrangement for more than a decade. This reflects the change in local adoption practices from a guarded practice – where files were sealed and parties to the adoption had no contact with each other – to a more open practice, which can involve access to information or contact between the parties. Since 1998–99, the proportion of local adoptions where the birth and adoptive families have agreed to allow some type of contact or information exchange has generally been well above 80% (Table A17; Adoptions Australia data collection).

Table 3.10: Local adoptions, by type of agreement, 2014–15

Type of agreement	Number	%
Contact and information exchange	32	57.1
Contact only	—	—
Information exchange only	19	33.9
No contact or information exchange	5	8.9
Total	56	100.0

Note: Percentages might not add to 100 due to rounding.

Source: AIHW Adoptions Australia data collection.

Almost two-thirds (64%) of the local adoptions finalised in 2014–15 were arranged by a relevant state and territory government department, a slight increase on the previous year (61%) (AIHW 2014; Table A18). The remainder (36%) were arranged by a non-government organisation.

3.4 Known child adoptions

In 2014–15, 153 known child adoptions were finalised (Table 3.11). While this was similar to the previous year (Table A19), as the overall number of adoptions continues to fall, known child adoptions represent an increasing proportion of all adoptions (52% in 2014–15, compared with 50% in 2013–14 and 45% in 2012–13).

Table 3.11: Known child adoptions, by state and territory, 2014–15

State/territory	Number ^(a)	%
New South Wales	108	70.6
Victoria	5	3.3
Queensland	9	5.9
Western Australia	19	12.4
South Australia	1	0.7
Tasmania	3	2.0
Australian Capital Territory	7	4.6
Northern Territory	1	0.7
Australia	153	100.0

(a) Number of adoptions includes children aged 18 and over (see Table A20).

Note: Percentages might not add to 100 due to rounding.

Source: AIHW Adoptions Australia data collection.

The majority (61%) of known child adoptions finalised in 2014–15 were by a carer, such as a foster parent, with the majority of these (87 of the 94) occurring in New South Wales. This reflects that state’s policies, which increasingly promote adoption to achieve stability for children under the long-term care of state child protective services, when restoration is not considered appropriate.

Most (34%) of the remaining known adoptions finalised in 2014–15 were by step-parents. This might reflect a preference for options other than adoption when relatives other than step-parents have long-term parental responsibility for a child (tables 3.12 & A21).

Table 3.12: Known child adoptions, by relationship of adoptive parent(s), 2014–15

Relationship of the adoptive parent(s)	Number ^(a)	%
Carer	94	61.4
Step-parent	52	34.0
Relative ^(b)	4	2.6
Other	3	2.0
Total	153	100.0

(a) Number of adoptions includes 17 children aged 18 and over (see Table A20).

(b) Includes relatives other than step-parents.

Note: See the Glossary for definitions of the adoption categories.

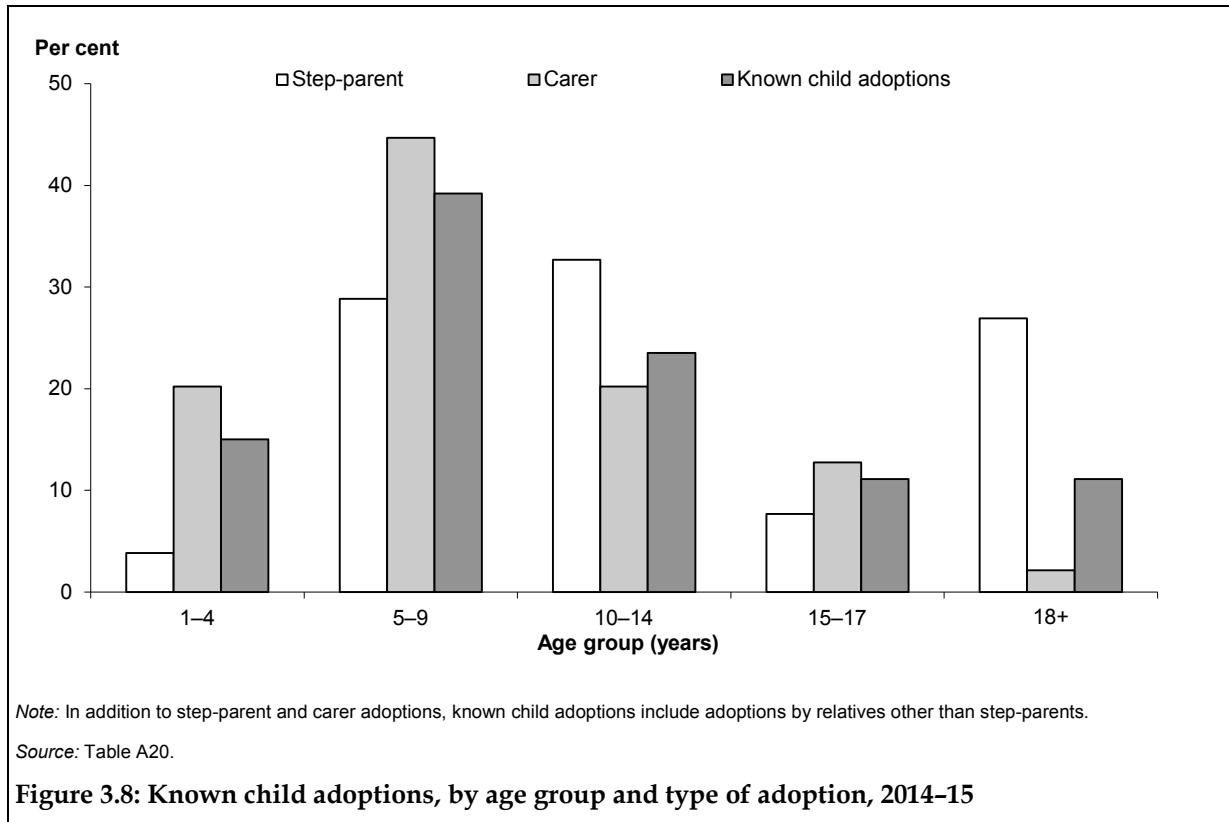
Source: AIHW Adoptions Australia data collection.

Characteristics of adopted children

Unlike local adoptions, more known child adoptees were female than male (80 and 71, respectively), in 2014–15. This difference was greatest for children aged 5–9, with 36 females and 24 males adopted (Table A1).

Australian children from known child adoptions were generally older than children in local or intercountry adoptions. Almost half (46%) of the known child adoptees in 2014–15 were aged 10 and over, including 11% who were aged 18 and over. Only 15% were aged under 5 (Table A1; Figure 3.8). This might reflect minimum age requirements for some known child adoptions, and, in many jurisdictions, the length of time the prospective adoptive parent(s) need to have had a relationship with the child before an adoption is possible (see Section B1 in Appendix B).

The older age of children in known child adoptions is also affected by the proportion of adoptions by step-parents, which comprised 34% of known adoptions finalised in 2014–15. However, this effect is weakening over time, as the proportion of step-parent adoptions decreases in line with the increase in carer adoptions (Table A21). Children adopted by step-parents were generally older than those adopted by other adults, because of the additional time involved in forming stepfamilies. Of the known child adoptions finalised in 2014–15, 67% of the children in step-parent adoptions were aged 10 and over, compared with 35% of children in carer adoptions (Table A20; Figure 3.8).



3.5 Access to information

The way information is accessed under Australia’s adoption law has changed substantially since the 1980s, starting with the *Adoption Act 1984 (Vic)*. Changes in Australian adoption procedures have paralleled a shift in social attitudes – from adoptions being seen as providing a service for adults, to the wellbeing of children being paramount.

All states and territories have legislation that grants certain information rights to adopted people aged 18 and over, and to their adoptive and birth families. However, the extent of these rights and of the protection of the privacy of parties to the adoption varies among the jurisdictions (see sections B.2 and B.3 in Appendix B).

Information applications

All states and territories have adoption information services, or information and contact registers (or other similar systems). The requirements for accessing information about a past adoption differ for each jurisdiction (see Appendix B.3).

Parties to an adoption may apply for access to identifying or non-identifying information. Identifying information identifies the person about whom the information is being sought – such as the original birth certificate or the amended birth certificate. Non-identifying information does not identify the person about whom the information is sought, and can include the age of birth parent(s) and place of birth.

The number and distribution of applications in 2014–15 was consistent with the previous year. In 2014–15:

- 2,602 information applications were made – 88% of these for identifying information (Table 3.13)
- almost three-quarters (74%) of identifying information applications were made by adoptees, with 12% made by the birth parents, and 6% by other birth relatives (Table 3.13)
- almost half (46%) of non-identifying information applications were made by adoptees, and 31% by other birth relatives (Table 3.13)
- most adoptees seeking information were aged 35 and over (87%) (Table 3.14)
- more female adoptees lodged information applications than males (55% and 45%, respectively) (Table 3.14).

Table 3.13: Number of information applications lodged, by person lodging application, 2014–15

Person lodging the application	NSW ^(a)	Vic ^(b)	Qld	WA ^{(c)(d)}	SA ^(e)	Tas	ACT	NT ^(c)	Australia	%
Identifying information										
Adoptee	552	429	306	133	191	43	19	14	1,687	73.6
Adoptive mother	—	—	—	1	2	1	1	—	5	0.2
Adoptive father	—	—	—	1	—	—	—	—	1	—
Birth mother	81	56	50	18	21	4	4	2	236	10.3
Birth father	9	13	8	8	3	2	—	—	43	1.9
Other birth relative(s)	36	—	31	39	26	6	—	2	140	6.1
Other adoptive relative(s)	5	..	..	8	17	—	1	2	33	1.4
Child of adoptee	37	50	16	28	8	8	—	—	147	6.4
Unknown	—	—	—	—	—	—	—	—	—	—
Total	720	548	411	236	268	64	25	20	2,292	100.0

(continued)

Table 3.13 (continued): Number of information applications lodged, by person lodging application, 2014–15

Person lodging the application	NSW ^(a)	Vic ^(b)	Qld	WA ^{(c)(d)}	SA ^(e)	Tas	ACT	NT ^(c)	Australia	%
Non-identifying information										
Adoptee	..	—	1	126	2	—	—	12	141	45.5
Adoptive mother	..	6	1	2	—	..	—	—	9	2.9
Adoptive father	..	5	1	2	—	..	—	—	8	2.6
Birth mother	..	—	—	15	—	..	—	2	17	5.5
Birth father	..	—	—	6	—	..	—	—	6	1.9
Other birth relative(s)	..	57	..	38	—	..	—	2	97	31.3
Other adoptive relative(s)	6	1	..	—	2	9	2.9
Child of adoptee	..	—	..	22	—	..	—	—	22	7.1
Unknown	..	—	..	1	—	..	—	—	1	0.3
Total	..	68	3	218	3	—	—	18	310	100.0

- (a) In New South Wales, for adoption orders that occur after 1 January 2010, adoptees, adoptive parents and birth parents can apply for identifying information about each other. Where an adoptee is under the age of 18, he/she will need the consent of his/her adoptive parent/s or the consent of the Secretary of the New South Wales Department of Family and Community Services to apply for identifying information. When a birth parent or a non-adopted sibling applies for identifying information where the adoptee is under the age of 18, the birth parent or a non-adopted sibling must produce an Adoption Information Certificate that has been issued after a risk assessment.
- (b) In Victoria, adoptees, adult children of adoptees and birth parents have access to identifying information. The other groups have access to non-identifying information—unless the adoptee is contacted at the request of the applicant and agrees to the release of identifying information.
- (c) In Western Australia and the Northern Territory, clients can apply for both identifying and non-identifying information in the same application. In these cases, the application is counted twice—once under 'identifying information' and once under 'non-identifying information'.
- (d) In Western Australia, where an application is lodged by both adoptive/birth parents, it is counted under the mother.
- (e) In South Australia, adoptees aged 18 or over can access information, such as information in their birth certificate, details about their birth parents (if known), and any information left by birth family members. Birth parents can apply for the release of certain information once the adoptee turns 18. Adoptive parents can apply for certain information under certain circumstances. A descendant of an adoptee, such as a son, daughter, grandson or granddaughter can apply for certain information. A birth relative can also apply for information under certain circumstances. A veto might be in place if the adoption occurred before 17 August 1989, which would mean the applicant can receive only non-identifying information about the adoption.

Notes

- Percentages might not add to 100 due to rounding.
- Data predominantly relate to applicants who are party to a local adoption. Very few applicants are party to an intercountry adoption.
- Identifying information identifies the person about whom the information is being sought, such as the original birth certificate or the amended birth certificate. Non-identifying information does not identify the person about whom the information is sought, and can include age of birth parent(s) and place of birth.

Source: AIHW Adoptions Australia data collection.

Table 3.14: Adult adoptees who lodged information applications, by Indigenous status, age group and sex of applicant, 2014–15

Age group (years)	Indigenous Australians			Other Australians ^(a)			Total ^(a)			% ^(b)
	Males	Females	Persons	Males	Females	Persons	Males	Females	Persons	
18–19	—	2	2	5	3	8	5	5	10	0.9
20–24	—	1	1	9	15	24	9	16	25	2.2
25–34	—	1	1	44	66	110	44	67	111	9.7
35–44	9	8	17	128	137	265	137	145	282	24.7
45+	10	19	29	313	374	687	323	393	716	62.6
Total	19	32	51	503	597	1,100	522	629	1,151	100.0
%	37.3	62.7	100.0	45.7	54.3	100.0	45.4	54.6	100.0	100.0

(a) Total males, females and persons include people of unknown age.

(b) Percentages exclude 3 females and 4 males whose age was unknown.

Notes

1. Percentages might not add to 100 due to rounding.
2. If Indigenous status was unknown, the person was included in the 'Other Australians' category.
3. New South Wales was unable to provide data for this table.

Source: AIHW Adoptions Australia data collection.

Contact and identifying information vetoes

In some cases, a party to an adoption might wish to block contact or access to information by another party to the adoption. In the case of an identifying information veto, a party to an adoption may, in some states and territories, apply for identifying information not to be released to any other party to the adoption.

In some states and territories, a contact veto can be lodged. These vetoes are legally binding, and if a person receives identifying information and then contacts the other party when a contact veto is in place, legal action can be taken.

Contact and information vetoes can be lifted by the person who lodged them. In some states and territories, vetoes are valid only for adoptions that occurred before a particular date, or last for only a set amount of time before they need to be renewed. Contact vetoes may be lodged even if information about an adoption is never requested (see Appendix B.3).

The number of contact and identifying information vetoes lodged in 2014–15 dropped by 50% from the previous year (66 compared with 131) (Table 3.15; AIHW 2014). The number of contact and identifying information vetoes in place as at 30 June 2015 reduced slightly (8,669 from 8,693 in 2013–14) (Table 3.16; AIHW 2014).

Table 3.15: Number of vetoes lodged, by person lodging veto, 2014–15

	Person lodging the veto							Total
	Adoptee	Adoptive mother	Adoptive father	Birth mother	Birth father	Other birth relative	Other adoptive relative	
Contact vetoes lodged								
Number	11	1	—	1	—	—	—	13
%	84.6	7.7	—	7.7	—	—	—	100.0
Identifying information vetoes lodged								
Number	28	1	1	21	2	—	—	53
%	52.8	1.9	1.9	39.6	3.8	—	—	100.0
Total								
Number	39	2	1	22	2	—	—	66
%	59.1	3.0	1.5	33.3	3.0	—	—	100.0

Note: Percentages might not add to 100 due to rounding.

Source: AIHW Adoptions Australia data collection.

For both vetoes lodged in 2014–15 and vetoes in place at 30 June 2015, more than half were lodged by the adoptee (59% and 54%, respectively). Birth mothers were the next highest proportion to lodge vetoes or have vetoes in place (33% and 39%, respectively), with a total of 3,394 birth mother vetoes in place at 30 June 2015 (tables 3.15 & 3.16).

While the number of contact and information vetoes lodged each year has fluctuated between 52 and 140 in the past 10 years, generally, far fewer vetoes are lodged today than 20 years ago (426 in 1995–96) (Table A22). As in previous years, the number of applications for information far exceeded the number of vetoes lodged against contact or the release of identifying information – 2,602 compared with 66 (Table A22).

Table 3.16: Number of vetoes in place as at 30 June 2015, by person lodging veto and veto type

Person lodging veto	NSW ^{(a)(b)}	Vic ^(c)	Qld ^{(a)(b)(d)(e)}	WA ^(f)	SA ^(a)	Tas ^(b)	ACT ^(g)	NT ^(a)	Total	%
Contact vetoes										
Adoptee	2,371	9	1,708	259	..	113	48	..	4,508	54.4
Adoptive mother	..	..	..	216	..	1	15	..	232	2.8
Adoptive father	..	..	..	176	..	3	14	..	193	2.3
Birth mother	1,805	..	1,249	158	..	27	22	..	3,261	39.3
Birth father	53	..	11	14	..	1	4	..	83	1.0
Other birth relative(s)	..	..	1	3	..	4	3	..	11	0.1
Other adoptive relative(s)	..	..	..	1	..	—	—	..	1	—
Total^(h)	4,229	9	2,970	827	..	149	106	..	8,290	100.0
Identifying information vetoes										
Adoptee	..	—	..	..	215	..	..	1	216	57.0
Adoptive mother	..	..	..	..	14	..	..	..	14	3.7
Adoptive father	..	..	..	..	7	..	..	..	7	1.8
Birth mother	..	..	..	..	133	..	..	—	133	35.1
Birth father	..	..	..	..	9	..	..	—	9	2.4
Other birth relative(s)	..	..	..	..	..	..	..	..	..	..
Other adoptive relative(s)	..	..	..	..	..	..	..	..	..	..
Total	..	—	..	..	378	..	..	1	379	100.0

(a) In some jurisdictions, only certain people may lodge a veto. In New South Wales, only adoptees and birth parents may lodge a contact veto, and these may only be lodged for an adoption that occurred before 26 October 1990. In Queensland, a contact statement requesting no contact can be lodged by birth parents and adoptees, and it is an offence to contact a person who has lodged a contact statement if the adoption order was made before June 1991. In South Australia, only adoptees, birth parents and adoptive parents can lodge an identifying information veto, and these may be lodged only for adoptions that occurred before 17 August 1989. In the Northern Territory, only the adoptee and birth parent(s) can lodge vetoes for adoptions finalised before 1994. The legislation in the Northern Territory does not separate a veto for contact and information—a veto restricts both contact and information from being released. These are listed under identifying information vetoes.

(b) The release of identifying information cannot be vetoed in New South Wales or Tasmania. In Queensland, the release of identifying information cannot be vetoed, but the Childrens Court can prevent the release of information where there is an unacceptable risk that it would put the safety of another person at risk.

(c) Data were included for Victoria for the first time in 2013–14.

(d) In Queensland, since 1 February 2010, the *Adoption Act 2009* (Qld) allows a person to lodge a contact statement specifying how they wish contact to occur, or specifying no contact. Of the total in 2014–15, 148 were contact statements specifying how contact was to occur—36 from birth mothers, 4 from birth fathers, 1 from a birth relative and 107 from adoptees.

(e) Queensland total includes 1 'unknown' person lodging an application.

(f) Amendments to the Western Australian Adoption Act in 2003 prohibit any new information or contact vetoes on any adoptions after 1 June 2003. However, adoptees turning 18, where adoptive parent(s) have previously placed existing contact vetoes on the adoptee's behalf, have 12 months in which to request the continuation of the current veto. All existing information vetoes ceased to be effective from 1 June 2005.

(g) In the Australian Capital Territory, vetoes cannot be lodged for adoption orders made after 22 April 2010. Before this date, the release of identifying information could not be vetoed in the Australian Capital Territory.

(h) Total includes where the relationship of the person lodging the veto was unknown.

Note: Percentages might not add to 100 due to rounding.

Source: AIHW Adoptions Australia data collection.

4 Trends in adoptions in Australia

This chapter presents trend data for adoptions in Australia, from 1990–91 onward, in 10-year and 25-year periods. Trend analysis over extended periods (such as those included in this chapter) can provide more robust and meaningful insights than analyses of change over shorter periods, due to the small size of the population.

The number of annual adoptions in Australia has fallen substantially over the past 25 years. In 1990–91, 1,142 adoptions were finalised; by 2005–06, this had fallen to 576. In 2014–15, only 292 adoptions were finalised – a 74% decline since 1990–91, and a 49% decline over the previous decade. The 2014–15 figure of 292 is the lowest annual number of finalised adoptions recorded since national data have been collated and reported (Table A23; Figure 4.1).

