



**Australian Government**

**Australian Institute of  
Health and Welfare**

# Adoptions Australia 2013–14

CHILD WELFARE SERIES NO. 60





**Australian Government**

**Australian Institute of  
Health and Welfare**

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

CHILD WELFARE SERIES

Number 60

# **Adoptions Australia**

**2013–14**

Australian Institute of Health and Welfare  
Canberra

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**The Australian Institute of Health and Welfare is a major national agency which provides reliable, regular and relevant information and statistics on Australia's health and welfare. The Institute's mission is authoritative information and statistics to promote better health and wellbeing.**

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- Department of Family and Community Services, New South Wales
- Department of 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.

# Abbreviations

ABS	Australian Bureau of Statistics
AGD	Australian Government Attorney-General's Department
AIHW	Australian Institute of Health and Welfare
DCCSDS	Queensland Department of Communities, Child Safety and Disability Services
DECD	South Australian Department for Education and Child Development
DHHS	Tasmanian Department of Health and Human Services
DHS	Victorian Department of Human Services
F	female
M	male
OCYFS	Australian Capital Territory Office for Children, Youth and Family Support
P	persons

# Symbols

–	nil or rounded to zero
..	not applicable

# Summary

## **Adoption numbers remained low**

The 317 adoptions considered to have been finalised in 2013–14 are the lowest annual number on record—a fall of 9% from the 348 adoptions in 2012–13, and 76% from the 1,294 adoptions recorded 25 years earlier in 1989–90.

The long-term fall in numbers can, in part, be attributed to legislative changes, such as the increased use of alternative legal orders in Australia, and improvements in local adoption practices in countries of origin, as well as to broader social trends and changing social attitudes, which have made it easier for children to stay with their family or in their country of origin.

## **More than a quarter of all adoptions were carer adoptions**

Unlike other types of adoption that have declined over time, the 89 adoptions by known carers, such as foster parents, in 2013–14 was the highest number of this type of adoption in the previous decade—more than triple the 29 such adoptions in 2004–05, and a continued rise from the previous high of 81 in 2012–13. Carer adoptions represented more than a quarter (28%) of all finalised adoptions in 2013–14.

## **Intercountry processing times stabilised**

The median length of time to complete an intercountry adoption had been increasing each year since data were first reported for 2007–08, but in 2013–14 it remained stable at 5 years. This can be attributed to an increasing proportion of adoptees coming from countries of origin with shorter median processing times, such as Taiwan, and a decreasing proportion coming from countries with longer waiting periods, such as China and Thailand.

In 2013–14, placements from Taiwan had the shortest median processing time at just over 3 years (40 months), while placements from China had the longest processing time at almost 8 years (94 months).

## **Taiwan continued to be the main country of origin for overseas adoptions**

The number of finalised intercountry adoptions has declined for most countries of origin in recent years. However, the number from Taiwan has increased substantially—from 3 adoptions in 2003–04 to 41 in 2013–14. Revised data indicate that Taiwan has been the main country of origin for overseas adoptions since 2011–12. With 36% of all intercountry adoptions in 2013–14, Taiwan has overtaken the Philippines and China, which have shared this position since 2003–04.

## **Children in local adoptions tended to be younger**

Although the majority (72%) of children adopted from overseas were aged under 5, changes in intercountry programs and the population of children considered to be available for adoption has led to a decline in the proportion of infants aged under 12 months—from a peak of 47% of all intercountry adoptions finalised in 2005–06 to just 14% in 2013–14.

In contrast, all children who were the subject of a finalised adoption in 2013–14 were aged under 5, and almost half (48%) were infants under 12 months.



# 1 Introduction

## 1.1 Adoptions in Australia

Adoption is one of several options used to provide permanent care for children unable to live with their families. It is a legal process where rights and responsibilities are transferred from a child's parent(s) to their adoptive parent(s). When an adoption order is granted, the legal relationship between the child and their parent(s) is severed. 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 bearing 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.

In Australia, views within society about adoption and about child rearing have changed over the past few decades. Shifts in social attitudes, as well as legislative and socioeconomic changes have altered the population of Australian children for whom adoption is considered appropriate, generally reducing the size of this group.

Adoption was once regarded as a solution for illegitimate babies, the risk of impoverishment for single mothers, and the needs of infertile couples. A high degree of secrecy characterised past practices, based on the notion that, among other things, those involved needed to be protected from the social stigma of illegitimacy. However, over the past few decades, raising children outside registered marriage has become more accepted, and more support has been made available to lone parents. These changes have reduced the pressure on unmarried women to give up their children for adoption (Kenny et al. 2012).

The secrecy that surrounded past adoptions of Australian children has given way to a system predominantly focused on the needs of the child, characterised by the open exchange of information, with the openness of adoptive parents to discussing adoption-related issues with an adopted child 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).

For intercountry adoption, 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 also made it easier for children to remain either with their families or within their country of origin. This has reduced the number of children available for 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.

In recognition of the legacy of pain and suffering that Australia's past adoption practices caused, on 21 March 2013, the former Prime Minister Julia Gillard, apologised on behalf of the Australian Government to people affected by forced adoption or removal policies and practices.

## 1.2 Recent policy issues

### Known carer adoptions

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 Government assented to the *Child Protection Legislation Amendment Bill 2014*. The Bill contains changes to make the adoption process of 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) has reintroduced relative adoption as a legislative option to secure long-term permanent care for children, provided the Court has determined that adoption is preferable to other orders. This can occur when the relative or foster carer has had the care of the child for at least 2 years, and meets other eligibility requirements.

### Family law amendment

On 4 March 2014, amendments to the Family Law (Bilateral Arrangements – Intercountry Adoption) Regulations 1998 (Family Law Regulations) were commenced. Provided that certain criteria are met, these amendments allow for the automatic recognition, under Commonwealth, state and territory laws, of adoptions through Australia's intercountry adoption programs with South Korea and Taiwan. Adoptions finalised in Ethiopia before the program was closed on 28 June 2012 were also recognised.

The amendments have affected full adoption orders issued by a competent authority in Ethiopia, South Korea or Taiwan, which severed the existing and created a new child-parent legal relationship. Where these had not been finalised in Australia by 2013–14, for the purpose of the *Adoptions Australia* collection, the adoption was recognised in 2013–14 as being finalised on the date the original full adoption order was issued.

For adoptions from Ethiopia and Taiwan, this has meant that some adoptions were recognised during 2013–14 as being finalised before 1 July 2013. Accordingly, this report contains revised trend data that captures these adoptions. South Korea has only recently amended its adoption legislation to provide for full adoption orders for future adoptions of South Korean children by Australian families. As a result, children previously adopted from South Korea under a guardianship order issued by the South Korean court will continue to finalise their adoptions through the Australian court system. So there were no updates to data reported for South Korea in previous periods.

## 1.3 Data sources and processes

The *Adoptions Australia* collection is the authoritative source of national adoptions data for Australia. The data in this report were collected from each of the 8 state and territory departments responsible for adoption, and collated and analysed by the Australian Institute of Health and Welfare (AIHW). The data were extracted from the administrative systems of the state and territory departments according to definitions and technical specifications agreed to by the departments and the AIHW. Definitions of terms used in the data collection are presented in the Glossary of this report. The Australian Government Department of Immigration and Border Protection (formerly the Department of Immigration and Citizenship) also provided data on the number of adoption related visas issued during 2013–14.

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 a number of 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. The content of the remaining chapters is as follows:

- Chapter 2 