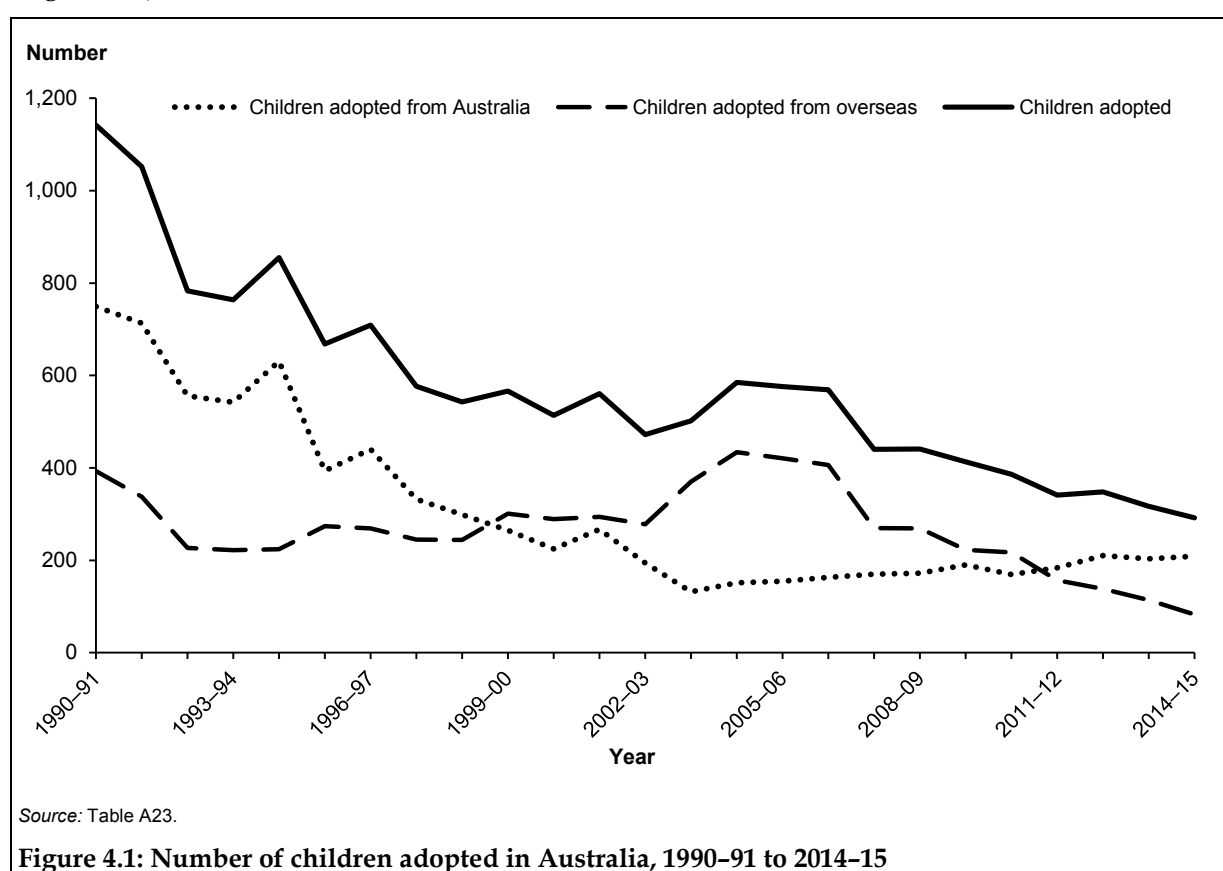


Figure 4.1: Number of children adopted in Australia, 1990-91 to 2014-15

As shown in Figure 4.1, the fall in the overall number of adoptions to 2002–03, was primarily driven by the falling number of Australian children (comprising local and known child adoptions) adopted up to that year. Since a low point in 2003–04, local and known child adoptions combined have slowly increased.

Between 1990–91 and 2003–04, the number of annual adoptions of Australian children fell from 749 to 132 – an 82% decline. While the 209 adoptions of Australian children in 2014–15 represent part of the steady rise since 2003–04, overall, there has been a decline of 72% over the 25 year period.

Intercountry adoptions show a different trend. After falling from 393 in 1990–91 to 222 in 1993–94, intercountry adoptions rose to a peak of 434 in 2004–05. Since that time intercountry

adoptions have been in steady decline, to 83 in 2014–15. This represents a substantial fall of 79% across 25 years, and a fall of 81% since the peak in 2003–04 (Table A23; Figure 4.1). In 2014–15, more Australian children had their adoption order finalised than children from overseas (excluding expatriate adoptions) (72% and 28%, respectively). This has been the case since 2011–12, which was the first time this occurred since 1998–99 (Table A23; Figure 4.1).

The fall in the number of adoptions of Australian children can be attributed to changes over time. Changing views in Australian society have altered the circumstances in which adoption might be considered appropriate. Social trends, such as declining fertility rates, the wider availability of effective birth control, increased support for single parents, and the emergence of family planning centres (ABS 2010) are also likely to influence the number of Australian children in need of adoption.

Further, legislative changes introduced by state and territory departments over the past 20 years or so, supporting a greater use of alternative legal orders, have contributed to the decline. These orders, such as permanent care orders in Victoria, transfer permanent guardianship and custody of a child to a person other than the parent (in most cases, to relatives or carers with whom the child is currently living), often replacing the need for adoption (see Appendix B.1). Similarly, in Western Australia, protection orders (special guardianship) give parental responsibility to an individual, or 2 individuals jointly, for a child until the child turns 18.

However, where reunification is not considered an option, some jurisdictions look to adoption to create stability for children under the long-term care of state and territory child protection services. In 2014–15, this contributed to the highest number of carer adoptions on record (94, or 61% of all known child adoptions), a threefold increase in 15 years (Table A21).

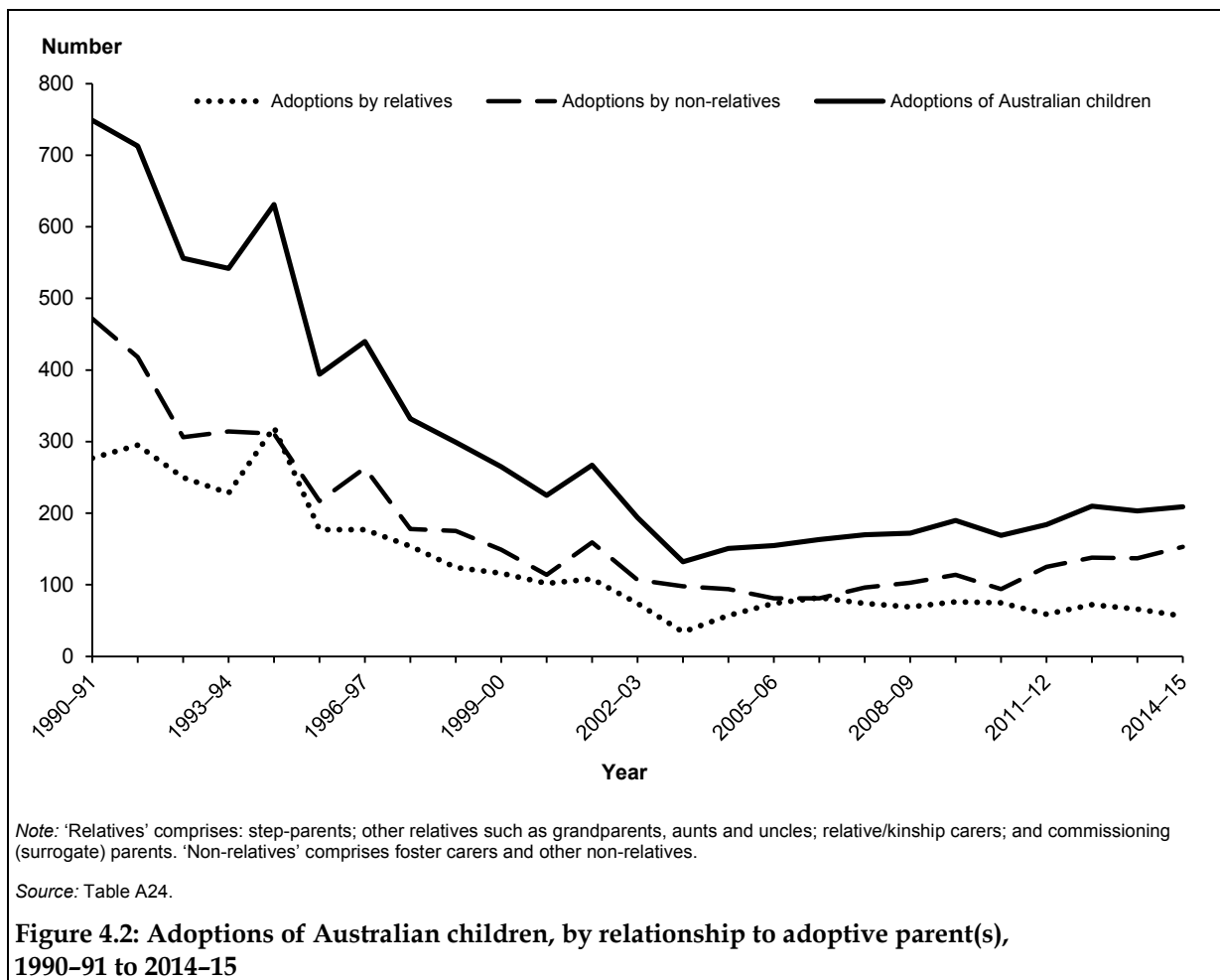
Factors contributing to the decline in intercountry adoptions include economic and social changes that enable children to remain with their birth family or to be adopted in their country of origin. This results in fewer children needing intercountry adoption, and has led to countries of origin working to reduce or manage the number of adoption applications they receive; for example, by introducing more stringent eligibility requirements, or quotas.

4.1 Trends in categories of adoptions

Adoption of Australian children

Overall, the number of finalised annual adoptions of Australian children has fallen since 1990–91, from 749 to 209 in 2014–15—a 74% decline (Table A23; Figure 4.2) (note: New South Wales were unable to report on step-parent adoptions from 1990–91 to 1993–94, so this is likely an underestimate of the extent of decline during the period). Although changes to the adoption categories in 1998–99 limit the amount of trend data available for local and known child adoptions, it is possible to report on trends in adoptions by both relatives and non-relatives over a longer period.

The number of finalised adoptions of Australian children fell from 749 in 1990–91 to 132 in 2003–04, but then rose annually to 190 in 2009–10, reaching 209 in 2014–15 (Table A24; Figure 4.2). The increase since 2003–04 was due to increases in New South Wales (from 49 to 117). Numbers fell or remained relatively stable in the remaining states and territories during this time (tables A13 & A19).



While the numbers of Australian children adopted by relatives and non-relatives have decreased overall since 1990-91 (80% and 68%, respectively), the respective proportions of each have fluctuated since the mid-1990s. Non-relative adoptions were at their highest proportion of all Australian adoptions in 2014-15 (153 or 73%), since the highest proportion on record in 2003-04 (98 or 74% of Australian adoptions) (Table A24; Figure 4.2). This trend is likely to reflect the fact that, with the exception of step-parent adoption, most states and territories have policies that promote parental responsibility orders rather than adoption when a child is to be permanently cared for by a relative (for example, the use of permanent care and guardianship/custody orders).

The increase in known child adoptions since 2003-04 has been driven primarily by New South Wales, with an increase from 25 in 2003-04 to 108 in 2014-15 (Table A19). Carer adoptions in the same period show a similar increase across Australia (from 25 in 2003-04 to 94 in 2014-15) (Table A21).

Because the overall number of adoptions fell during this time, a substantial rise in the proportion of adoptions by carers is evident (from 5% of all adoptions in 2004-05 to 32% in 2014-15) (tables A2 & A21). This is likely to be related to the increasing preference of adoption to help achieve stability for children in long-term out-of-home care (see Section 3.4 for more details). Again, this increase can be primarily attributed to an increase in New South Wales—from 25 carer adoptions in 2004-05 to 87 in 2014-15 (Adoptions Australia

data collection). In comparison, adoptions by relatives finalised during this time fluctuated between 56 and 82 (Table A24).

Since 2000–01, the number of finalised local and known adoptions of Australian children has fluctuated. The number of local adoptions has decreased over the past 15 years – from 85 in 2000–01, rising briefly to 107 in 2001–02, before trending downward to 56 in 2014–15. The number of known child adoptions fell sharply between 2001–02 and 2003–04 from 160 to 59, but has increased since 2003–04 to 153 in 2014–15 (tables A13 & A19; Figure 4.3).

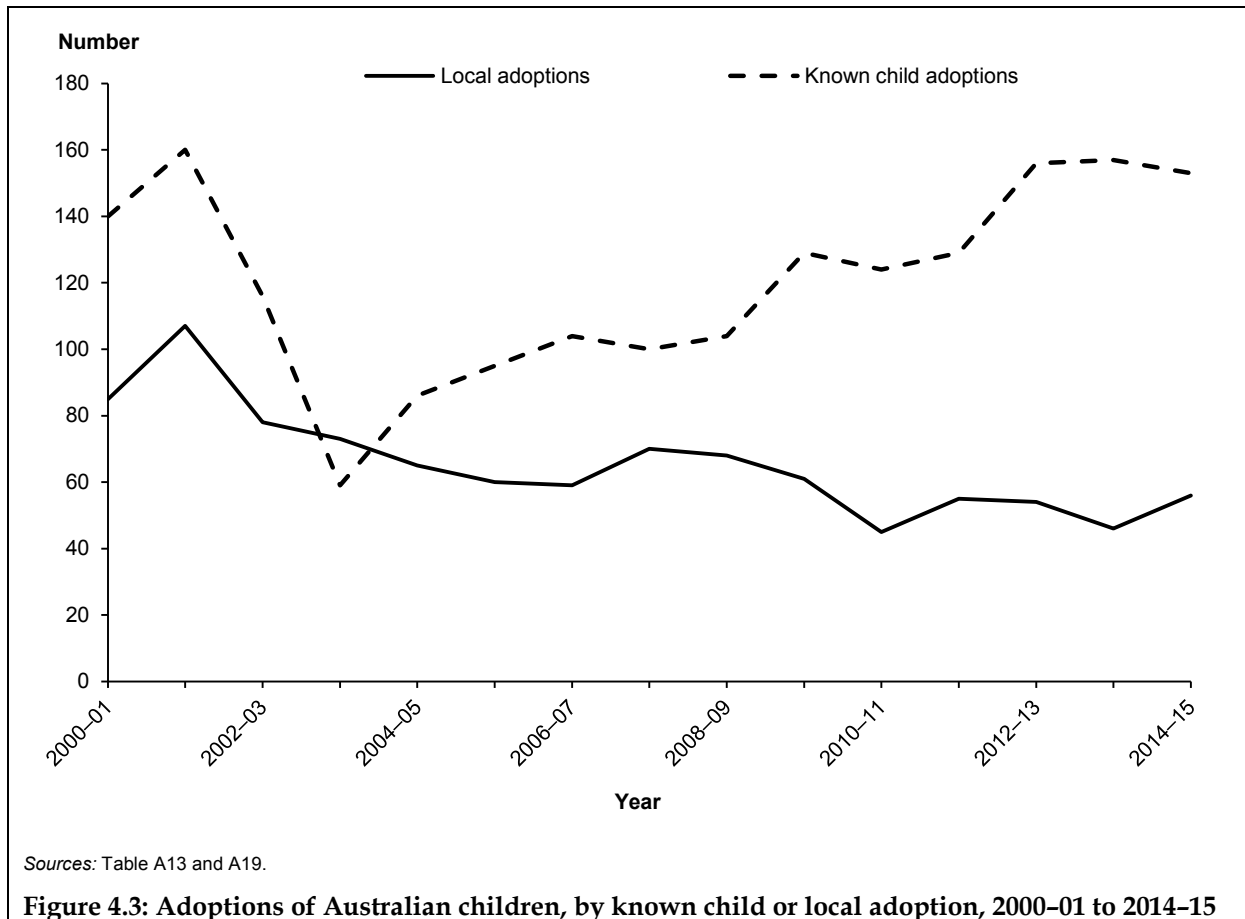


Figure 4.3: Adoptions of Australian children, by known child or local adoption, 2000–01 to 2014–15

Adoption of overseas children

In Australia, between 1999–00 and 2010–11, more intercountry adoptions were finalised each year than adoptions of children from Australia (local and known adoptions combined). Between 1999–00 and 2004–05, the proportion of adoptions of children from overseas increased from 53% to 74%, with the highest number of intercountry adoptions (434) in 2004–05. But after this period, the number of intercountry adoptions steadily decreased to 83, or 28% of all finalised adoptions in 2014–15. Since 2011–12, a greater number of children have been adopted from Australia than from overseas (Table A23).

An average of 230 intercountry adoptions were finalised each year in Australia over the past decade. At just over one-third of this average, the 83 intercountry adoptions finalised in 2014–15 represented the lowest number of such adoptions during the 10-year period, continuing the annual decline of intercountry adoptions. The long-term decline occurred in most states and territories, although New South Wales and Queensland reported a small rise between 2013–14 and 2014–15, and South Australia remained the same (Table A4).

This trend reflects global trends in intercountry adoptions during this period. A longitudinal study of 22 countries estimated that the global number of intercountry adoptions grew from 31,710 in 1998 to a peak of 45,288 in 2004 (Selman 2009). But numbers fell by 36% between 2004 and 2010. This trend was consistent across most countries, but there were some exceptions, with numbers increasing in Canada and Italy to 2009 (and continued to increase to 2010 in Italy). Since the mid-1980s, the United States had received about half of all international adoptions, but from 2009, more children were adopted in European countries than in the United States (Selman 2012).

The reasons for the decline are complex and varied. As traditional countries of origin improve in areas of economic and social development, options for domestic care also improve, and fewer children need intercountry adoption, particularly children without health issues or impairments. As a result, eligibility criteria for adopting young, healthy children imposed by overseas countries have become more stringent, with many families no longer being able to adopt, or, if eligible, experiencing long waiting times. The characteristics of children in need of adoption have also changed. They are increasingly older children, sibling groups and children with disabilities, developmental delays or complex medical and social backgrounds (PM&C 2014).

In Australia, the change in the number of intercountry adoptions can, at least in part, be attributed to variations in the intercountry programs, and to changes in adoption practices in countries of origin. Some countries of origin, such as Thailand and the Philippines, continue to restrict the number of applications they accept to help manage the large numbers of applications on their waiting lists. Others, such as Colombia, are currently only accepting applications for older children, sibling groups or children with special needs. South Korea limits the number of exit permits issued for children approved for intercountry adoption, reducing the number of adoptions that can be finalised each year (IAA 2015a).

Caution should be used when interpreting the data for adoptions finalised from Ethiopia in recent years. The program was closed on 28 June 2012 in response to the specific circumstances of the Ethiopian adoption environment, as well as to the program's unique operational requirements. Finalised adoptions in this report therefore represent children who had an adoption order issued in Ethiopia before the program closed, but were awaiting that order being recognised by Australian authorities. As a result of amendments to the Family Law Regulations, any adoptions from Ethiopia that had not yet been finalised in Australia were recognised during 2013–14, and considered to have been finalised as of the date the adoption order was issued in Ethiopia.

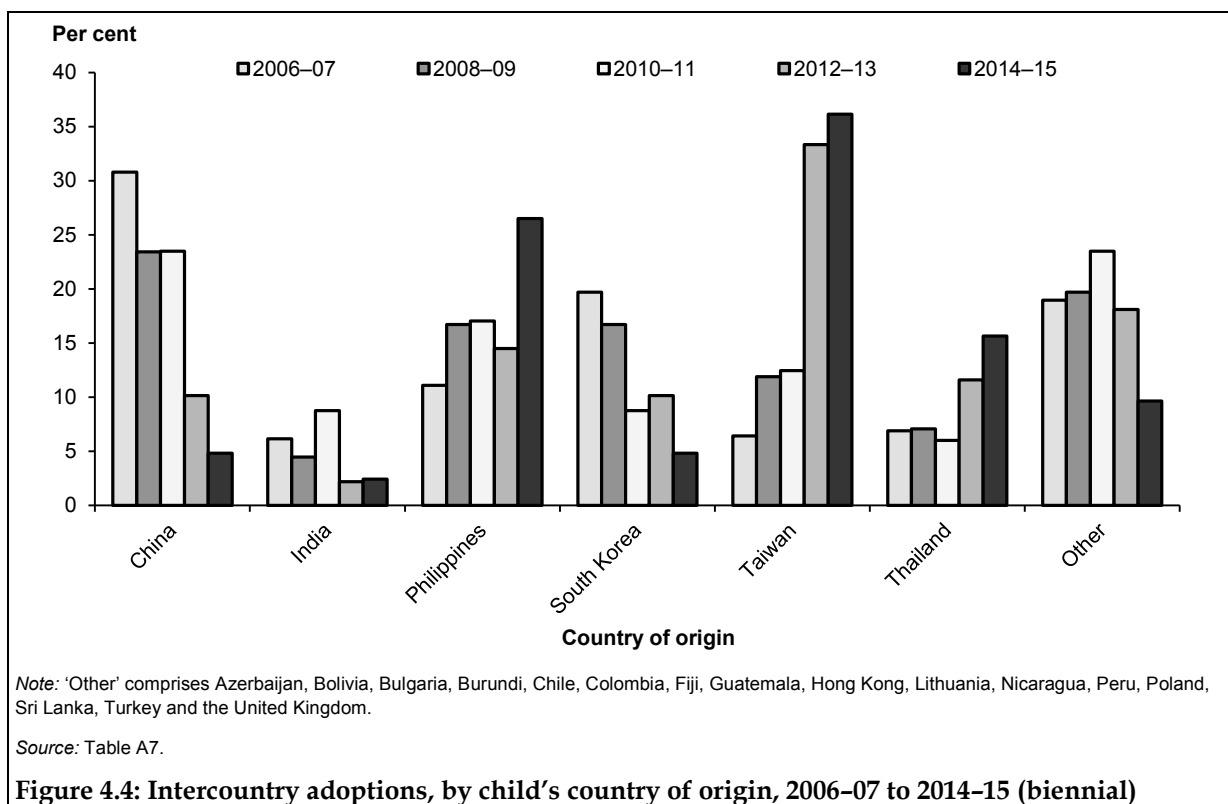
On 25 February 2015, amendments to the *Australian Citizenship Act 2007* began. The amendments enable children adopted from South Korea and Taiwan to immediately apply for Australian citizenship once the adoption process is complete in their country of origin, and (after the granting of citizenship) travel to Australia as Australian citizens. Over time, this change might result in a decrease in the number of adoption visas issued for children adopted from South Korea and Taiwan, where the adoptions were arranged by an Australian state or territory authority.

The Intercountry Adoptions Australia website provides additional information on intercountry programs (IAA 2015b). Information on programs that are currently on hold is reported on the Australian Attorney-General's Department website (AGD 2015).

Country of origin

Due to the changes noted above, the number and proportions of finalised intercountry adoptions that can be attributed to particular countries of origin each year have fluctuated, and the main country of origin has changed over time. For example, between 2005–06 and 2008–09 the main country of origin was China, between 2009–10 and 2011–12 it varied between China, the Philippines and Taiwan, and since 2012–13 it has been Taiwan (Table A7).

The proportion of adoptions from China and South Korea has declined substantially over the past decade. In contrast, the proportions from the Philippines and Taiwan have increased, and the proportions from other countries, such as India and Thailand, have fluctuated (Table A7; Figure 4.4). Various factors have contributed to these fluctuations, including a 2010 hold on sending new adoption applications to India.



In line with international trends, the majority of intercountry adoptions in Australia have consistently been from Asia. For other regions, in the Australian context, the proportion of children adopted from Africa and South/Central America have changed considerably (Figure 4.5).

With the closure of the program in Ethiopia in 2012, no adoptions from Africa were finalised in 2014–15 (Table A6). This is a considerable change from 2010–11 when 19% of finalised adoptions came from Africa (Table A6; Figure 4.5). This can be directly attributed to changes in the number of adoptions from Ethiopia, which, after peaking at 70 in 2005–06, declined to fewer than 5 adoptions in 2013–14 and nil in 2014–15 (AIHW 2014; Table A7; AIHW Adoptions Australia data collection). The impact of the relatively new South African program is yet to be seen.

The proportion of children adopted from South/Central American countries declined from the mid-1990s – from 23% of all intercountry adoptions in 1995–96 to 0.5% in 2010–11 – and has been slowly increasing since (Table A6; Figure 4.6). The decline was largely due to a decrease in children adopted from Colombia between 1995–96 and 2014–15, from 15% of all intercountry adoptions to less than 2% (AIHW 2004; AIHW Adoptions Australia data collection). However, the adoption of children from Chile in recent years has seen the proportion of children adopted from South/Central American countries increase to 6% in 2014–15 (AIHW Adoptions Australia data collection).

Adoptions from Romania were responsible for the increase in adoptions from ‘Other’ countries between 1998–99 and 2000–01. But shortly after this period, Australia’s program with Romania closed, in part due to changes in Romania’s adoption law (AIHW 2009; Centre for Adoption Policy Studies 2002).

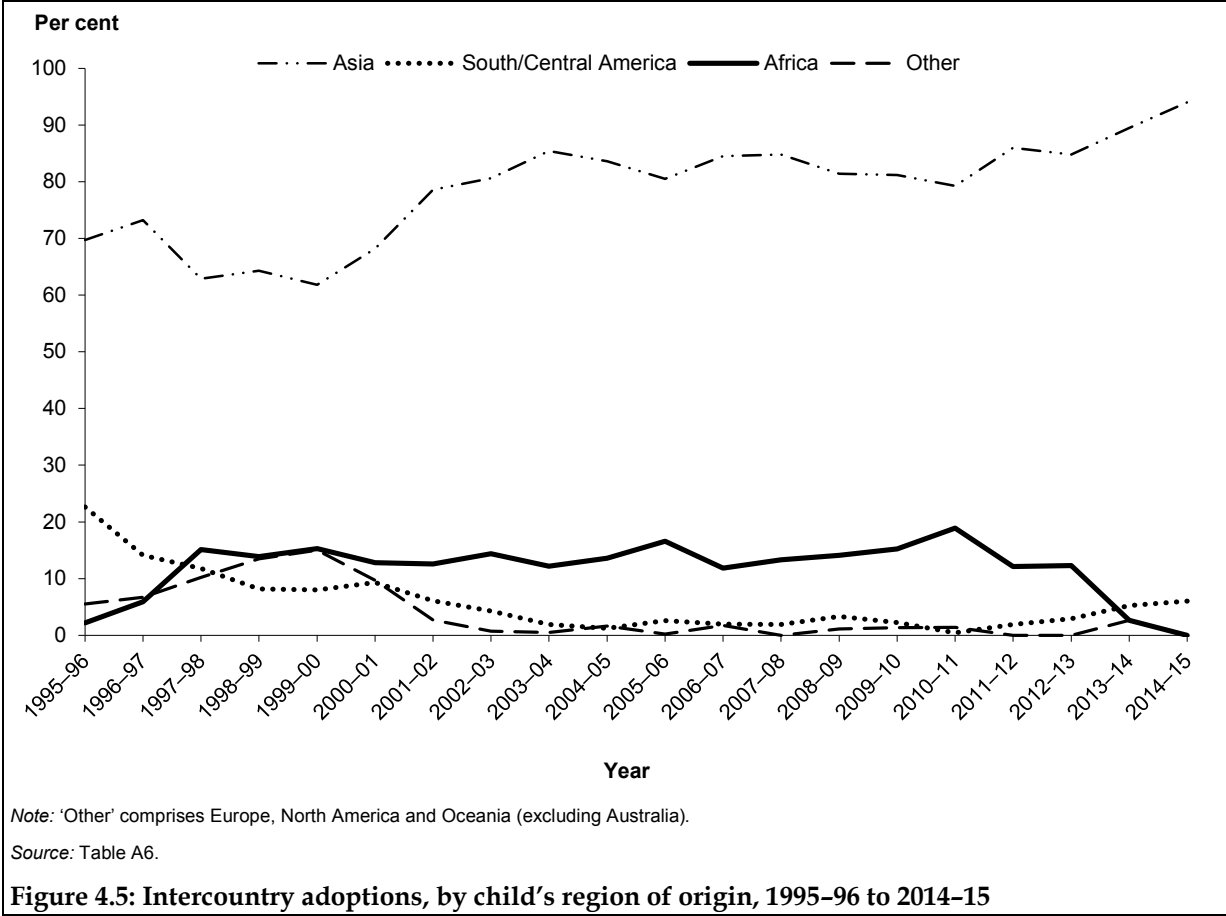


Figure 4.5: Intercountry adoptions, by child's region of origin, 1995-96 to 2014-15

Processing times

The median length of time from the time an applicant in Australia is approved to the time the child is placed has generally increased – from 37 months (or just over 3 years) in 2007–08 to 64 months (more than 5 years) in 2014–15 (Table 4.1).

The processing times between when applicants became official clients of departments and an approval increased slightly from 2013–14 to 2014–15 (from 9 to 12 months). The time between the file being sent overseas and a child being allocated dropped in the same period (from 27 to 20 months) (Table 4.1). This decrease can be attributed to changes in the number of adoptions coming from certain countries. For example, between 2012–13 and 2014–15, the

number of placements from China decreased, which, apart from Chile, has the longest wait time (AIHW Adoptions Australia data collection).

Table 4.1: Median length of time for the intercountry adoption process, for children placed between 2007–08 and 2014–15 (months)^(a)

Year	From when the applicant(s) became official clients of the department to when an approval decision was made	From when an approval decision was made to when the file was sent overseas	From when the file was sent overseas to when the child was allocated	From when the child was allocated to when the child was placed	Total length of process ^(b)
2007–08	10	3	19	3	37
2008–09	11	4	18	4	42
2009–10	10	3	18	5	45
2010–11	9	3	29	4	49
2011–12	8	4	30	5	56
2012–13	9	3	37	5	61
2013–14	9	6	27	6	60
2014–15	12	5	20	6	64

(a) This table includes all children who were placed with their adoptive families from 2008–09 to 2014–15, by the length of time each process took before the child was placed.

(b) Total process is the overall median length of time in months from when the applicant(s) became official clients of the department to when the child was placed. It might not be equal to the sum of the preceding processes due to rounding to the nearest whole month, and because of the nature of median calculations.

Source: AIHW Adoptions Australia data collection.

Influences on processing times

Several factors outside of the control of Australian authorities can affect processing times, including the number and characteristics of children in need of intercountry adoption, the number of applications received, and the resources of the overseas authority.

For example, Australia's partner countries generally have more applications from prospective adoptive parents willing to parent healthy younger children and infants than there are children in need of adoption. In contrast, a growing proportion of children in need of intercountry adoption are considered to have special needs and more complex care requirements. The process for matching such a child with an appropriate carer can be more difficult than for children with less complex backgrounds, as there are relatively few prospective adoptive parents willing and able to provide suitable care for these children.

Several of Australia's partner countries have changed their intercountry adoption programs to meet this challenge. Some countries (such as, China, Chile and the Philippines) have established separate programs specifically for special needs adoptions – including adoptions of older children and sibling groups – and might accept more applications for children in these programs than in their general programs. Countries have also adapted their eligibility criteria for prospective adoptive parents. Also, in several countries, the maximum age for applicants applying to adopt older children or those with special needs is higher than for those applying to adopt healthy children (for example, China and Colombia) (IAA 2015b).

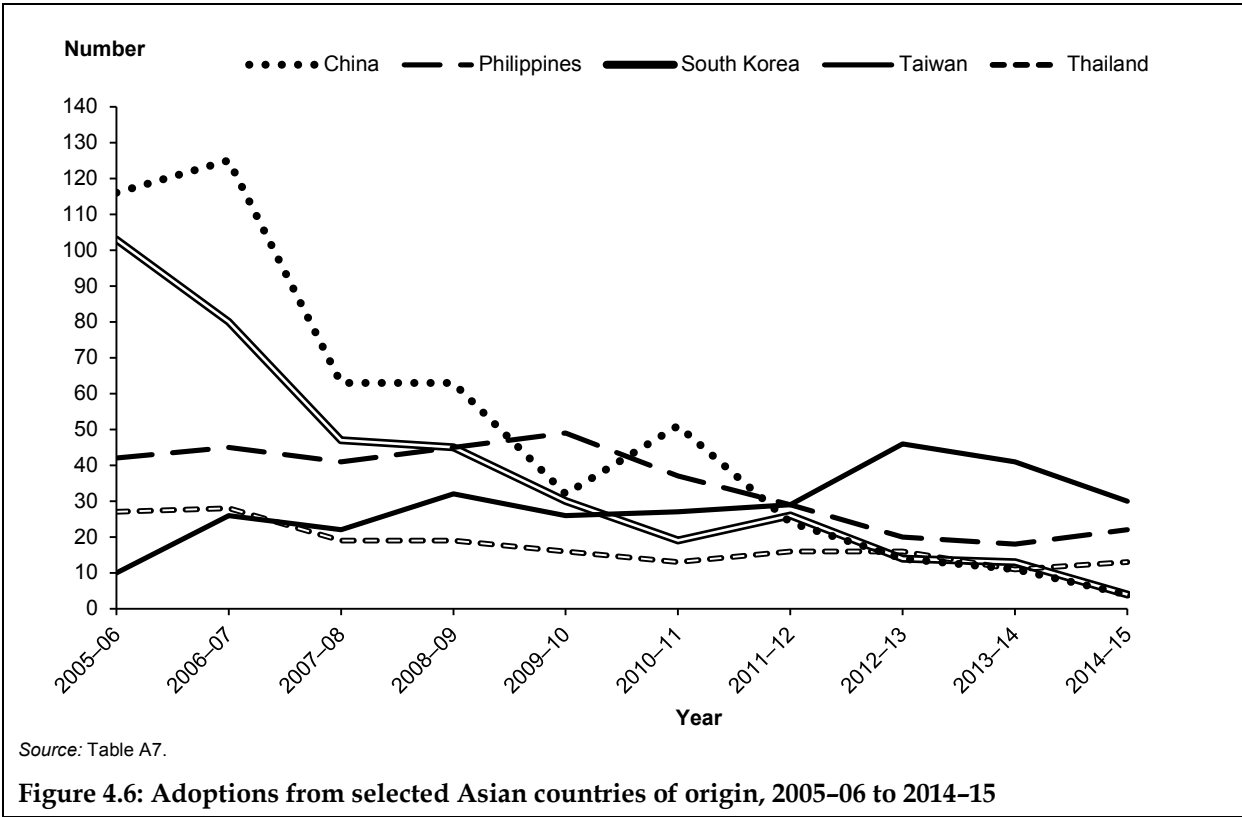
It is difficult to determine whether providing for a broader range of potential adoptive parents under special needs programs will reduce processing times. The complex

backgrounds of the children in these programs combined with the fact that most applicants are seeking healthy infants might continue to contribute to an extended timeframe.

Asian countries of origin

There have been some notable changes among the Asian countries of origin since the early 1990s. South Korea was the leading country of origin between 1991–92 and 2002–03. But after Australia signed a bilateral agreement with China in 1999, the number of annual finalised adoptions from China rose from 15 in 2000–01 to 140 in 2004–05 (AIHW 2010b).

With the exception of 2009–10, China was the leading country of origin between 2003–04 and 2010–11. However, like South Korea, it has introduced more stringent regulations for foreign adoptions, and put greater emphasis on local adoption solutions in an effort to find permanent homes for children in their own country. As a result, the number of children adopted from China has dramatically declined in recent years. Since a peak of 125 in 2006–07, numbers have fallen to 4 in 2014–15. The number of adoptions from South Korea fell from a high of 103 in 2005–06 to 4 in 2014–15 (Table A7; Figure 4.6).



Taiwan has been the leading country of origin between 2011–12 and 2014–15 (although it shared this position with the Philippines in 2011–12). The number of adoptions from Taiwan rose from 10 in 2005–06 to 41 in 2013–14 before falling to 30 in 2014–15, in line with the overall trend in intercountry adoptions (Table A7; Figure 4.6).

Accordingly, the proportion of annual adoptions from Taiwan has increased, from 2% of finalised intercountry adoptions in 2005–06 to 36% in 2014–15 (Table A7). This might relate in part to the fact that Taiwan has maintained a fairly constant median length of time for the intercountry adoption process over the past 5 years, while the majority of other countries have shown substantial increases (AIHW Adoptions Australia data collection). Taiwan has consistently been among the countries with the shortest median length of time for the

intercountry adoption process (for example, 41 months compared with 64 months for all countries in 2014–15; Table 3.3). The relatively high number of infants aged under 12 months adopted from Taiwan might also have contributed to the large increase in annual adoptions from this country (AIHW Adoptions Australia data collection), as many prospective parents prefer to adopt younger children (Ward 2011).

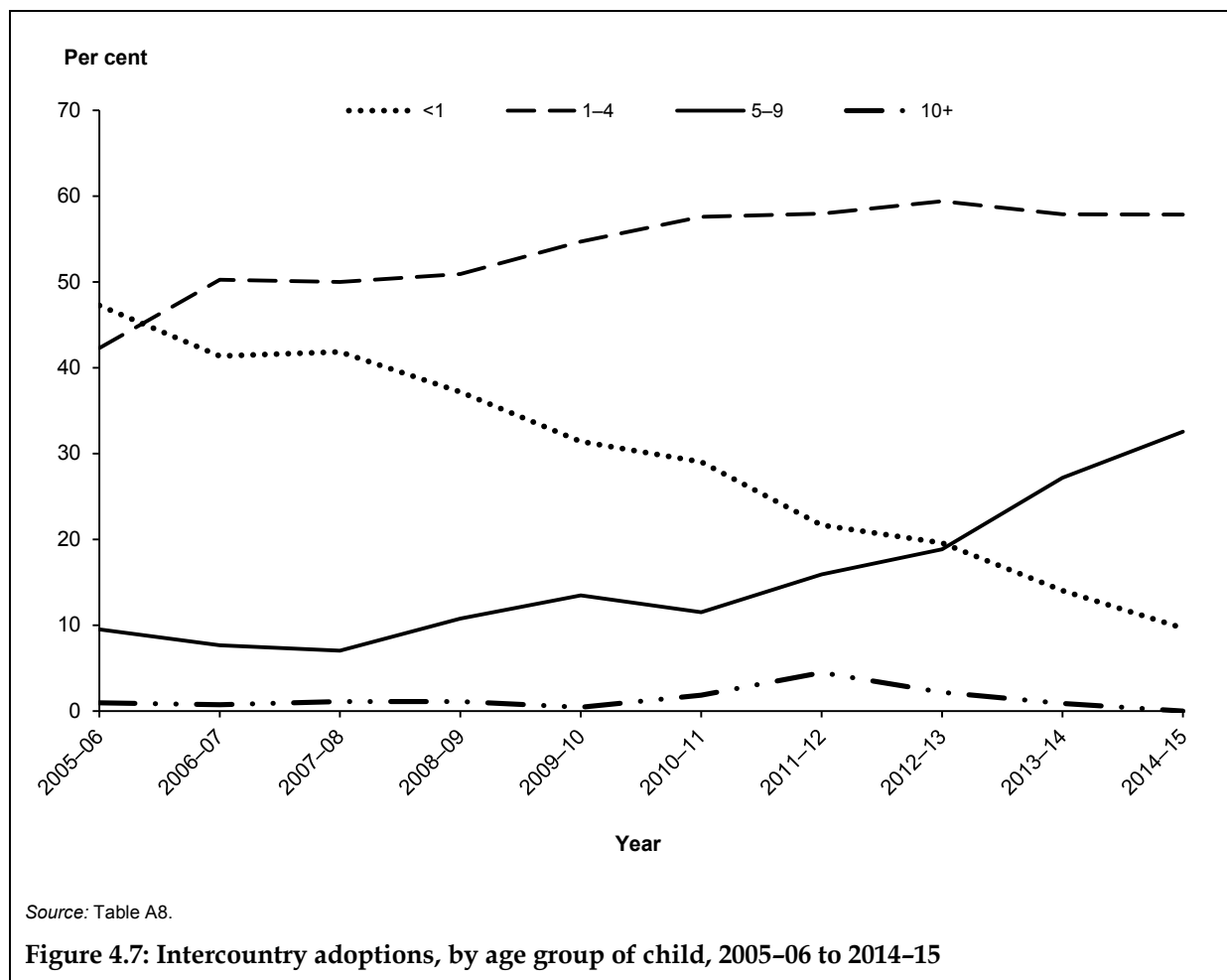
Between 2005–06 to 2009–10, the number of annual adoptions from the Philippines remained consistently high relative to other countries, at more than 40 per year, declining thereafter to a low of 18 in 2013–14, then increasing to 22 in 2014–15 (Table A7; Figure 4.6).

Infants and older children

The proportion of infants, that is children aged less than 1 year, adopted from overseas has substantially declined since 2005–06 – from 47% of intercountry adoptions to 10% in 2014–15 (Table A8; Figure 4.7). Several factors have contributed to this trend. For example, the number of infants for whom intercountry adoption is considered appropriate can be affected by changing overseas domestic adoption practices, and the degree of acceptance of single motherhood in countries of origin. Falling fertility rates in key countries of origin, such as South Korea, are also likely to affect the number of infants needing adoption (Kenny et al. 2012; Selman 2009).

In turn, the proportion of adoptees aged 5–9 has been increasing. In 2005–06, they comprised 10% of all intercountry adoptions. This proportion has generally increased since then, to a high of 33% in 2014–15 (Figure 4.7; Table A8).

Finding a suitable adoptive family can be more difficult for older children (Tan et al. 2007). Many prospective adoptive parents are seeking a younger child, and believe older children are more likely to have health and behavioural issues (Malm & Welti 2010; Zhang & Lee 2011). For older intercountry adoptees, these issues are often compounded by a history of deprivation, with many likely to have spent long periods in poor quality institutional care. This more complex background can make it harder for these children to find an adoptive family in their country of origin capable of providing the long-term therapeutic and intensive parenting they require. As a result, older children represent a growing proportion of the children for whom intercountry adoption is deemed to be appropriate (Spark et al. 2008).



Living arrangements of overseas adoptees 12 months later

Although most local and intercountry adoptions are successful, a minority are returned to (or enter into) state care or placement with new adoptive parents. When this happens after the child is placed in an adoptive home but before the adoption is legally finalised, it is called 'disruption'. When it happens after the adoption is legally finalised, it is called 'dissolution'.

A recent study in the United Kingdom found that the greatest contributing factor to adoption disruption was the child's age, with teenagers 10 times more likely to have a disrupted adoption compared with younger children (Selwyn et al. 2014).

All intercountry children who were placed with adoptive parents in 2013-14 (excluding those placed in Western Australia for whom data were not available) were still with their adoptive families 12 months later, and the parental structures of those families were unchanged. This indicates adoption disruption did not occur for any of the 2013-14 placements (AIHW Adoptions Australia data collection). A similar level of stability in adoption placement and the parental structures of adoptive families, during the 12 months following placement, can be seen since reporting on this measure began in 2011-12 (AIHW 2012, 2013, 2014).

As data only capture changes that occurred for intercountry adoptees, and only during the 12 months after they were placed with their adoptive families, these data should be interpreted as an approximate measure of the incidence of adoption disruption.

It is difficult to assess how often adoption dissolution happens, because, after the adoption is legally finalised, adoptees are no longer a readily identifiable group within the general population. Broader available information on disruptions suggests that they are more common in adoptions involving certain risk factors, including:

- adoptions of special needs children – such as older children and those with a history of physical or sexual abuse, deprivation and neglect, and those with emotional and behavioural problems
- failure to display a secure sense of attachment within the first 12–15 months
- parents having lack of prior foster care or adoption experience, limited or absent preparation, and access to only minimal information about the child’s history (ChildONEurope 2007; Clark et al. 2006; Roberson 2006; Spark et al. 2008).

4.2 Adoption of Aboriginal and Torres Strait Islander children

The Aboriginal and Torres Strait Islander Child Placement Principle outlines a preference for placing Aboriginal and Torres Strait Islander children with Indigenous Australians when placed outside their family (Lock 1997), as long as it is in the best interest of the child.

All states and territories have adopted the Placement Principle in policy and practice. In Western Australia and Victoria, legislation allows the birth parents to specify the type of adoptive family they would like for their child.

In the following order, the Placement Principle outlines a preference for Aboriginal or Torres Strait Islander children to be placed:

1. with the child’s extended family
2. within the child’s Indigenous community
3. with other Indigenous Australians.

Where these options are not available or appropriate, Indigenous children may be adopted by other families.

The number of Aboriginal and Torres Strait Islander children who are adopted each year is small. In 2014–15, only 1 Indigenous child had an adoption order finalised in Australia (Table 4.2).

Due to the small number of these adoptions each year, it is difficult to identify trends. Since 2005–06, of the 46 Indigenous children adopted, half (50%) were adopted by parents who identified as Indigenous (Table 4.2). While in the preceding decade, 1995–96 to 2004–05, 45% of the 40 Indigenous children adopted, were adopted by parents who identified as Indigenous (AIHW Adoptions Australia data collection).

Table 4.2: Number of Indigenous children adopted, by Indigenous status of adoptive parent(s), 2005–06 to 2014–15

Year	Indigenous status of adoptive parent(s)		Total
	Indigenous Australian	Other Australian	
2005–06	3	2	5
2006–07	4	2	6
2007–08	4	—	4
2008–09	5	—	5
2009–10	2	1	3
2010–11	—	1	1
2011–12	3	6	9
2012–13	1	4	5
2013–14	—	7	7
2014–15	1	—	1
Total	23	23	46
%	50.0	50.0	100.0

Notes

1. Adoptive parents are included in the 'Indigenous Australian' category when at least 1 of the parents identified as Aboriginal or Torres Strait Islander. Where the Indigenous status of both parents was not known, the adoption was included in the 'Other Australian' category.
2. Indigenous status of children and adoptive parent(s) is not always available for adoptions of adults.

Source: AIHW Adoptions Australia data collection.

4.3 Permanent care orders (Victoria only)

Several jurisdictions allow the transfer of guardianship to the long-term carers of children, providing a secure long-term placement option for children who are the subject of child protection orders.

This report contains data on permanent care orders in Victoria, which provide an alternative to adoption. They were introduced in 1992 to overcome the uncertainty often associated with placing children on guardianship or custody orders. Permanent care orders grant permanent guardianship and custody of a child to a third party. Unlike adoption orders, permanent care orders do not change the legal status of the child, and they expire when the child turns 18 or marries. An application may also be made to revoke or amend a permanent care order.

The granting of a permanent care order is usually the final step in the process of permanent family placement for children who have been abused or neglected, or who are in need of care and protection for other reasons, and are unable to remain safely within the birth family. Permanent care orders aim to provide an opportunity for the child to develop a stable caring relationship with nurturing caregivers, without severing the tie with the biological family.

Since 1992–93, the number of permanent care orders granted in Victoria has fluctuated, but increased over time. In 2014–15, the 277 orders granted represented an 8% decrease from the 302 granted in 2013–14. It was still a substantial increase from the 11 issued in 1992–93 (Table 4.3). The Children’s Court of Victoria has granted 3,963 permanent care orders since their inception in 1992.

Table 4.3: Number of permanent care orders granted in Victoria, 1992–93 to 2014–15

Year	Males	Females	Total
1992–93	7	4	11
1993–94	36	38	74
1994–95	65	70	135
1995–96	56	54	110
1996–97	54	41	95
1997–98	63	61	124
1998–99	67	75	142
1999–00	68	90	158
2000–01	83	78	161
2001–02	99	92	191
2002–03	48	66	114
2003–04	86	75	161
2004–05	115	90	205
2005–06	75	88	163
2006–07	99	102	201
2007–08	130	115	245
2008–09	93	103	196
2009–10	104	95	199
2010–11	101	88	189
2011–12	122	121	243
2012–13	123	144	267
2013–14	154	148	302
2014–15	162	115	277

Source: Victorian Government Department of Health and Human Services.

Appendix A: Statistical tables

Table A1: Type of adoption, by age group and sex of child, 2014–15

Age group (years)	Intercountry adoptions			Local adoptions			Known child adoptions			Total		
	M	F	P	M	F	P	M	F	P	M	F	P
Number												
Under 1	4	4	8	13	10	23	—	—	—	17	14	31
1–4	27	21	48	16	16	32	14	9	23	57	46	103
5–9	15	12	27	—	—	—	24	36	60	39	48	87
10–14	—	—	—	—	—	—	17	19	36	17	19	36
15–17	—	—	—	—	1	1	9	8	17	9	9	18
18+	—	—	—	—	—	—	7	8	17	7	8	17
Total	46	37	83	29	27	56	71	80	153	146	144	292
%												
Under 1	8.7	10.8	9.6	44.8	37.0	41.1	—	—	—	11.6	9.7	10.6
1–4	58.7	56.8	57.8	55.2	59.3	57.1	19.7	11.3	15.0	39.0	31.9	35.3
5–9	32.6	32.4	32.5	—	—	—	33.8	45.0	39.2	26.7	33.3	29.8
10–14	—	—	—	—	—	—	23.9	23.8	23.5	11.6	13.2	12.3
15–17	—	—	—	—	3.7	1.8	12.7	10.0	11.1	6.2	6.3	6.2
18+	—	—	—	—	—	—	9.9	10.0	11.1	4.8	5.6	5.8
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

Notes

1. Percentages might not add to 100 due to rounding.
2. For local and intercountry adoptions, age group refers to the age of the adopted child at the date of placement with the adoptive parent(s); for known child adoptions, age group refers to the age of the adopted child at the date the adoption order was granted.
3. See the Glossary for definitions of the various adoption categories.

Source: AIHW Adoptions Australia data collection.

Table A2: Number of children adopted, by state and territory, 1990–91 to 2014–15

Year	NSW ^(a)	Vic	Qld ^(b)	WA	SA	Tas	ACT ^(b)	NT	Australia
1990–91	329	258	210	136	103	61	25	20	1,142
1991–92	310	185	232	120	112	58	23	12	1,052
1992–93	209	101	222	87	111	23	20	10	783
1993–94	188	112	206	85	106	37	21	9	764
1994–95	260	145	179	127	108	12	18	6	855
1995–96	204	131	170	75	48	17	19	4	668
1996–97	263	123	129	56	79	30	26	3	709
1997–98	200	114	111	69	48	19	15	1	577
1998–99	185	102	94	64	53	25	16	6	545
1999–00	154	122	105	79	59	19	24	4	566
2000–01	166	98	62	74	53	24	27	10	514
2001–02	207	110	49	79	62	20	23	11	561
2002–03	122	82	67	76	72	21	25	7	472
2003–04	115	120	65	59	79	26	33	5	502
2004–05	154	161	84	49	77	23	20	17	585
2005–06	149	131	82	62	72	35	30	15	576
2006–07 ^(c)	165	127	91	65	62	26	22	11	569
2007–08	125	98	86	41	36	31	14	9	440
2008–09	155	71	92	43	35	23	13	9	441
2009–10 ^(c)	158	81	68	50	26	9	16	5	413
2010–11 ^{(c)(d)}	167	86	40	37	30	14	11	1	386
2011–12 ^(c)	157	73	33	26	24	6	11	11	341
2012–13 ^(c)	159	45	48	42	20	14	6	14	348
2013–14	141	48	34	40	15	12	17	10	317
2014–15	148	38	38	29	17	11	9	2	292

(a) New South Wales was unable to provide data on adoptions by step-parents from 1990–91 to 1993–94.

(b) Data for Queensland and the Australian Capital Territory for 1998–99 might differ from those in previous reports because of updated figures.

(c) On 4 March 2014, amendments to the Family Law (Bilateral Arrangements—Intercountry Adoption) Regulations 1998 began. These have meant that some adoptions from Ethiopia and Taiwan, not yet finalised in Australia, were recognised during 2013–14 as being finalised in previous periods. These updated data are reflected in this table: 1 adoption from Ethiopia in 2006–07; 1 adoption from Ethiopia in 2009–10; 1 adoption from Ethiopia and 1 adoption from Taiwan in 2010–11; 1 adoption from Ethiopia and 7 adoptions from Taiwan in 2011–12; and 9 adoptions from Taiwan in 2012–13.

(d) Interim adoption orders made by the Childrens Court in Queensland are not captured in this data set. Under Queensland's Adoption Act, which took effect in February 2010, a final adoption order is normally made at the successful completion of a supervised interim order that is completed over a 12-month period. This requirement has affected final adoption orders made in Queensland in 2010–11.

Note: Data for years before 1990–91 are included in previous editions of this publication.

Source: AIHW Adoptions Australia data collection.

Table A3: Number of children who were placed for adoption, regardless of whether the adoption order was finalised, by state and territory, 2014–15

Type of adoption	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Australia
Local placement	11	24	10	6	3	2	1	2	59
Intercountry placement									
Hague adoption	13	9	24	7	9	1	—	—	63
Non-Hague adoption	10	2	11	1	5	2	1	1	33
<i>Total intercountry placements</i>	23	11	35	8	14	3	1	1	96
Total	34	35	45	14	17	5	2	3	155

Note: This table includes children placed with their adoptive families during 2014–15. Some children placed for adoption during this period might not have their adoption finalised until the following year. In addition, some adoption orders finalised in 2014–15 might relate to children who were placed in the previous year. Victoria Intercountry placements include 2 children whose adoption was finalised before they arrived in Australia. As a result, numbers do not add to the total adoptions recorded during 2014–15.

Source: AIHW Adoptions Australia data collection.

Table A4: Number of intercountry adoptions, by state and territory, 2000–01 to 2014–15

Year	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Australia
2000–01	85	60	40	20	44	14	18	8	289
2001–02	71	74	33	29	54	16	9	8	294
2002–03	61	59	29	24	68	15	15	7	278
2003–04	66	86	49	44	72	22	26	5	370
2004–05	88	132	65	29	74	18	12	16	434
2005–06	93	104	61	36	69	26	20	12	421
2006–07 ^(a)	113	95	63	40	56	11	18	10	406
2007–08	73	66	47	17	32	23	5	7	270
2008–09	93	48	49	14	34	17	6	8	269
2009–10 ^(a)	79	54	38	18	21	6	6	1	223
2010–11 ^(a)	72	56	35	8	26	12	7	1	217
2011–12 ^(a)	53	37	20	5	23	4	6	9	157
2012–13 ^(a)	38	24	25	10	18	9	4	10	138
2013–14	30	22	15	9	14	7	10	7	114
2014–15	31	9	19	3	14	4	2	1	83

(a) On 4 March 2014, amendments to the Family Law (Bilateral Arrangements—Intercountry Adoption) Regulations 1998 began. These have meant that some adoptions from Ethiopia and Taiwan, not yet finalised in Australia, were recognised during 2013–14 as being finalised in previous periods. These updated data are reflected in this table: 1 adoption from Ethiopia in 2006–07; 1 adoption from Ethiopia in 2009–10; 1 adoption from Ethiopia and 1 adoption from Taiwan in 2010–11; 1 adoption from Ethiopia and 7 adoptions from Taiwan in 2011–12; and 9 adoptions from Taiwan in 2012–13.

Note: Data for years before 2000–01 are included in previous editions of this publication.

Source: AIHW Adoptions Australia data collection.

Table A5: Number of adoption visas (subclass 102) issued during 2014–15

Country of birth	Adoptions arranged by Australian state/territory authority^(a)	Adoptions arranged by overseas agency/authority
Taiwan	30	<10
Philippines	27	<10
Ethiopia	n.p.	17
Thailand	15	<10
United Kingdom	—	<10
Other ^(b)	21	63
Total	93	97

(a) Adoptions from Ethiopia organised by state and territory Central Authorities are included in 'Other'.

(b) 'Other' comprises Afghanistan, Bangladesh, Chile, China, Colombia, Fiji, France, Hong Kong, India, Indonesia, Iran, Israel, Japan, Kiribati, South Korea, Lebanon, Liberia, Macau, Malaysia, Papua New Guinea, Samoa, Singapore, South Africa, Sri Lanka, stateless, Tonga, Turkey, Uganda, United States of America, Vanuatu, Vietnam.

Notes

1. This table relates to visas (subclass 102) that were issued during 2014–15. Not all children who enter Australia will have their adoption finalised in the same year that their visa was issued. Only the people recorded by the Department of Immigration and Border Protection are included in this table.
2. Some visas in this table have been issued from intercountry known child adoptions. These cases are not included in other counts of intercountry adoptions or finalised adoptions in the Adoptions Australia collection.

Source: Department of Immigration and Border Protection, unpublished data.

Table A6: Intercountry adoptions, by child's region of origin, 1995–96 to 2014–15

	Asia		South/Central America		Africa		Other		Total	
	Number	%	Number	%	Number	%	Number	%	Number	%
1995–96	191	69.7	62	22.6	6	2.2	15	5.5	274	100.0
1996–97	197	73.2	38	14.1	16	5.9	18	6.7	269	100.0
1997–98	154	62.9	29	11.8	37	15.1	25	10.2	245	100.0
1998–99	157	64.3	20	8.2	34	13.9	33	13.5	244	100.0
1999–00	186	61.8	24	8.0	46	15.3	45	15.0	301	100.0
2000–01	197	68.2	27	9.3	37	12.8	28	9.7	289	100.0
2001–02	231	78.6	18	6.1	37	12.6	8	2.7	294	100.0
2002–03	224	80.6	12	4.3	40	14.4	2	0.7	278	100.0
2003–04	316	85.4	7	1.9	45	12.2	2	0.5	370	100.0
2004–05	363	83.6	5	1.2	59	13.6	7	1.6	434	100.0
2005–06	339	80.5	11	2.6	70	16.6	1	0.2	421	100.0
2006–07 ^(a)	343	84.5	8	2.0	48	11.8	7	1.7	406	100.0
2007–08	229	84.8	5	1.9	36	13.3	—	—	270	100.0
2008–09	219	81.4	9	3.3	38	14.1	3	1.1	269	100.0
2009–10 ^(a)	181	81.2	5	2.2	34	15.2	3	1.3	223	100.0
2010–11 ^(a)	172	79.3	1	0.5	41	18.9	3	1.4	217	100.0
2011–12 ^(a)	135	86.0	3	1.9	19	12.1	—	—	157	100.0
2012–13 ^(a)	117	84.8	4	2.9	17	12.3	—	—	138	100.0
2013–14	102	89.5	6	5.3	3	2.6	3	2.6	114	100.0
2014–15	78	94.0	5	6.0	—	—	—	—	83	100.0

(a) On 4 March 2014, amendments to the Family Law (Bilateral Arrangements—Intercountry Adoption) Regulations 1998 began. These have meant that some adoptions from Ethiopia and Taiwan, not yet finalised in Australia, were recognised during 2013–14 as being finalised in previous periods. These updated data are reflected in this table: 1 adoption from Ethiopia in 2006–07; 1 adoption from Ethiopia in 2009–10; 1 adoption from Ethiopia and 1 adoption from Taiwan in 2010–11; 1 adoption from Ethiopia and 7 adoptions from Taiwan in 2011–12; and 9 adoptions from Taiwan in 2012–13.

Notes

1. Percentages might not add to 100 due to rounding.
2. 'Other' comprises Europe, North America and Oceania.
3. Data for years before 1995–96 are included in previous editions of this publication.

Source: AIHW Adoptions Australia data collection.

Table A7: Intercountry adoptions, by country of origin, 2005–06 to 2014–15

Country of birth	2005–06	2006–07	2007–08	2008–09	2009–10	2010–11	2011–12	2012–13	2013–14	2014–15	Total
Number											
China ^(a)	116	125	63	63	32	51	24	14	11	4	503
India	34	25	27	12	22	19	8	3	7	2	159
Philippines	42	45	41	45	49	37	29	20	18	22	348
South Korea	103	80	47	45	30	19	26	14	13	4	381
Taiwan ^(b)	10	26	22	32	26	27	29	46	41	30	289
Thailand	27	28	19	19	16	13	16	16	11	13	178
Other ^(c)	89	77	51	53	48	51	25	25	13	8	440
Total	421	406	270	269	223	217	157	138	114	83	2,298
%											
China ^(a)	27.6	30.8	23.3	23.4	14.3	23.5	15.3	10.1	9.6	4.8	21.9
India	8.1	6.2	10.0	4.5	9.9	8.8	5.1	2.2	6.1	2.4	6.9
Philippines	10.0	11.1	15.2	16.7	22.0	17.1	18.5	14.5	15.8	26.5	15.1
South Korea	24.5	19.7	17.4	16.7	13.5	8.8	16.6	10.1	11.4	4.8	16.6
Taiwan ^(b)	2.4	6.4	8.1	11.9	11.7	12.4	18.5	33.3	36.0	36.1	12.6
Thailand	6.4	6.9	7.0	7.1	7.2	6.0	10.2	11.6	9.6	15.7	7.7
Other ^(c)	21.1	19.0	18.9	19.7	21.5	23.5	15.9	18.1	11.4	9.6	19.1
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

(a) Excludes Special Administrative Regions and Taiwan Province.

(b) On 4 March 2014, amendments to the Family Law (Bilateral Arrangements—Intercountry Adoption) Regulations 1998 began. These have meant that some adoptions from Ethiopia and Taiwan, not yet finalised in Australia, were recognised during 2013–14 as being finalised in previous periods. These updated data are reflected in this table: 1 adoption from Ethiopia in 2006–07; 1 adoption from Ethiopia in 2009–10; 1 adoption from Ethiopia and 1 adoption from Taiwan in 2010–11; 1 adoption from Ethiopia and 7 adoptions from Taiwan in 2011–12; and 9 adoptions from Taiwan in 2012–13.

(c) 'Other' comprises Azerbaijan, Bolivia, Bulgaria, Burundi, Chile, Colombia, Ethiopia, Fiji, Guatemala, Hong Kong, Lithuania, Nicaragua, Peru, Poland, Sri Lanka, Turkey and the United Kingdom.

Notes

1. Percentages might not add to 100 because of rounding.
2. Data for years before 2005–06 are included in previous editions of this publication.

Source: AIHW Adoptions Australia data collection.

Table A8: Intercountry adoptions, by age group, 2000–01 to 2014–15

Year	<1	1–4	5–9	10+	Total
Number					
2000–01	82	157	44	6	289
2001–02	89	150	46	9	294
2002–03	77	163	29	9	278
2003–04	152	194	24	—	370
2004–05	159	236	38	1	434
2005–06	199	178	40	4	421
2006–07 ^(a)	168	204	31	3	406
2007–08	113	135	19	3	270
2008–09	100	137	29	3	269
2009–10 ^(a)	70	122	30	1	223
2010–11 ^(a)	63	125	25	4	217
2011–12 ^(a)	34	91	25	7	157
2012–13 ^(a)	27	82	26	3	138
2013–14	16	66	31	1	114
2014–15	8	48	27	—	83
%					
2000–01	28.4	54.3	15.2	2.1	100.0
2001–02	30.3	51.0	15.6	3.1	100.0
2002–03	27.7	58.6	10.4	3.2	100.0
2003–04	41.1	52.4	6.5	—	100.0
2004–05	36.6	54.4	8.8	0.2	100.0
2005–06	47.3	42.3	9.5	1.0	100.0
2006–07 ^(a)	41.4	50.2	7.6	0.7	100.0
2007–08	41.9	50.0	7.0	1.1	100.0
2008–09	37.2	50.9	10.8	1.1	100.0
2009–10 ^(a)	31.4	54.7	13.5	0.4	100.0
2010–11 ^(a)	29.0	57.6	11.5	1.8	100.0
2011–12 ^(a)	21.7	58.0	15.9	4.5	100.0
2012–13 ^(a)	19.6	59.4	18.8	2.2	100.0
2013–14	14.0	57.9	27.2	0.9	100.0
2014–15	9.6	57.8	32.5	—	100.0

(a) On 4 March 2014, amendments to the Family Law (Bilateral Arrangements—Intercountry Adoption) Regulations 1998 began. These have meant that some adoptions from Ethiopia and Taiwan, not yet finalised in Australia, were recognised during 2013–14 as being finalised in previous periods. These updated data are reflected in this table: 1 adoption from Ethiopia in 2006–07; 1 adoption from Ethiopia in 2009–10; 1 adoption from Ethiopia and 1 adoption from Taiwan in 2010–11; 1 adoption from Ethiopia and 7 adoptions from Taiwan in 2011–12; and 9 adoptions from Taiwan in 2012–13.

Notes

1. Percentages might not add to 100 due to rounding.
2. Data for years before 2000–01 are included in previous editions of this publication.

Source: AIHW Adoptions Australia data collection.

Table A9: Intercountry adoptions, by type of adoption, country of origin and age group, 2014–15

Country of origin	Number					%				
	<1	1–4	5–9	10+	All	<1	1–4	5–9	10+	All
Hague adoption										
China ^(a)	—	3	1	—	4	—	75.0	25.0	—	100.0
India	—	1	1	—	2	—	50.0	50.0	—	100.0
Philippines	—	15	7	—	22	—	68.2	31.8	—	100.0
Thailand	—	11	2	—	13	—	84.6	15.4	—	100.0
Other ^(b)	—	3	5	—	8	—	37.5	62.5	—	100.0
<i>Total Hague adoptions</i>	—	33	16	—	49	—	67.3	32.7	—	100.0
Non-Hague adoption										
South Korea	—	4	—	—	4	—	100.0	—	—	100.0
Taiwan	8	11	11	—	30	26.7	36.7	36.7	—	100.0
<i>Total non-Hague adoptions</i>	8	15	11	—	34	23.5	44.1	32.4	—	100.0
Total	8	48	27	—	83	9.6	57.8	32.5	—	100.0

(a) Excludes Special Administrative Regions and Taiwan Province.

(b) 'Other' comprises adoptions from Chile, Colombia, Hong Kong and Sri Lanka.

Note: Percentages might not add to 100 due to rounding.

Source: AIHW Adoptions Australia data collection.

Table A10: Local and intercountry adoptions, by sibling groups, 2014–15

Type of adoption	Number of sibling groups	Children adopted in sibling groups	
		Number	%
Local adoption	1	2	3.6
Intercountry adoptions			
Hague adoption	5	10	20.4
Non-Hague adoption	6	13	38.2
<i>Total intercountry adoptions</i>	11	23	27.7
Total	12	25	18.0

Source: AIHW Adoptions Australia data collection.

Table A11: Number of intercountry adoptions from Hague countries, by type of order under which the child entered Australia, 2014–15

Country of origin	Full adoption order in country of origin	Guardianship order	Total
Chile	4	—	4
China ^(a)	4	—	4
India	2	—	2
Philippines	—	22	22
Thailand	—	13	13
Other ^(b)	2	2	4
Total	12	37	49
%	24.5	75.5	100.0

(a) Excludes Special Administrative Regions and Taiwan Province.

(b) 'Other' comprises adoptions from Colombia, Hong Kong and Sri Lanka.

Source: AIHW Adoptions Australia data collection.

Table A12: Number of local and intercountry adoptions, by age group of the adoptive parent(s), 2014–15

	<25	25–29	30–34	35–39	40–44	45–49	50–54	55+	Total
Adoptive mother									
Local adoptions	—	1	9	27	14	3	—	1	55
Intercountry adoptions									
Hague adoption	—	—	2	12	11	17	6	1	49
Non-Hague adoption	—	—	2	10	15	6	1	—	34
<i>Total intercountry</i>	—	—	4	22	26	23	7	1	83
Total	—	1	13	49	40	26	7	2	138
Adoptive father									
Local adoptions	—	—	11	24	14	6	1	1	57
Intercountry adoptions									
Hague adoption	—	—	1	11	10	11	13	1	47
Non-Hague adoption	—	—	1	8	17	6	2	—	34
<i>Total intercountry</i>	—	—	2	19	27	17	15	1	81
Total	—	—	13	43	41	23	16	2	138
Adoptive parents									
Local adoptions	—	1	20	51	28	9	1	2	112
Intercountry adoptions									
Hague adoption	—	—	3	23	21	28	19	2	96
Non-Hague adoption	—	—	3	18	32	12	3	—	68
<i>Total intercountry</i>	—	—	6	41	53	40	22	2	164
Total	—	1	26	92	81	49	23	4	276

Note: In 2014–15, 139 local and intercountry adoptions were finalised (56 local and 83 intercountry). The total for mothers and fathers are equivalent (138), but 2 mothers were single and 2 fathers were a couple.

Source: AIHW Adoptions Australia data collection.

Table A13: Number of local adoptions, by state and territory, 2000–01 to 2014–15

Year	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Australia
2000–01	28	28	9	6	5	5	2	2	85
2001–02	54	22	10	13	3	2	3	—	107
2002–03	22	20	23	6	3	3	1	—	78
2003–04	24	23	14	3	6	1	2	—	73
2004–05	24	16	13	4	2	2	3	1	65
2005–06	23	17	8	9	—	2	1	—	60
2006–07	12	18	12	8	5	3	1	—	59
2007–08	15	27	17	3	1	3	3	1	70
2008–09	20	18	20	7	1	1	1	—	68
2009–10	13	18	10	12	2	2	2	2	61
2010–11 ^(a)	14	23	1	4	2	—	1	—	45
2011–12	13	28	7	3	—	2	1	1	55
2012–13	13	17	13	6	2	2	—	1	54
2013–14	9	20	9	4	1	2	1	—	46
2014–15	9	24	10	7	2	4	—	—	56

(a) Interim adoption orders made by the Childrens Court of Queensland are not captured in this data set. Under Queensland's *Adoption Act 2009*, which took effect in February 2010, a final adoption order is normally made at the successful completion of a supervised interim order that is completed over a 12-month period. This requirement has affected final adoption orders made in Queensland in 2010–11.

Notes

1. Changes to the categories of adoption introduced in 1998–99 limit the amount of trend data available for local adoptions (see Section 2.1).
2. Data for years before 2000–01 are included in previous editions of this publication.

Source: AIHW Adoptions Australia data collection.

Table A14: Local adoptions, by median age of birth mother at child's birth, 2000–01 to 2014–15

Year	Median age of birth mother
2000–01	24.0
2001–02	24.0
2002–03	21.0
2003–04	23.0
2004–05	23.0
2005–06	26.5
2006–07	24.0
2007–08	24.0
2008–09	22.0
2009–10	21.5
2010–11	21.0
2011–12	22.0
2012–13	23.0
2013–14	24.0
2014–15	24.5

Note: Data for years before 2000–01 are included in previous editions of this publication.

Source: AIHW Adoptions Australia data collection.

Table A15: Local adoptions, by marital status and age group of birth mother at child's birth, 2014–15

Age group (years)	Married		Unmarried ^(a)		Total	
	Number	%	Number	%	Number	%
<20	—	—	12	24.0	12	21.4
20–24	1	16.7	15	30.0	16	28.6
25–29	1	16.7	12	24.0	13	23.2
30–34	3	50.0	3	6.0	6	10.7
35–39	—	—	5	10.0	5	8.9
40+	1	16.7	3	6.0	4	7.1
Total^(b)	6	100.0	50	100.0	56	100.0

(a) Includes de facto relationships. See the Glossary for category descriptions.

(b) Total includes mothers of unknown age.

Note: Percentages might not add to 100 due to rounding.

Source: AIHW Adoptions Australia data collection.

Table A16: Local adoptions, by marital status of birth mother, 2000–01 to 2014–15

Year	Married		Unmarried ^(a)		Unknown	Total
	Number	%	Number	%	Number	
2000–01	14	19.4	58	80.6	16	88
2001–02	7	7.4	87	92.6	13	107
2002–03	5	6.7	70	93.3	3	78
2003–04	6	8.5	65	91.5	2	73
2004–05	6	9.2	59	90.8	—	65
2005–06	7	11.9	52	88.1	1	60
2006–07	8	13.8	50	86.2	1	59
2007–08	22 ^(b)	31.4	48	68.6	—	70
2008–09	4	6.0	63	94.0	1	68
2009–10	5 ^(b)	8.2	56	91.8	—	61
2010–11	5 ^(b)	11.1	40	88.9	—	45
2011–12	8 ^(b)	14.5	47	85.5	—	55
2012–13	3	5.7	50	94.3	1	54
2013–14	3	6.5	43	93.5	—	46
2014–15	6	10.7	50	89.3	—	56

(a) 'Unmarried' comprises couples in a de facto relationship and single mothers.

(b) Includes adoptions where the birth mother was married to someone other than the child's birth father at the time of birth.

Notes

1. Percentages exclude 'unknown'.
2. Changes to the categories of adoption introduced in 1998–99 limit the amount of trend data available for local adoptions (see Section 2.1).
3. Data for years before 2000–01 are included in previous editions of this publication.

Source: AIHW Adoptions Australia data collection.

Table A17: Proportion of local adoptions, by type of agreement, 2000–01 to 2014–15

Year	No contact or information exchange	Some contact and/or information exchange
2000–01	6.9	93.1
2001–02	6.3	93.7
2002–03	16.2	83.8
2003–04	6.8	93.2
2004–05	8.1	91.9
2005–06	5.0	95.0
2006–07	11.9	88.1
2007–08	22.9	77.1
2008–09	33.9	66.1
2009–10	8.3	91.7
2010–11	15.6	84.4
2011–12	5.5	94.5
2012–13	13.0	87.0
2013–14	10.9	89.1
2014–15	8.9	91.1

Notes

1. Percentages exclude 'unknown'.
2. Data for years before 2000–01 are included in previous editions of this publication.

Source: AIHW Adoptions Australia data collection.

Table A18: Local adoptions, by type of arranging body, 2014–15

Arranging body	Number	%
Government department	36	64.3
Non-government agency	20	35.7
Total	56	100.0

Source: AIHW Adoptions Australia data collection.

Table A19: Number of known child adoptions, by state and territory, 2000–01 to 2014–15

Year	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Australia
2000–01	53	10	13	48	4	5	7	—	140
2001–02	82	14	6	37	5	2	11	3	160
2002–03	39	3	15	46	1	3	9	—	116
2003–04	25	11	2	12	1	3	5	—	59
2004–05	42	13	6	16	1	3	5	—	86
2005–06	33	10	13	17	3	7	9	3	95
2006–07	40	14	16	17	1	12	3	1	104
2007–08	37	5	22	21	3	5	6	1	100
2008–09	42	5	23	22	—	5	6	1	104
2009–10	66	9	20	20	3	1	8	2	129
2010–11	81	7	4	25	2	2	3	—	124
2011–12	91	8	6	18	1	—	4	1	129
2012–13	108	4	10	26	—	3	2	3	156
2013–14	102	6	10	27	—	3	6	3	157
2014–15	108	5	9	19	1	3	7	1	153

Notes

1. Changes to the categories of adoption introduced in 1998–99 limit the amount of trend data available for local adoptions (see Section 2.1).
2. Data for years before 2000–01 are included in previous editions of this publication.

Source: AIHW Adoptions Australia data collection.

Table A20: Known child adoptions, by relationship to adoptive parents, and age group and sex of child, 2014-15

Age group (years)	Step-parent			Carer			Relative/other ^(a)			Total		
	M	F	P	M	F	P	M	F	P	M	F	P
	Number											
<1	—	—	—	—	—	—	—	—	—	—	—	—
1-4	1	1	2	13	6	19	—	2	2	14	9	23
5-9	6	9	15	18	24	42	—	3	3	24	36	60
<10	7	10	17	31	30	61	—	5	5	38	45	83
10-14	5	12	17	12	7	19	—	—	—	17	19	36
15-17	2	2	4	6	6	12	1	—	1	9	8	17
18+	4	8	14	2	—	2	1	—	1	7	8	17
10-18+	11	22	35	20	13	33	2	—	2	33	35	70
Total	18	32	52	51	43	94	2	5	7	71	80	153
	%											
<1	—	—	—	—	—	—	—	—	—	—	—	—
1-4	5.6	3.1	3.8	25.5	14.0	20.2	—	40.0	28.6	19.7	11.3	15.0
5-9	33.3	28.1	28.8	35.3	55.8	44.7	—	60.0	42.9	33.8	45.0	39.2
<10	38.9	31.3	32.7	60.8	69.8	64.9	—	100.0	71.4	53.5	56.3	54.2
10-14	27.8	37.5	32.7	23.5	16.3	20.2	—	—	—	23.9	23.8	23.5
15-17	11.1	6.3	7.7	11.8	14.0	12.8	50.0	—	14.3	12.7	10.0	11.1
18+	22.2	25.0	26.9	3.9	0.0	2.1	50.0	—	14.3	9.9	10.0	11.1
10-18+	61.1	68.8	67.3	39.2	30.2	35.1	100.0	—	28.6	46.5	43.8	45.8
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

(a) Comprises relatives other than step-parents and commissioning (surrogate) parent(s), whether the commissioning parent(s) is/are a relative or not.

Note: Percentages might not add to 100 because of rounding.

Source: AIHW Adoptions Australia data collection.

Table A21: Known child adoptions, by relationship to adoptive parent(s), 2000–01 to 2014–15

Year	Step-parent	Relative ^(a)	Carer	Other	Total
Number					
2000–01	98	1	29	..	140 ^(b)
2001–02	103	5	52	..	160
2002–03	72	2	29	..	116 ^(c)
2003–04	31	3	25	..	59
2004–05	52	5	29	..	86
2005–06	69	5	21	..	95
2006–07	79	3	22	..	104
2007–08	67	4	26	3	100
2008–09	66	—	35	3	104
2009–10	74	—	53	2	129
2010–11	73	1	49	1	124
2011–12	52	2	70	5	129
2012–13	70	2	81	3	156
2013–14	64	2	89	2	157
2014–15	52	4	94	3	153
%^(d)					
2000–01	76.6	0.8	22.7	..	100.0
2001–02	64.4	3.1	32.5	..	100.0
2002–03	69.9	1.9	28.2	..	100.0
2003–04	52.5	5.1	42.4	..	100.0
2004–05	60.5	5.8	33.7	..	100.0
2005–06	72.6	5.3	22.1	..	100.0
2006–07	76.0	2.9	21.2	..	100.0
2007–08	67.0	4.0	26.0	3.0	100.0
2008–09	63.5	—	33.7	2.9	100.0
2009–10	57.4	—	41.1	1.6	100.0
2010–11	58.9	0.8	39.5	0.8	100.0
2011–12	40.3	1.6	54.3	3.9	100.0
2012–13	44.9	1.3	51.9	1.9	100.0
2013–14	40.8	1.3	56.7	1.3	100.0
2014–15	34.0	2.6	61.4	2.0	100.0

(a) Comprises relatives other than step-parents.

(b) Total includes 12 children where relationship with adoptive parent(s) was unknown.

(c) Total includes 13 children where relationship with adoptive parent(s) was unknown.

(d) Percentages exclude children where relationship with adoptive parent(s) was unknown.

Notes

1. Percentages might not add to 100 because of rounding.
2. Changes to the categories of adoption introduced in 1998–99 limit the amount of trend data available for known child adoptions (see Section 2.1).
3. 'Other' was added in 2007–08. Before this, children adopted by commissioning (surrogate) parents were included in the 'Relative' category.
4. Data for years before 2000–01 are included in previous editions of this publication.

Source: AIHW Adoptions Australia data collection.

Table A22: Number of information applications and vetoes lodged, 1995–96 to 2014–15

Year	Applications for access to information lodged	Contact and information vetoes lodged
1995–96	5,567	426
1996–97	4,455	259
1997–98	4,324	174
1998–99	5,430	174
1999–00	5,008	146
2000–01	4,304	113
2001–02	4,159	88
2002–03	3,744	137
2003–04	3,407	63
2004–05	3,414	56
2005–06	3,038	58
2006–07	2,851	80
2007–08	2,832	140
2008–09	3,607	52
2009–10	2,893	74
2010–11	2,951	108
2011–12	2,619	128
2012–13	2,690	139
2013–14	2,695	131
2014–15	2,602	66

Notes

1. Contact vetoes lodged do not necessarily relate directly to the information applications lodged—contact vetoes may be lodged for adoptions for which information might never be requested.
2. Data for years before 1995–96 are included in previous editions of this publication.

Source: AIHW Adoptions Australia data collection.

Table A23: Adoptions in Australia, by type of adoption, 1990–91 to 2014–15

Year	Children adopted from Australia		Children adopted from overseas		Total ^(a)	
	Number	%	Number	%	Number	%
1990–91	749 ^(b)	65.6	393	34.4	1,142	100.0
1991–92	713 ^(b)	67.8	338	32.1	1,052	100.0
1992–93	556 ^(b)	71.0	227	29.0	783	100.0
1993–94	542 ^(b)	70.9	222	29.1	764	100.0
1994–95	631	73.8	224	26.2	855	100.0
1995–96	394	59.0	274	41.0	668	100.0
1996–97	440	62.1	269	37.9	709	100.0
1997–98	332	57.5	245	42.5	577	100.0
1998–99	299	55.1	244	44.9	543	100.0
1999–00	265	46.8	301	53.2	566	100.0
2000–01	225	43.8	289	56.2	514	100.0
2001–02	267	47.6	294	52.4	561	100.0
2002–03	194	41.1	278	58.9	472	100.0
2003–04	132	26.3	370	73.7	502	100.0
2004–05	151	25.8	434	74.2	585	100.0
2005–06	155	26.9	421	73.1	576	100.0
2006–07 ^(c)	163	28.6	406	71.4	569	100.0
2007–08	170	38.6	270	61.4	440	100.0
2008–09	172	39.0	269	61.0	441	100.0
2009–10 ^(c)	190	46.0	223	54.0	413	100.0
2010–11 ^(c)	169	43.8	217	56.2	386	100.0
2011–12 ^(c)	184	54.0	157	46.0	341	100.0
2012–13 ^(c)	210	60.3	138	39.7	348	100.0
2013–14	203	64.0	114	36.0	317	100.0
2014–15	209	71.6	83	28.4	292	100.0

(a) Includes children of unknown country of origin, so numbers and percentages for subcategories might not add to the total.

(b) New South Wales was unable to provide data on adoptions by step-parents from 1990–91 to 1993–94.

(c) On 4 March 2014, amendments to the Family Law (Bilateral Arrangements—Intercountry Adoption) Regulations 1998 began. These have meant that some adoptions from Ethiopia and Taiwan, not yet finalised in Australia, were recognised during 2013–14 as being finalised in previous periods. These updated data are reflected in this table: 1 adoption from Ethiopia in 2006–07; 1 adoption from Ethiopia in 2009–10; 1 adoption from Ethiopia and 1 adoption from Taiwan in 2010–11; 1 adoption from Ethiopia and 7 adoptions from Taiwan in 2011–12; and 9 adoptions from Taiwan in 2012–13.

Note: Data for years before 1990–91 are included in previous editions of this publication.

Sources: AIHW Adoptions Australia data collection.

Table A24: Adoptions of Australian children, by relationship to adoptive parent(s), 1990–91 to 2014–15

Year	Adopted by relatives		Adopted by non-relatives		Total ^(a)	
	Number	%	Number	%	Number	%
1990–91 ^(b)	277	37.0	472	63.0	749	100.0
1991–92 ^(b)	295	41.4	418	58.6	713	100.0
1992–93 ^(b)	250	45.0	306	55.0	556	100.0
1993–94 ^(b)	228	42.1	314	57.9	542	100.0
1994–95	320	50.7	311	49.3	631	100.0
1995–96	177	44.9	217	55.1	394	100.0
1996–97	177	40.2	263	59.8	440	100.0
1997–98	154	46.4	178	53.6	332	100.0
1998–99	124	41.5	175	58.5	299	100.0
1999–00	116	43.8	149	56.2	265	100.0
2000–01	102	45.3	114	50.7	225	100.0
2001–02	108	40.4	159	59.6	267	100.0
2002–03	74	38.1	107	55.2	194	100.0
2003–04	34	25.8	98	74.2	132	100.0
2004–05	57	37.7	94	62.3	151	100.0
2005–06	74	47.7	81	52.3	155	100.0
2006–07	82	50.3	81	49.7	163	100.0
2007–08	74	43.5	96	56.5	170	100.0
2008–09	69	40.1	103	59.9	172	100.0
2009–10	76	40.0	114	60.0	190	100.0
2010–11	75	44.4	94	55.6	169	100.0
2011–12	59	32.1	125	67.9	184	100.0
2012–13	72	34.3	138	65.7	210	100.0
2013–14	66	32.5	137	67.5	203	100.0
2014–15	56	26.8	153	73.2	209	100.0

(a) For 2000–01 and 2002–03, the total includes adoptions involving children with an unknown relationship with the adoptive parent(s). As a result, numbers and percentages for subcategories might not add to the total.

(b) New South Wales was unable to provide data on adoptions by step-parents from 1990–91 to 1993–94.

Notes

1. The total number of adoptions of Australian children in 2014–15 (209) includes the sum of local adoptions (56) and known adoptions (153).
2. 'Relatives' comprises: step-parents; other relatives such as grandparents, aunts and uncles; and commissioning (surrogate) parents. 'Non-relatives' comprises foster carers and other non-relatives.
3. Data for years before 1990–91 are included in previous editions of this publication.

Source: AIHW Adoptions Australia data collection.

Appendix B: Legislation

B.1 Summary of legislation

Commonwealth

Intercountry adoption in Australia at the Commonwealth level is governed by the following legislation:

- *Family Law Act 1975*
- Family Law (Hague Convention on Intercountry Adoption) Regulations 1998
- Family Law (Bilateral Arrangements – Intercountry Adoption) Regulations 1998.

The following legislation relating to immigration matters also governs aspects of intercountry adoption:

- *Immigration (Guardianship of Children) Act 1946*
- *Migration Act 1958*
- Migration Regulations 1994
- *Australian Citizenship Act 2007.*

New South Wales

- *Adoption Act 2000*
- Adoption Regulation 2003
- Adoption Amendment Regulation 2009
- Adoption Amendment (Access to Information) Regulation 2009.

Level of court

- Supreme Court of New South Wales.

Step-parent adoptions

Step-parents apply directly to the New South Wales Supreme Court to adopt a step-child in their care.

The child must be 5 years old and have had a relationship with the step-parent for at least 2 years immediately before the application. The step-parent(s) must provide an assessment in their application to the court to assist in its decision making. This report must be done by an adoption assessor approved by the New South Wales Department of Family and Community Services.

Relative adoptions

There is provision for adoptions by relatives. The child must have had an established relationship for at least 2 years with the applicant(s). These adoptions are made only in exceptional circumstances – that is, where a parental responsibility order or other order made through the Family Court would not adequately provide for the interests and welfare of the child.

Authorised carer adoptions

Children who are unable to live with their parents or extended family are placed with authorised carers (foster carers) under the parental responsibility of the Minister of the New South Wales Department of Family and Community Services until they turn 18 years. An authorised carer, who is also an approved adoptive applicant, may adopt a child in their care, if assessed as being an appropriate permanency plan for the child. Adoption must be clearly preferable to any other order and in the best interests of the child.

The consent of each birth parent is sought. Where the child and carer(s) have established a stable relationship, and it is assessed that adoption will promote the child's welfare and is in their best interests, the Supreme Court may dispense with the consent of birth parent(s). Where possible, a parent whose consent is dispensed with must be notified of the adoption application. The consent of any guardian is also required.

The sole consent of a child aged 12 or over must be given where the child is mature enough to understand the effects of giving consent, and has been cared for by the prospective adoptive parent(s) for at least 2 years. Where possible, the birth parents and any guardian must be notified of the adoption application. No other consent is required. Where a child aged 12 or over does not have the capacity to give consent, the requirement for their consent may be dispensed with by the Supreme Court. If the child's consent is dispensed, the consent of the parent(s) and any guardian is required.

All parties to an adoption are encouraged to participate in developing an adoption plan – a written plan that explains how families will know about each other through the child's growing years. At least 2 parties to an adoption must agree to the adoption plan. A non-consenting birth parent who agrees to an adoption plan is to be treated as if they were a party to the adoption of the child.

Once an adoption plan is registered in the Supreme Court, it becomes part of the adoption order, and becomes enforceable as an order of the Supreme Court.

Local and intercountry adoptions

To apply for an adoption in New South Wales, applicant(s) must:

- live in New South Wales
- be aged over 21, and
- be either a single person or a couple who have been living together continuously for 2 years.

Gazetted selection criteria apply, and are available from the state's Department of Family and Community Services' website at www.community.nsw.gov.au/docs_menu/parents_carers_and_families/fostering_and_adoption/adoption.html.

The main consideration for any adoption order being made is that it is in the best interests of the child, in both childhood and later life.

Arrangements must be made by the New South Wales Department of Family and Community Services, or an accredited adoption service provider (CatholicCare, Anglicare Adoption Services or Barnardos Australia), or Australian Families for Children Incorporated.

Official client

An applicant becomes an official client of Adoption and Permanent Care Services when a formal application has been lodged (after lodging an expression of interest and attending the relevant training seminar).

Adoption of Indigenous children

Aboriginal and Torres Strait Islander children must be placed in accordance with the Aboriginal and Torres Strait Islander Child Placement Principle.

Adoption of adults

A person aged 18 or over who was cared for by the prospective adoptive applicant or authorised carer as their child before turning 18, and who is in a 'fit condition' to give consent, may give sole consent to their own adoption. The Supreme Court must not dispense with the consent of a person who is 18 or over.

An adoption application is generally lodged directly with the Supreme Court, with little or no involvement from Adoption and Permanent Care Services other than providing a report to the Court at the Court's request.

Victoria

- *Adoption Act 1984*
- Adoption Regulations 2008.

Level of court

- Supreme Court and County Court.

Step-parent and other relative adoptions

In all cases when a child is placed with relatives, attempts are made for this to happen on an order made through the Family Court. An adoption order in favour of a relative or step-parent is made only if exceptional circumstances exist and if an order from the Family Court will not make adequate provision for the welfare and interests of the child.

A solicitor may prepare an application for formal adoption by a step-parent or other relative. The application must be made to the Victorian Department of Health and Human Services (DHHS Vic) or an approved non-government adoption agency for an assessment report on the prospective adoptive parent(s). The report is submitted with the application to the County or Supreme Court.

Adoptions are arranged by DHHS Vic or an approved non-government agency (listed in the section below).

Local and intercountry adoptions

To apply for an adoption in Victoria, the applicant(s) must be either:

- a married/de facto couple for more than 2 years, or
- a single person, if the child faces special circumstances.

Intercountry adoptions are arranged only via DHHS Vic. However, local adoptions may be arranged by DHHS Vic or approved non-government organisations (Connections, Anglicare

Western, Anglicare Gippsland, CatholicCare, St Luke's Anglicare, and Child and Family Services Ballarat).

Official client

An applicant becomes an official client for the purposes of intercountry adoption when they make an application.

Adoption of Indigenous children

The Victorian Adoption Act recognises the principles of Indigenous self-management and self-determination, and that adoption is not available in Indigenous child care arrangements.

Restrictive eligibility criteria are in place for the selection of adoptive parents for Aboriginal and Torres Strait Islander children. The birth parent(s) of an Indigenous child can place the condition on adoption that the child go to an Indigenous adoptive parent(s), or that a right of access be granted to the birth parent(s), other relatives and members of the Indigenous community.

Adoption of adults

Section 10 of the Victorian Adoption Act allows the court to grant an adoption order for the adoption of an adult who has been brought up, maintained and educated by the applicant(s) acting as the parent(s) of the person. The adoption proceeds without the involvement of DHHS Vic or approved adoption agency, and does not require the consent of the person's birth parents.

Queensland

- *Adoption Act 2009*
- Adoption Regulation 2009.

The Act and its regulations took effect on 1 February 2010.

Level of court

- Childrens Court of Queensland.

Step-parent adoptions

Adoption by step-parents can be arranged only through the Queensland Department of Communities, Child Safety and Disability Services (DCCSDS).

Other relative adoptions

If adoption by a relative is the best option for securing a child's long-term care, the DCCSDS can ask a relative to consider being assessed as a prospective adoptive parent for the child. However, the relative cannot initiate the process.

Local and intercountry adoptions

Couples are eligible to express interest in local or intercountry adoption, if:

- they are a man and a woman who are living together and have been living together as spouses (either married or de facto) continuously for at least 2 years
- they are both adults who live in Queensland

- at least 1 of them is an Australian citizen
- the female partner is not pregnant
- neither partner is undergoing fertility treatment, and has not undergone fertility treatment within the previous 6 months
- they are not an intended parent under a surrogacy arrangement within the meaning of the *Surrogacy Act 2010* (Qld)
- any surrogacy arrangement within the meaning of the Queensland Surrogacy Act they might have been part of has ended not less than 6 months earlier
- they do not have custody of a child under 12 months or a child who has been in their custody for less than 12 months (custody, in this context, does not include children for whom the person is an approved carer).

The DCCSDS is the only agency legally authorised to arrange adoptions in Queensland.

Official client

Applicants become 'official clients' after they lodge an expression of interest to adopt a child with Adoption Services.

Adoption of Indigenous children

The Queensland Adoption Act respects Indigenous custom by not promoting adoption as an appropriate option for the long-term care of an Indigenous child.

The Act includes safeguards to ensure, where parents and guardians of an Indigenous child do explore adoption for a child's care, that the child's culture is respected and the adoption proceeds only if there is no better option available for the child's long-term stable care.

DCCSDS must provide counselling and information to all parents involved, and the option of receiving counselling and information about specific issues from an appropriate Indigenous person to the parents of the Indigenous child.

The Act includes the Aboriginal and Torres Strait Islander Child Placement Principle, which requires the DCCSDS to consider placing the child (in order of priority) with:

1. a member of the child's community or language group
2. another Indigenous person who is compatible with the child's community or language group
3. another Indigenous person.

The DCCSDS must consult an appropriate Indigenous person in selecting a couple to be considered as the child's prospective adoptive parents.

An adoption plan between the parties to the adoption is mandatory if an Indigenous child is to be adopted by a couple from outside his or her community. The plan must include agreement on how the child might be assisted to develop a cultural identity, including establishing links with cultural heritage and with members of his or her community or language group.

Before making any decisions about the adoption of an Indigenous child, the Childrens Court is required to consider the views of an appropriate Indigenous person about the child's interests, and any traditions or customs relating to the child.

Adoption of adults

The Queensland Adoption Act does not make provision for an adult to be adopted. An adoption order can be made only for a child aged under 18.

Western Australia

- *Adoption Act 1994*
- Adoption Regulations 1995
- *Family Law Act 1975*
- *Family Court Act 1997*.

Amendments to the Western Australian *Adoption Act 1994*, in late 2012, include significant reform of the adoption process to:

- make decision making more independent and transparent
- streamline the assessment process for subsequent adoptions
- approve the placement of a child with a carer for the purposes of adoption
- reintroduce relative adoptions
- enable approved adoptive parents to foster children while awaiting the placement of a child for adoption
- establish equitable application criteria to married and de facto couples
- relax restrictions on placement criteria
- broaden the right of access to adoption information to include access by birth siblings of an adopted person.

Level of court

- Family Court of Western Australia.

Step-parent adoptions

Step-parents may apply to adopt a child under the *Adoptions Act 1994* if they have been married to, or in a de facto relationship with, a birth parent of the child for at least 3 years.

The consent of the non-custodial birth parent, or an order from the Family Court of Western Australia to dispense with such consent is required. Before the adoption can be finalised, an adoption plan must be negotiated between the non-custodial birth parent and the adoptive parent, or dispensed with by the court.

Step-parents wishing to adopt their step-child must provide written notification to the Department for Child Protection and Family Support, at least 60 days before their application is filed, of their intention to apply for an adoption order.

After receiving notice of the step-parent's intention to adopt, the Chief Executive Officer arranges for a report to outline whether the applicant satisfies the legislative requirements for an adoption order to be made.

Other relative adoptions

Adoption by relatives is now permitted under the Western Australian adoption legislation in certain circumstances. The relative must have had the full-time care of the child for at least

2 consecutive years. To support the introduction of relative adoptions, the definition of 'relative' has been amended, and is limited to a person's grandparent, sibling, uncle or aunt.

Carer adoptions

Applications for carer adoptions can occur following the Chief Executive Officer's approval of the placement with a view to the foster carer adopting the child. The foster carers must have had the full-time care of the child for at least 2 consecutive years. The birth parents must give their consent to the adoption, or an order from the Family Court of Western Australia dispensing with consent must be made. Unless dispensed with by the Family Court, an adoption plan is a legal requirement.

Foster carers may apply to adopt a child who is in the care of the Chief Executive Officer under a protection order (time limited), or (until 18) made pursuant to the *Children and Community Services Act 2004*, only when they satisfy the requirements for a carer adoption, and the Chief Executive Officer is satisfied that the child's adoption is preferable to a protection order (special guardianship).

Local and intercountry adoptions

All adoptions are arranged through the Department for Child Protection and Family Support.

Applicants must meet specific eligibility criteria before being considered for assessment.

The child's first given name is expected to be retained by the adoptive parent(s).

For local adoptions, all known birth parents must be asked to give consent. Birth parents are involved in the selection process of adoptive parents by choosing a family from non-identifying profiles. An adoption plan is required between birth parents and adopting parents, or an application to the Family Court made to dispense with the adoption plan, before the adoption order is granted by the Family Court of Western Australia.

Official client

Applicants become 'official clients' after lodgement and acceptance of the expression of interest form. This form is submitted after the applicants have participated in the relevant adoption information seminar and education workshops. For the purpose of the adoption process, applicants are advised to seek legal advice and representation.

Adoption of Indigenous children

The Western Australian adoption legislation includes provisions for Aboriginal and Torres Strait Islander children, including:

- the placement for adoption principle
- promoting ongoing affiliation of the child's culture
- consulting relevant Indigenous staff and/or an Indigenous agency that has relevant knowledge of the child, and the child's family and community
- placing Indigenous children with Indigenous adoptive parents, where possible, unless the child's birth parents specifically request otherwise.

Adoption of adults

An adult may be adopted by a person who was his or her carer or a step-parent immediately before he or she turned 18. Both the prospective adoptee and the prospective adoptive parent must consent to the adoption, and both birth parents of the prospective adoptee must be notified of the intention to apply for an adoption order.

The Department for Child Protection and Family Support's Chief Executive Officer is not required to provide a report to the Family Court of Western Australia about adult adoptions (unless requested to do so by the court). But parties who are required to sign consents must not do so unless the Chief Executive Officer has provided them with the information set out in Schedule 1 of the *Adoption Act 1994*.

South Australia

- *Adoption Act 1988*
- Adoption Regulations 2004.

Level of court

- Youth Court of South Australia.

Step-parent adoptions

In all cases, 'leave to proceed' granted in the Family Court is required before step-parents can apply to adopt a stepchild.

Adoption by step-parents is granted only when there is no other order that will adequately provide for the interests and welfare of the child. The South Australian Department for Education and Child Development is required to provide counselling for the relevant consents, as well as a report to the court.

Other relative adoptions

Adoptions by relatives other than step-parents are granted only when there is no other order that will adequately provide for the interests and welfare of the child. The Department for Education and Child Development is required to provide counselling for the relevant consents, as well as a report to the court.

Local and intercountry adoptions

To be eligible, the applicant(s) must be either:

- a married couple or a de facto couple for a continuous period of at least 5 years at the time the adoption order is made, or 3 years for allocation or placement of the child, or
- a single person, in special circumstances.

Adoptions can be arranged only through the Department for Education and Child Development.

Official client

An applicant becomes an official client when they lodge an expression of interest to adopt a child with the Department for Education and Child Development.

Both members of a couple must attend an information session about adoption before lodging an expression of interest.

Adoption of Indigenous children

Restrictive eligibility criteria apply for adoptive parents in accordance with the Aboriginal and Torres Strait Islander Child Placement Principle.

Adoption of adults

No provisions exist in the South Australian Adoption Act for the adoption of adults.

Tasmania

- *Adoption Act 1988*
- *Adoption Regulations 2006*
- *Adoption Amendment Act 2007.*

Level of court

- Magistrate sitting alone.

Step-parent adoptions

Adoption by step-parents is possible in some circumstances. If the child's father has not legally established his paternity, and does not do so within 30 days of the mother signing the consent to adoption, an application may be made through the Tasmanian Department of Health and Human Services (DHHS Tas). If the child's paternity has been legally established, adoption is possible only in special circumstances that justify adoption, and when other available orders will not provide adequately for the welfare and interest of the child.

All applications for an adoption order in favour of a step-parent adoption must be made through DHHS Tas.

Other relative adoptions

The court's power to make an adoption order in favour of a relative is limited to special circumstances that justify adoption, and when other available orders will not provide adequately for the welfare and interests of the child.

All applications for an adoption order in favour of a relative must be made through DHHS Tas.

Carer adoptions

A policy has been established for children in out-of-home care for whom adoption is considered to be in the child's best interests. The policy provides advice and clarifies the requirements on adoption by foster carers.

All applications for an adoption order in favour of a foster carer adoption must be made through DHHS Tas.

Local and intercountry adoptions

To be eligible, the applicant(s) must be either:

- a couple who are married or in a registered relationship and have lived together in a stable, continuous relationship for not less than 3 years, or
- a single person, in special circumstances that relate to the welfare and interests of the child.

Adoptions by non-relatives can be arranged by DHHS Tas or a non-government organisation approved by the Tasmanian Minister for Children.

Official client

In Tasmania, an applicant becomes an official client for the purpose of intercountry adoption once their adoption application has been registered.

Adoption of Indigenous children

Adoption of Indigenous children is not included in the legislation, although the birth parent(s) may express wishes about race of adoptive parent(s). The cultural differences of Indigenous Australians are recognised, and placement within the Indigenous community is preferred.

Adoption of adults

The Tasmanian Adoption Act provides for adult adoptions when a person has been brought up, maintained and educated by the prospective adoptive parent, or either of the prospective adoptive parents, or the prospective adoptive parent and his or her deceased spouse.

The court cannot make an order for the adoption of a person who is, or has been, married. It must also be satisfied that there are special circumstances for the welfare and interests of the person that make it desirable for the person to be adopted.

Australian Capital Territory

- *Adoption Act 1993*
- *Adoption Amendment Act 2009.*

Level of court

- Supreme Court.

Step-parent adoptions

Adoption by step-parents can be arranged only through the Office for Children, Youth and Family Support.

Other relative adoptions

Adoptions by relatives other than step-parents are only granted when a guardianship or custody order will not adequately provide for the interests and welfare of the child.

Adoption by relatives can be arranged only through the Office for Children, Youth and Family Support.

Local and intercountry adoptions

To be eligible, the applicant(s) must be either:

- a married couple for more than 3 years, or
- a de facto couple for more than 3 years, or
- a single person in particular circumstances.

Adoptions by non-relatives must be arranged through the Office for Children, Youth and Family Support.

Official client

A person becomes an official client at the point in which the Adoption and Permanent Care Unit receives a completed application form.

Adoption of Indigenous children

Restrictive eligibility criteria apply for adoptive parents in accordance with the Aboriginal and Torres Strait Islander Child Placement Principle.

Adoption of adults

Adult adoptions are legal under the Australian Capital Territory Adoption Act, where the person is resident in the Australian Capital Territory, and has been brought up, maintained and educated by the applicants under a de facto adoption.

Northern Territory

- *Adoption of Children Act 1994*
- *Adoption of Children Amendment Act 2006*.

The Northern Territory Adoption of Children Amendment Act, which came into effect on 3 July 2006, enables the issue of Australian birth certificates for overseas-born adopted children whenever the necessary birth information is provided by the country of origin. This applies irrespective of whether the adoption is finalised in the Local Court or as a foreign adoption order, automatically recognised under Australian law.

Level of court

- Local Court.

Step-parent adoptions

Other arrangements are sought before an adoption order is considered.

Other relative adoptions

Adoptions by relatives other than step-parents are granted only when a guardianship or custody order will not adequately provide for the interests and welfare of the child.

Local and intercountry adoptions

Eligibility requirements allow/require the applicant(s) to:

- be a married couple for 2 years or more
- be no more than 40 years older than the child, or 45 years older than the child if previous children are in the family
- have other requirements in regard to the age of adoptive parent(s) considered in exceptional circumstances
- be a single person in exceptional circumstances.

All adoptions must be arranged through the Department of Children and Families.

Adoption of Indigenous children

Adoptions of Indigenous children can occur only if alternative custody with the child's extended family cannot be arranged. If an order is made, it must comply with the Aboriginal and Torres Strait Islander Child Placement Principle.

B.2 Provisions for open adoptions

New South Wales

New South Wales recognises that a variety of relationships might exist between a child's adoptive and birth families, but strongly supports openness in adoption attitudes, and actions between birth and adoptive families. An adoption plan, which might include the regular exchange of information and/or contact, is usually presented to the court at the time an adoption order is sought.

For local adoptions in New South Wales, birth parents participate in choosing the adoptive family for their child. The New South Wales Department of Family and Community Services or the agency that arranged the adoption might help mediate ongoing contact after the adoption order, if necessary.

Victoria

The Victorian Adoption Act allows an adoption order to include conditions on information exchange and/or access between the parties. After signing the consent, birth parents are given the opportunity to express their wishes about contact and information exchange, which are considered when placement decisions are made. At the time of signing the consent, birth parents are asked whether they wish to be actively involved in selecting an adoptive family. They are encouraged to consider profile information on approved adoption applicants who have been assessed as suitable for the child, and to indicate the couple with whom they would prefer the child to be placed. After placement, there might be direct contact between the parties, or an exchange of information. When the arrangements form part of the adoption order, there is a legally binding way to resolve any disputes that might arise.

Queensland

Under the Queensland Adoption Act, all parties to an adoption have access to non-identifying information. Where an adopted person is aged under 18, parties to an adoption can access identifying information only if both the adoptive and birth parents agree and provide consent. Where a child's prospective adoptive parent(s) and birth parent(s) wish to have in-person contact after the adoption order is made, an adoption plan is compulsory, and must be in place before a final adoption order can be made. The Queensland Department of Communities, Child Safety and Disability Services must assist parties negotiate an adoption plan at the time a child's adoption is arranged or after an adoption order has been made, if assistance is requested.

Western Australia

Western Australia's *Adoption of Children Act 1896* was repealed in January 1995 when the *Adoption Act 1994* was enacted. Since the inception of Western Australia's Adoption Act, all adoptions are considered open.

Before placing children with prospective adoptive parents, an adoption plan must be negotiated between birth parents and prospective adoptive parents. This is done to enable contact and exchange of information between parties to the adoption. This requirement may be dispensed with by applying to the Family Court of Western Australia. Contact

arrangements can be changed at a later stage through agreement with, and by approval of, the Family Court of Western Australia, after the parties have participated in a mediation process conducted by the Department for Child Protection and Family Support. Parties to adoption plans for an adoption by a step-parent, relative or carer are not required to take part in a mediation process, and can apply directly to the Family Court of Western Australia to vary the adoption plan.

South Australia

Under the South Australian Adoption Act, open arrangements are possible between parties to the adoption. This can involve access to information or contact between the parties. The arrangements are not legally binding, and are facilitated and mediated by the South Australian Department of Education and Child Development.

Tasmania

Under the Tasmanian Adoption Act, open adoptions are possible between parties to the adoption. The adoption forms (Adoption Regulations 2006) allow parties to express wishes about ongoing contact and information exchange at the time of the adoption. These exchanges are generally facilitated by the Tasmanian Department of Health and Human Services. Arrangements for contact and information exchange are not legally binding.

Australian Capital Territory

Legislation allows for conditional orders (that is, where contact frequency and other arrangements can be specified). Since the 1993 adoption legislation, all adoptions are considered open – that is, some form of contact or information exchange is encouraged. Conditional orders are now routinely recommended to the court.

Northern Territory

Open adoptions have been available since the Northern Territory's Adoption of Children Act was introduced. It is an option for relinquishing parents to request an open adoption, and an arrangement may be made with adoptive parents, although such an arrangement is not legally binding.

B.3 Access to information and veto systems

New South Wales

Access to information

The *Adoption Act 2000* makes different provisions for the release of information, depending on whether the adopted person is under or over 18, and whether an adoption order was made before or after 1 January 2010.

For adoptions made after 1 January 2010, adopted persons, adoptive parents, birth parents, and adopted and non-adopted siblings of an adopted person can gain identifying information about each other, and search for each other from the day the adoption order is made.

Where the adopted person is aged under 18, the adopted person requires the consent of their surviving adoptive parents or of the Secretary of the New South Wales Department of Family and Community Services to apply.

Birth parents and non-adopted siblings (whether under or over 18) must first apply to the Secretary for an authority to obtain identifying information, and, before an authority can be released, an assessment must be made to determine whether the release of identifying information would pose any risk to the safety, welfare or wellbeing of the adopted person or adoptive parents.

Non-adopted siblings under the age of 18 require the consent of their parents or the Secretary to apply.

When the adopted person is aged 18 or over, a supply authority, now called an Adoption Information Certificate, is not required; but if a non-adopted sibling is under 18, the sibling must have the consent of their parents or the Secretary.

For adoptions made before 1 January 2010, birth parents, adoptive parents and adopted siblings can access identifying information once the adopted person turns 18. All parties must first apply to the Secretary for an Adoption Information Certificate. Before an Adoption Information Certificate is issued, a check is done to see whether the application is subject to an advance notice or contact veto.

While an adopted person is under 18, birth parents and adoptive parents can access non-identifying information. With the permission of the other parents (birth or adoptive parents), identifying information can also be provided.

For people without other entitlements under the Act to receive identifying information, the legislation enables the Secretary to make adoption information available where it would be reasonable to do so.

The Act enables anyone who had a close personal relationship with a deceased adopted person or deceased birth parent to apply to the Secretary for adoption information. This is referred to as inheriting rights.

Advance Notice Register

Adult adopted persons, birth parents and adoptive parents who are parties to an adoption made before 2010 may lodge an Advance Notice Application. This enables them to be advised if another party to an adoption applies for identifying information. The release of their personal information is then delayed for 2 months to allow the registered person to prepare for its release – for example, a birth mother might need time to tell her current partner about the adoption.

Contact Veto Register

Where an adoption order was made before 26 October 1990, birth parents and adult adopted persons are able to lodge a contact veto. A veto cannot be lodged for an adoption that occurred after that date. The veto only prevents contact. It does not prevent the release of identifying adoption information.

Once a veto is lodged, it becomes an offence for the person applying for the identifying information to try to make contact with the person who lodged the veto, or for them to have someone else try to make contact on their behalf. Information that is subject to a contact veto will only be released to an applicant if he/she gives a written legal undertaking to not use the information to seek contact.

Reunion and Information Register

Parties to an adoption and other people may apply to register their name in the Reunion and Information Register. Their registration enables them to be matched with another person who has also registered for the same adoption.

Once matched, the parties may then choose to be put in contact with each other and reunited. Registration on the Reunion and Information Register also enables the Adoption Information Unit and other adoption agencies to act on behalf of the registered person to locate a person from whom they have been separated as a consequence of adoption.

Victoria

Access to information

In Victoria, an adopted person aged 18 or over may apply for a copy of his or her original birth certificate and adoption records.

An adopted person aged under 18 requires the written agreement of his or her adoptive parent(s) before information can be given; the written consent of the birth parent(s) is also required before identifying information can be given.

From 1 July 2013, birth parents have a right to identifying information about an adopted child who is now an adult. Birth relatives may obtain non-identifying information from records about the adopted person. Identifying information can be given with the written consent of the adoptive parent(s) if the adopted person is under 18.

Adult children of adopted persons have the same rights to information as the adopted person, providing the adopted person is first informed in writing and has not objected to the release of their adoption information, or, where the adopted person is dead, a copy of the death certificate is provided.

Adoptive parents may apply for information about the birth family's background. The written permission of the birth parent is required before identifying information may be released.

Also, where the adopted person is aged 18 or over, the adopted person must be notified in writing of the intention to release identifying information about the birth family.

Veto system

In Victoria, an adoption information register system operates on which people can record their wishes in relation to giving or receiving information and making contact. An authorised agency can facilitate contact between parties to an adoption.

In 2013, the *Adoption Amendment Act 2013* introduced a contact veto scheme whereby adult adopted persons may lodge a 'contact statement' specifying whether or how they wished to be contacted by their birth parent.

In 2015, the *Adoption Amendment Act 2015* repealed the contact veto scheme. Contact statements which were lodged prior to the *Adoption Amendment Act 2015* will continue in force until they expire (5 years from lodgement), however it will not be possible to bring proceedings for a breach of a contact statement specifying 'no contact'. It should be noted that it is unlikely this change will have affected the data reported in 2014–15, although any contact vetoes in place during 2014–15 will expire during the next 5 years.

Queensland

Access to information

The Queensland Adoption Act makes different provisions for the release of information, depending on whether an adopted person is under or over the age of 18, and whether an adoption order was made before or after 1 June 1991.

Adopted persons and birth parents are entitled to receive identifying information once the adopted person has reached 18. Where the adopted child is aged under 18, identifying information can be provided if consent is provided by both the adoptive and birth parents.

In certain circumstances, eligible relatives of an adopted person or birth parent who signed an adoption consent can obtain identifying information. This includes siblings of the adopted person who were not adopted.

The adopted person and the birth parent(s) who signed the adoption consent can lodge a contact statement to express their wishes about how they would prefer to be contacted, or to express their wish not to be contacted. It is an offence for an adopted person or birth parent affected by an adoption order made before 1 June 1991 to contact another party who has requested no contact.

To support people accessing information and considering contact statements, the Queensland Government also funds Post Adoption Support Queensland to provide counselling and support to people affected by adoption. This service offers:

- telephone counselling and support
- face-to-face counselling
- support and information during the search process
- mediation and assistance for people wishing to make contact with relatives.

Veto (contact statement) system

In Queensland, the enactment of the Adoption Act brought significant changes to vetoes. The repealed *Adoption of Children Act 1964* (Qld) provided for objections to contact – and objections to the disclosure of identifying information – to be lodged by adopted persons or by birth parents affected by an adoption order made before 1 June 1991.

As at 1 February 2010, all objections then in force under this repealed Act were reconstituted as a contact statement that specifically requested no contact (effectively, a contact veto).

A contact statement remains in place unless it is revoked by the person who lodged it, or the person dies. It is an offence for an adopted person or birth parent affected by an adoption order made before 1 June 1991 to contact another party who has requested no contact. If a request for no contact is in place, identifying information can be provided only if the person seeking information has signed an acknowledgment indicating that they are aware the contact statement requesting no contact is in place, and that it would be an offence to contact the other person.

The release of identifying information can be restricted only if the Childrens Court has made an order preventing it, where it is deemed the release would pose an unacceptable risk of harm.

Western Australia

Access to information

All parties to an adoption may apply for access either identifying or non-identifying information. Under the Western Australian Adoption Act, all parties can apply for access to birth records and adoption court records (that is, identifying information). Birth parents, adoptive parents and adopted persons may apply for access to information about the adoption from departmental records, at the discretionary authority of the Department for Child Protection and Family Support's Chief Executive Officer. The level of information depends on the information recorded at the time and whether the records still exist.

Since amendments to the *Adoption Act 1994* were proclaimed in December 2012, an adoptee's birth sibling now has the right to access court records and birth registration information about their adopted sibling, provided that the sibling and adoptee are both aged 18 or over.

Veto system

In Western Australia, a 'message box system' operates, which allows anonymous contact between the parties.

Amendments to the Adoption Act in 2003 prohibit placing any new information vetoes or contact vetoes on adoptions after 1 June of that year, and existing information vetoes ceased to be effective from 1 June 2005.

The adoption plan agreed to by parties to the adoption can, however, include provisions for no contact between parties.

South Australia

Access to information

In South Australia, adopted persons aged 18 or over can access information in their original birth certificate, as well as details about their birth parents (if known), such as name, date of birth, physical attributes and personal interests.

Adopted persons are also entitled to know the names of any biological siblings who were also adopted.

Information may be provided to an adopted person or a birth parent before the adopted person turns 18 years of age in certain circumstances.

Once the adopted person reaches the age of 18, the birth parents can access the adoptive name of their relinquished child and the name(s) of the adoptive parent(s). Adoptive parents, descendants of an adopted person, and some birth relatives of the adopted person can apply for certain information under some circumstances.

Veto system

Both adopted persons and birth parents can veto the release of identifying information. A specific contact veto is not available. The veto provision is available only for adoptions that occurred before the state's Adoption Act came into force (August 1989).

Adoptive parents, who adopted a child prior to 1989, may lodge a veto to restrict identifying information about themselves being released to the birth parents, with a provision that this does not prevent the adopted person and the birth parent from receiving information about each other. Certain information is also available to adoptive parents.

Tasmania

Access to information

In Tasmania, an adopted person aged 18 or over may apply for access to his or her pre-adoption birth record and information from the adoption record. An adopted person aged under 18 may apply for this information with the written consent of his or her adoptive parent(s).

Birth parents, birth relatives and lineal descendants of an adopted person may apply for non-identifying information at any time, or for identifying information when the adopted person is aged 18 or over.

Adoptive parents may apply for non-identifying information at any time, but may receive information that includes the name of a birth parent only with the written permission of the birth parent concerned.

All applicants who reside in Tasmania must attend an interview with an approved counsellor before receiving information.

Veto system

The right to information is unqualified, but a contact veto may be registered. Any adopted person, birth parent, birth relative, lineal descendant of an adopted person or adoptive parent may register a contact veto. Where a veto has been registered, identifying information is released only after an undertaking not to attempt any form of contact has been signed. An

attempt to make contact where a veto is in force is an offence. A contact veto may be lifted at any time by the person who lodged it.

Australian Capital Territory

Access to information

Under the Australian Capital Territory's Adoption Act, an adopted person aged 18 or over, birth parents, adoptive parents and birth relatives may apply for identifying information in relation to the adoption. Identifying information consists of a copy of, or extract from, an entry in a register of births relating to the adopted child, or information from which a birth parent, birth relative or adopted child may be identified (excluding the address of a place of residence).

Before the Adoption Act came into force in 1993, no provision for adoption information existed. However, because the Act is retrospective, information is now available for adoptions that occurred under the old Act.

Veto system

Under the Australian Capital Territory's Adoption Act, only contact vetoes may be registered. The veto has to refer to a specified person or a specified class of persons.

The Act provides for an unqualified right to information, but also gives the adopted person aged over 17 years 6 months, an adoptive parent, birth parent, adult birth relatives, adoptive relatives and adult children or other descendants of the adopted person the right to lodge a contact veto. On lodgement of such a veto, it becomes an offence for the information recipient to try to make contact with the person who imposed the contact veto.

Where information is requested and a contact veto is in force, no information is given unless the person requesting information has attended a counselling service, and has signed a declaration that he or she will not attempt contact in any form.

Under the *Adoption Amendment Act 2009* (ACT), vetoes can no longer be lodged in respect of adoption orders made after 22 April 2010. 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

Access to information

In the Northern Territory, legislation before the territory's Adoption of Children Act did not allow the release of information to any parties to an adoption. The current Act supports a more open process, with identifying information being available unless a veto has been lodged. Indigenous Agencies, such as Link-Up, are authorised to counsel for the purpose of supplying identifying information.

Veto system

A 3-year renewable veto may be lodged by the adopted person or birth parents for adoptions finalised before 1994. There is no veto provision for adoptions finalised under the current Act.

Appendix C: Countries party to the Hague Convention

Table C1: The 95 countries party to the Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption

Country	Date convention came into effect	Country	Date convention came into effect
Albania	1 January 2001	Georgia ^(a)	1 August 1999
Andorra ^(a)	1 May 1997	Germany	1 March 2002
Armenia ^(a)	1 June 2007	Greece	1 January 2010
Australia	1 December 1998	Guatemala ^(a)	1 March 2003
Austria	1 September 1999	Guinea ^(a)	1 February 2004
Azerbaijan ^(a)	1 October 2004	Haiti	1 April 2014
Belarus	1 November 2003	Hungary	1 August 2005
Belgium	1 September 2005	Iceland ^(a)	1 May 2000
Belize ^(a)	1 April 2006	India	1 October 2003
Bolivia	1 July 2002	Ireland	1 November 2010
Brazil	1 July 1999	Israel	1 June 1999
Bulgaria	1 September 2002	Italy	1 May 2000
Burkina Faso	1 May 1996	Kazakhstan ^(a)	1 November 2010
Burundi ^(a)	1 February 1999	Kenya ^(a)	1 June 2007
Cambodia ^(a)	1 August 2007	Latvia	1 December 2002
Canada	1 April 1997	Lesotho ^(d)	1 December 2012
Cape Verde ^(a)	1 January 2010	Liechtenstein ^(a)	1 May 2009
Chile	1 November 1999	Lithuania ^(a)	1 August 1998
China ^(b)	1 January 2006	Luxembourg	1 November 2002
Colombia	1 November 1998	Macedonia ^(a)	1 April 2009
Costa Rica	1 February 1996	Madagascar	1 September 2004
Côte d'Ivoire ^(a)	1 October 2015	Mali ^(a)	1 September 2006
Croatia	1 April 2014	Malta ^(a)	1 February 2005
Cuba ^(a)	1 June 2007	Mauritius ^(a)	1 January 1999
Cyprus	1 June 1995	Mexico	1 May 1995
Czech Republic	1 June 2000	Moldova ^(a)	1 August 1998
Denmark ^(c)	1 November 1997	Monaco ^(a)	1 October 1999
Dominican Republic ^(a)	1 March 2007	Mongolia ^(a)	1 August 2000
Ecuador	1 January 1996	Montenegro ^(a)	1 July 2012
El Salvador	1 March 1999	Netherlands	1 October 1998
Estonia ^(a)	1 June 2002	New Zealand ^(a)	1 January 1999
Finland	1 July 1997	Norway	1 January 1998
Fiji	1 August 2012	Panama	1 January 2000
France	1 October 1998	Paraguay ^(a)	1 September 1998

(continued)

Table C1 (continued): The 95 countries party to the Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption

Country	Date convention came into effect	Country	Date convention came into effect
Peru	1 January 1996	Sri Lanka	1 May 1995
Philippines	1 November 1996	Swaziland ^(a)	1 July 2013
Poland	1 October 1995	Sweden	1 September 1997
Portugal	1 July 2004	Switzerland	1 January 2003
Romania	1 May 1995	Thailand	1 August 2004
Rwanda ^(a)	1 July 2012	Togo ^(a)	1 February 2010
San Marino ^(a)	1 February 2005	Turkey	1 September 2004
Senegal ^(a)	1 December 2011	United Kingdom ^(e)	1 June 2003
Serbia ^(a)	1 April 2014	United States of America	1 April 2008
Seychelles ^(a)	1 October 2008	Uruguay	1 April 2004
Slovakia	1 October 2001	Venezuela	1 May 1997
Slovenia	1 May 2002	Vietnam	1 February 2012
South Africa ^(a)	1 December 2003	Zambia ^(a)	1 October 2015
Spain	1 November 1995		

(a) These countries have acceded to the Hague Convention (see 'Note 1' below).

(b) Includes the Special Administrative Regions of Hong Kong and Macau.

(c) Includes Faroe Islands since 1 April 2007.

(d) As the Federal Republic of Germany raised an objection on 28 February 2013 to Lesotho becoming party to the Hague Convention, the Convention will not apply between Germany and Lesotho.

(e) Comprises England, Northern Ireland, Scotland and Wales, as well as, since 1 November 2003, the Isle of Man.

Notes

1. Countries that participated in the 17th Session (a particular conference held by the Hague) are able to sign this Convention, with the option of also ratifying it. Alternatively, countries that did not participate in the 17th Session are able to accede to this Convention. By signing the Hague Convention, a country expresses, in principle, its intention to become a party to the Hague Convention. However, signature does not, in any way, oblige a country to take further action (towards ratification or not). A country is party to the Hague Convention if it has ratified or acceded to the Convention—this involves the legal obligation for the country to apply the Convention.
2. Korea, Nepal and the Russian Federation have signed, but are yet to ratify, the Hague Convention.

Source: HCCH 2015.

Appendix D: Data quality statement

Summary of key issues

- The Adoptions Australia collection contains data on adopted children, their adoptive families and birth mothers, as well as information on the number of contact/information requests and vetoes lodged by parties to an adoption. Data are collected on intercountry, local and known child adoptions. Additional data are also collected on the length of time of different intercountry adoption processes.
- The small population of the report creates some issues for reporting data. Proportional changes from one reporting period to the next, and rates based on small numbers must be interpreted with caution. Exploring trends over long periods (for example, 10 and 25 years) provides more robust results. The small population also increases the potential for attribute disclosure. Further, disaggregation of analyses by Indigenous status is not possible due to the small number of Indigenous children covered by the collection each year.
- The AIHW compiles the data each year using data extracted from the administrative systems of the state and territory departments responsible for adoptions. Some data are also provided by the Department of Immigration and Border Protection.
- Overall, the quality and coverage of data in the Adoptions Australia collection is good. Data are only partially available for 3 of the 27 collection tables (1 jurisdiction was unable to provide or only able to partially provide data), and data are rarely recorded as unknown in any of the collection tables.

Institutional environment

The AIHW is a major national agency set up in 1987 by the Australian Government under the *Australian Institute of Health and Welfare Act 1987* (Cwlth) to provide reliable, regular and relevant information and statistics on Australia's health and welfare. It is an independent statutory authority, which is governed by a management board, and accountable to the Australian Parliament through the Health portfolio.

The AIHW aims to improve the health and wellbeing of Australians through better health and welfare information and statistics. It collects and reports information on a wide variety of topics and issues, including health and welfare expenditure, hospitals, disease and injury, mental health, ageing, homelessness, disability and child protection.

The AIHW also plays a role in developing and maintaining national metadata standards. This work helps improve the quality and consistency of national health and welfare statistics. The AIHW works closely with governments and non-government organisations to achieve greater adherence to those standards in administrative data collections to promote national consistency and comparability of data and reporting.

One of the main functions of the AIHW is to work with the states and territories to improve the quality of administrative data, and, where possible, to compile national data sets based on data from each jurisdiction, analyse the data sets, and disseminate information and statistics.

Compliance with the provisions of both the Australian Institute of Health and Welfare Act and the *Privacy Act 1988* (Cwlth) ensures that the data collections managed by the AIHW are kept securely and under the strictest conditions to preserve privacy and confidentiality.

For further information, see <www.aihw.gov.au>.

Timeliness

The reference period for *Adoptions Australia 2014–15* is from 1 July 2014 to 30 June 2015. The data set includes information related to all intercountry, local and known adoption orders finalised during this period, as well as limited information on placements that took place during this period.

The state and territory departments responsible for adoption provide data to the AIHW annually, following the end of each financial year. For the 2014–15 collection, the first iteration of data was due to the AIHW 6 weeks after the end of the financial year (by 7 August 2015), and data were finalised for all states and territories by 1 September 2015.

The data for each collection period are released in the AIHW's *Adoptions Australia* annual publication. In 2014–15, concurrent with the annual publication, key findings were released in an online snapshot, and, for intercountry adoption data, through an interactive web portal.

Data from the *Adoptions Australia* collection are expected to be published in December of the final year of the reference period (that is, within 6 months after the end of the reference period).

Accessibility

Publications containing *Adoptions Australia* data, including the annual *Adoptions Australia* reports and online snapshot, are available free of charge at <www.aihw.gov.au>.

Requests for unpublished data can be made by contacting the AIHW on (02) 6244 1000 or via email to info@aihw.gov.au. A cost recovery charge might apply for these requests. Depending on the nature of the request, requests for access to unpublished data might require approval from the state and territory data custodians and/or the AIHW Ethics Committee.

General enquiries about AIHW publications can be made to the Digital and Media Communications Unit via email to info@aihw.gov.au.

Interpretability

Supporting information on relevant legislation and jurisdictional policies are presented at Appendix B. Supporting information is also provided in the footnotes to tables and in the Glossary. The AGD – the Australian Central Authority for intercountry adoption – provides expert advice on current intercountry adoption programs, which is incorporated into the report to inform and contextualise analyses. Chapter 2 provides an overview of the 3 types of adoption in the report and further contextual information. Readers are advised to consider all supporting and contextual information to ensure appropriate interpretation of analyses presented by the AIHW.

Metadata for the *Adoptions Australia* collection can be found on METeOR, the AIHW's online metadata repository.

Relevance

The Adoptions Australia collection is the authoritative source of national adoptions data for Australia. As well as providing information on the current period, the collection also allows for comparable trend data to be examined. The collection is a valuable source for monitoring the role of adoption as part of Australia's response to issues of child welfare and safety.

Each year, the data collection includes information on intercountry, local and known adoption placements, and finalisations that occurred during the reporting period (that is, the 2014–15 reporting period would include data from 1 July 2014 to 30 June 2015). These data allow for analyses of the adopted child, the adoptive families, and, for local adoptions, the birth mothers of children with a finalised adoption order.

The collection also allows data on the number of contact/information requests and vetoes lodged by parties to an existing adoption to be looked at. In addition, data from the Department of Immigration and Border Protection on the number of visas issued for expatriate adoption and the countries of origin for these adoptions provide complementary information. When combined, these data give a detailed view of adoption in Australia.

Scope

A description of adoption and information on the sources of data for the collection are presented in Chapter 1. A description of the categories of adoption included in the collection is provided in Section 2.1.

The Adoptions Australia collection contains data relating to 2 populations of adopted children:

- **Finalisations** – Children whose adoption orders were finalised during the reporting period. This includes orders made in Australia, and, in the case of some intercountry adoptions, where the full adoption order was made in the country of origin.
- **Placements** – Children, regardless of the status of their adoption orders, who were placed with their adoptive families (that is, entered the home) during the reporting period.

There can be overlap between these 2 groups. Some children placed for adoption during the current period might not have their adoption finalised until a following year. In addition, some adoption orders finalised in the current period might relate to children who were placed in a previous year. However, the aggregate nature of the Adoptions Australia collection does not allow the degree of overlap to be determined.

The collection also contains data on the adoptive families, and, for local adoptions, birth mothers of children with a finalised adoption order. In addition, data on the number of contact/information requests and vetoes lodged by parties to an existing adoption are collected.

Attribute disclosure

Due to the small size of the population covered by the collection, the potential for small cells is high. However, the risk of sensitive attribute disclosure is considered low, because:

- most report tables are aggregated to a national level
- there is the possibility that an observed placement is not finalised in the year it occurred (making the population of finalised adoption orders in a report difficult to observe, thus

making it difficult to determine whether information about an observed adoptee is present in a particular report)

- most variables are considered of low sensitivity by national, state and territory adoption authorities, and some data are put in the public domain at a similar level of disaggregation by these authorities.

Accuracy

Data for the Adoptions Australia collection are extracted each year from the administrative systems of the Australian state and territory departments responsible for adoption, according to definitions and technical specifications agreed by the departments and the AIHW.

Overall, the quality and coverage of data in the collection are good. In 2014–15, of the 27 data tables in the aggregate collection:

- only 3 tables did not contain data for all jurisdictions, as New South Wales was unable to provide data for 2 tables and Western Australia for 1 table
- 3 tables contain data recorded as unknown, but no tables had an unknown category, which comprised more than 1% of the data supplied.

Coherence

The Adoptions Australia collection was initially developed in 1993. The report series started when the AIHW took over the national adoptions data collection in 1993. The first 3 editions were published in 1993 and 1994 (as data were collected back to 1990–91), and from 1995 an edition has been released annually. Before this, national adoptions data were collected and reported (briefly) by 2 other organisations: the National Working Party on Welfare Statistics (Australia) (from 1987–88 to 1989–90) and the Australian Bureau of Statistics (from 1979–80 to 1984–85). No national data were collected in 1985–86 and 1986–87, resulting in a break in trend data for these years.

From the 1998–99 report onwards, the categories of adoption used in Adoptions Australia differ from those in previous publications. The categories were changed to better reflect the types of adoptions, and to bring the terminology more in line with that used by state and territory departments responsible for adoption. However, the new categories of adoption introduced in 1998–99 can still be mapped to those reported before this period, avoiding a break in trend data. See *Adoptions Australia 2008–09* for further details (AIHW 2010a).

Tables that have been consistently collected from 1990–91 onwards are comparable. In addition, data standards were carried over from the Australian Bureau of Statistics *Adoptions Standards* (March 1982), allowing comparable data from the years before the AIHW collection to be incorporated into trends reporting. The report series uses the long history of data collection to analyse trends over a 25-year period to capture the effect of changes to local and international societal views and policies.

In 2003–04, additional tables on the intercountry adoption process were included in the Adoptions Australia national collection template. Before 2011–12, these data were not published as part of the Adoptions Australia report. In 2011–12, by agreement with the state and territory data custodians, these data were incorporated into the Adoptions Australia report (including trend data back to 2007–08).

From 2000 to 2007, the AIHW also provided the AGD with a detailed report on finalised intercountry adoptions from Hague countries as part of Australia's reporting responsibilities under the Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption. In 2008–09, tables with continuing relevance were incorporated into the main Adoptions Australia report, and the separate report was ceased.

In 2010, the AGD also began collecting data on activity in each intercountry adoption program from the states and territories on a 6-monthly basis. The data are reported on a calendar year basis, and include the total number of approved intercountry adoption applications, files sent overseas and placement proposals. The AIHW Adoptions Australia report does not include placement proposals (when a partner country matches a child (or children) with Australian parents, and a formal placement proposal is sent to Australia).

Placement proposals do not always refer to a single child – a proposal might refer to a sibling group, and there will be a delay between a placement proposal being accepted and the child's arrival in Australia (AGD 2014). While both the AGD collection and Adoptions Australia collection contain information on the number of adoption applications and files sent overseas, the reporting periods of the 2 collections and definitions underlying the data differ. For example, the AGD counts applications for the calendar year, and includes applications with an assigned country of origin already sent and waiting overseas, and applications approved but queued in Australia. In contrast, the applications data reported in the Adoptions Australia reports are for the financial year, and include only new applications approved by the department during this period, regardless of whether a country of origin has been assigned. So caution should be exercised when comparing these data.

Limitations of existing data

Existing national adoptions data are constrained by several factors, including limits in information recorded on state and territory databases for administrative purposes (for known child adoptions, this is further constrained by the level of involvement the department has in the adoption process), and the capacity of countries of origin to capture relevant information about children and their families.

For intercountry adoptees, it is common for only minimal information about the child's history to be available. For example, many children placed for adoption in China have been abandoned with very little or no information about their social, health or family background (IAA 2015b). A United States study found that prospective parents adopting from Korea received more information about the child's birth family, prenatal circumstances and perinatal events than those adopting from China, parts of Eastern Europe, Latin America (primarily Guatemala), the Philippines and India (Welsh et al. 2008).

Several areas that could enrich the understanding of adoption in Australia have no reliable data source.

Parents and families

Adoptive families

While reasonable demographic information on adoptive families is available for intercountry and local adoptions, comparable national data for known child adoptions are not currently available. For step-parent adoptions, this is due to the limited involvement of the state and territory departments responsible for adoption in the process. Information on adoptive families involved in carer adoptions is more likely to be available on other administrative

systems, but the availability of these data across all states and territories has not been investigated. With the growing proportion of carer adoptions in the Australian adoption context, this information will become increasingly important to understanding adoption in Australia.

Families of intercountry adoptees

An adopted child's ability to adjust can be affected by the quality of relationships in the adoptive family. Unrealistic or rigid parental expectations, especially around the adopted child's meeting of academic standards or societal norms, can interfere with adjustment (Passmore et al. 2009). In particular, for children with disability or medical conditions, the more informed adoptive parents are, the more capable they are of realistically anticipating problems. This, in turn, has been found to lead to more positive adjustment outcomes (Bornstein 2002).

While research indicates the importance of adoptive parents' access to historical information in improving post-adoption outcomes, the capacity of countries of origin to determine and record information about a child is constrained by economic and social issues, and varies between countries. The amount of information available is generally inconsistent and of poor quality, making it unsuitable for reporting.

Processing times for local and known child adoptions

Adoption process timeframes in Australia are of significant interest to various stakeholders (from government officials, to prospective adoptive parents). Such data provide insights into the efficiency of contemporary adoption practices, and also speak to the lived experience of prospective parents seeking to form a family via adoption.

Data in this report provide an indication of the time involved in the intercountry adoption process and changes over time. However, data are not currently nationally available for the other types of adoption. For carer adoptions, complexities around when the process should be considered to have started make it difficult to capture nationally comparable data. The availability of data on processing times for local adoptions has not currently been explored. These data could provide useful information on the similarities or differences between types of adoption.

Prospective adoptive parents and children in need of adoption

For intercountry adoption, national data have been reportable since 2011-12 on the number of applicants who became official clients of a state or territory department responsible for adoption in a given year. While useful, because the data only reflect new applicants in a given year, these data cannot currently be used to determine the total pool of prospective adoptive parents who have become official clients and are still awaiting the allocation of a child. The availability of similar data for local adoptions and for carers who have also been authorised as potential adoptive parents has not currently been explored.

Similarly, there is currently no way of determining the current population of children in need of adoption.

Information on both populations would help to inform the national picture of adoption in Australia, by providing insights into the present level of unmet need.

Adoptions of children with special needs

Due to complexities in determining a consistent definition of 'special needs', data on the adoption of children with special needs are not currently available in Australia. These data would help to further describe the population of children in need of adoption, inform prospective adoptive parents, and provide an indication of the types of supports required before and after adoption.

'Special needs' for the purposes of adoption is not legally defined in Australia, and countries of origin classify cases of special needs differently. However, in addition to mental or physical disabilities, behavioural problems and/or emotional disorders, the term is also often applied (in the context of adoption) to a broad range of conditions deemed to pose potential barriers to the permanent placement of a child and/or affect the outcome of an adoption (HCCH 2005; Tan et al. 2007).

Older children, and children who are part of a sibling group that is to be placed with the same adoptive family, might be considered as having special needs due to the added difficulty in finding a suitable family (Tan et al. 2007). For example, for local adoptions, Australian Central Authorities might consider children aged over 4 as having special needs, as they are likely to have been placed with multiple carers and have had fewer opportunities to develop close relationships with anyone. Further, many of these children have had a history of deprivation, abandonment and trauma, which can leave them with developmental delays and emotional vulnerabilities, requiring long-term therapeutic and intensive parenting to promote secure attachments (HCCH 2005; Roberson 2006; Spark et al. 2008).

Adoption services and supports

Research suggests that access to adequate services and supports for both the adopted child and the adoptive family is essential for positive outcomes, especially for intercountry and special needs adoptions. Pre-adoption preparation and ongoing support programs have been identified as important factors that contribute to successful outcomes. Emotional support provided to adoptive parents by family and friends is also important for the success of an adoption (Spark et al. 2008).

In 2009, the Intercountry Adoption Harmonisation Working Group announced the completion of the Nationally Consistent Core Curriculum. This is a framework consisting of 9 compulsory education and training units that help prospective adoptive parents understand and develop realistic expectations about the adoption process (AGD 2012). Such initiatives help make pre-adoption services more widely available across Australia.

Previous studies have highlighted some post-adoption support services needed by adoptive parents. These are particularly important for adoptive families of children with special needs. These services include support or counselling services, respite care services, financial support, advocacy services, support for siblings, special education services, emergency assistance, and crisis intervention services (Reilly & Platz 2008).

The importance of post-adoption support services has also been acknowledged in other countries. A recent report from the United Kingdom House of Lords Select Committee on Adoption Legislation (2013) recommended the introduction of a statutory duty on local authorities and service providers to cooperate to provide post-adoption support.

Post-adoption support services provided by both government and non-government agencies are becoming increasingly available in all states and territories. The Australian and state and territory governments have agreed to work to improve the availability and accessibility of

these services under the Commonwealth–State Agreement for the Continued Operation of Australia’s Intercountry Adoption Program (Banks 2009).

To understand adoption in Australia, it is important to know how adoptees and adoptive families fare after an adoption is finalised. However, once an adoption is finalised it is difficult to identify an adoptee in administrative data, as they are legally no different from a child still living with their non-adoptive parent(s), and there is no requirement for adoptees to report their adoptive status. This makes gathering data on access to supports by adoptees and their adoptive families difficult. For the same reasons, the long-term outcomes of adoption (such as rates of disruption or levels of educational attainment) cannot be explored.

Addressing information gaps

The AIHW, with the support of the state and territory departments responsible for adoption and other national agencies, such as the Australian Government’s Attorney-General’s Department and Department of Social Services, is continually working to improve the quality and comparability of national data. Where possible, the AIHW also seeks to work with its partners to expand national collections to improve coverage and make the collections more responsive to the needs of stakeholders.

Glossary

adoption: the legal process by which a person legally becomes a child of the adoptive parent(s) and legally ceases to be a child of his/her existing parent(s).

adoption compliance certificate: a certificate defined by both the Family Law (Hague Convention on Intercountry Adoption) Regulations 1998 and the Family Law (Bilateral Arrangements – Intercountry Adoption) Regulations 1998. Essentially, this is a document issued by competent authorities in the overseas country where the child was adopted that affirms that the adoption is made either under the Hague Convention or the country's laws, and, in the case of a Hague adoption, that the relevant authorities have agreed to the adoption.

adoption order: a judicial or administrative order, made by a competent authority under adoption legislation, by which the adoptive parent(s) become the legal parent(s) of the child.

adoptive parent: a person who has become the parent of a child or adult as the result of an adoption order.

age of adopted child: for known child adoptions, this is the age when the adoption order for the child was granted. For local and intercountry adoptions, it is the age at which the child is placed with the adoptive family. Age is calculated from date of birth, in completed years.

applicant: a married couple, a de facto couple or a single person. The method by which the applicant becomes an official client will vary for each jurisdiction, and might be when the department first opens a file, when the applicant registers, or when the applicant is invited to attend an information session. For the purpose of this report, applicants who are already a client of the department, but are applying to adopt a subsequent child, or reapplying to adopt, are counted as applicants applying for the first time.

arranging body: an agency authorised under adoption legislation to decide on the placement of an adoptive child. Adoptions can be arranged by state and territory departments responsible for adoption, or by an authorised non-government agency. There are 2 categories of arranging bodies: **government arranging body** and **non-government arranging body** (see separate entries).

carer (known adoption): foster parent or other non-relative who has been caring for the child and has had the responsibility for making decisions about the daily care and control of the child for the relevant period (as specified by the relevant state/territory department) before the adoption.

Central Authority: an officially designated body responsible for ensuring the Hague Convention is upheld; all countries that are party to this Convention on intercountry adoption must have such a body. The Australian Central Authority is the Australian Government Attorney-General's Department. As Australia is a federation, a Central Authority has also been designated in each state and territory.

country of origin: the usual country of residence of the child being adopted. This is generally the country of birth of a child.

de facto relationship (adoptive parents): an arrangement where 2 adoptive parents, who are not legally married, live together in a de facto relationship as defined by the state or territory in which they live.

dispensation: a legal process by which a court may declare that the consent of a parent is not required for an adoption order to be granted. Grounds for dispensation applications are set under individual state and territory legislation.

disruption: an adoption process that ends after the child is placed in an adoptive home but before the adoption is legally finalised, resulting in the child's return to (or entry into) state care or placement with new adoptive parents.

dissolution: an adoption that ends after it is legally finalised, resulting in the child's return to (or entry into) state care or placement with new adoptive parents.

expatriate adoption: a specific type of adoption that occurs when an Australian citizen or permanent resident living abroad for 12 months or more adopts a child through an overseas agency or government authority. Australian adoption authorities are not responsible for expatriate adoptions, and do not assess or approve applicants for such adoptions.

finalised adoption: an adoption order that was completed during the reporting period. This includes orders that were made in Australia, and, in the case of some intercountry adoptions, where the full adoption order was made in the country of origin. The way in which an adoption is finalised depends on the process used in the country of origin and the procedures of the state or territory departments responsible for adoption in Australia.

full adoption order in child's country of origin: an adoption in the child's country of origin made by an order that creates, between the child and the adoptive parent(s), the relationships of parent and child, and that severs the relationship between the child and the parents.

government arranging body: a state or territory department (see Acknowledgments) or another government authority authorised under adoption legislation to decide on the placement of an adoptive child.

guardianship/custody order (parental responsibility order): an order that involves the transfer of legal guardianship from the child's parents to the relevant state or territory department or Minister, or non-government agency. Such an order involves considerable intervention in the child's life and that of their family, and is sought only as a last resort.

A guardianship order conveys responsibility for the welfare of the child to the guardian (for example, about the child's education, health, religion, accommodation and financial matters). It does not necessarily grant the right to the daily care and control of the child, or the right to decide on the daily care and control of the child, which are granted under custody orders.

A custody order generally refers to an order that places children in the custody of the state or territory Minister, or department responsible for child protection, or non-government agency. This order usually makes the child protection department responsible for the daily care and requirements of the child, while the parent retains legal guardianship. Custody alone does not necessarily bestow any responsibility for the long-term welfare of the child. This may vary with individual jurisdiction's guardianship and custody orders.

guardianship order in child's country of origin: an order made in the child's country of origin that creates a custodial relationship between the adoptive parent(s) and the child, but does not create the relationship of parent and child. In these cases, the parent-child link between the parent and the child is not severed. The child enters Australia under a guardianship order, and the full adoption order is made in Australia or the child's country of origin.

Hague adoption: an intercountry adoption where the adoptive child's country of origin has ratified or acceded to the Hague Convention, and the file of the applicant(s) was sent after the Hague Convention entered into force in this country (see Appendix C for a list of relevant countries).

Hague Convention (intercountry adoption): a convention – specifically, the Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption – that establishes uniform standards and procedures for adoptions between countries. The Hague Convention includes legally binding safeguards and a system of supervision, and establishes channels of communication between countries. It came into force in Australia on 1 December 1998.

An intercountry adoption is classified as a **Hague** or **non-Hague adoption** (see separate entries).

Indigenous person: a person of Aboriginal or Torres Strait Islander descent who identifies as an Aboriginal or Torres Strait Islander and is accepted as such by the community in which he or she lives. Where a person's Indigenous status is unknown, that person is included in the category 'Other Australian'.

intercountry adoption: an adoption of a child/children from countries other than Australia who may legally be placed for adoption, but who generally have had no previous contact with the adoptive parent(s). There are 2 categories of intercountry adoptions: **Hague adoption** and **Non-Hague adoption** (see separate entries). There are 2 arrangements for intercountry adoptions: **full adoption order in child's country of origin**, and **guardianship order in child's country of origin** (see separate entries).

known child adoption: an adoption of a child/children who were born or permanently residing in Australia before the adoption, who have a pre-existing relationship with the adoptive parent(s) and who are generally not able to be adopted by anyone other than the adoptive parent(s). These types of adoptions are broken down into the following categories, depending on the child's relationship to the adoptive parent(s): **step-parent**, **relative(s)**, **carer** and **other** (see separate entries).

local adoption: an adoption of a child/children born or permanently residing in Australia before the adoption who are legally able to be placed for adoption but who generally have had no previous contact or relationship with the adoptive parent(s).

marital status of adoptive parent(s): applicable status at the time the child is placed with the adoptive parent(s), using 1 of the following categories: **registered marriage**, **de facto relationship** and **single** (see separate entries).

marital status of birth mother – married: the classification of the birth mother if she was legally married (regardless of whether she is married to the birth father) at the time of the child's birth. In situations where the birth mother's legal marital partner died before the birth, the birth mother is still classified as married.

marital status of birth mother – unmarried: the classification of the birth mother if she was not legally married at the time of the child's birth (except in circumstances where the birth mother's legal marital partner died before the birth). This includes situations where the birth mother was living in a de facto relationship.

non-government arranging body: an agency approved to undertake adoption arrangements in Australia that is not owned or controlled by the Australian Government or by a state or

territory government. Such agencies might include church organisations, registered charities, non-profit organisations, companies and cooperative societies and associations.

non-Hague adoption: an adoption where the Hague Convention had not entered into force in the adoptive child's country of origin before the file of the applicant(s) was sent.

other (known adoption): an adoption for a child/children adopted by the commissioning (surrogate) parent(s), whether the commissioning parent(s) is/are a relative or not.

partner country: a country with which Australia has a current intercountry adoption program.

permanent care order: an order granting permanent guardianship and custody of a child to a third party. Unlike adoption orders, permanent care orders do not change the legal status of the child, and they expire when the child turns 18 or marries. An application may be made to revoke or amend a permanent care order.

The granting of a permanent care order is usually the final step in the process of permanent family placement for children who have been abused or neglected, or who are in need of care and protection for other reasons, and are unable to remain safely within the birth family.

placement: the act of placing a child/children with their adoptive family (that is, the child enters the home) during the reporting period, regardless of the status of their adoption order.

registered marriage (adoptive parents): the status of 2 adoptive parents who are legally married to each other and living together at the time the child is placed with them.

relative(s) (known adoption): any relative(s) of the child being adopted, as defined by the *Family Law Act 1975*, other than step-parents. For Indigenous children, a relative includes anyone related through kinship arrangements.

single (adoptive parents): the status of an adoptive parent who is not legally married or living in a de facto relationship; might include widowed parents.

special needs adoption: an adoption of a child or young person who:

- exhibits physical, intellectual or cognitive disabilities that require interventions in the domains of learning and development
- has conditions that are deemed to pose potential barriers to permanent placement and/or affect the outcome of an adoption, such as:
 - behavioural disorders
 - 1 or more diagnosed severe medical conditions
 - being part of a sibling group that is to be placed with the same adoptive family
 - being older.

step-parent (known adoption): a category of known adoption that includes a non-biological parent who is the spouse of the child's birth parent or previously adoptive parent. Foster parents are not included in this category.

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Related publications

This report, *Adoptions Australia 2014–15*, is part of an annual series. Earlier editions can be downloaded free from the AIHW website. The website also includes information on ordering printed copies <www.aihw.gov.au/adoptions-publications>.

Additionally, a snapshot of the main findings for the current year, and access to the new adoptions web portal that can be found at <www.aihw.gov.au/adoptions>.

The following AIHW publications about children, youth and families might also be of interest:

- AIHW 2014. Child protection Australia 2012–13. Child welfare series no. 58. Cat. no. CWS 49. Canberra: AIHW.
- AIHW 2013. Australia's welfare 2013. Australia's welfare no. 11. Cat. no. AUS 174. Canberra: AIHW.
- AIHW 2012. A picture of Australia's children 2012. Cat. no. PHE 167. Canberra: AIHW.
- AIHW 2011. Educational outcomes of children under guardianship or custody orders: a pilot study, stage 2. Child welfare series no. 49. Cat. no. CWS 37. Canberra: AIHW.
- AIHW 2011. Headline indicators for children's health, development and wellbeing 2011. Cat. no. PHE 144. Canberra: AIHW.
- AIHW 2011. National outcome measures for early childhood development: development of indicator based reporting framework. Cat. no. PHE 134. Canberra: AIHW.
- AIHW 2011. Young Australians: their health and wellbeing 2011. Cat. no. PHE 140. Canberra: AIHW.

Adoptions Australia 2014–15, the 25th report in the series, presents the latest data on adoptions of Australian children and children from overseas, and highlights important trends in the number of adoptions back to 1990–91. During 2014–15, 292 adoptions were finalised across Australia—72% were children from Australia and 28% were from overseas, with 27% of all adoptees coming from Asia. Adoption of Australian children by carers, such as foster parents, comprised 32% of all adoptions.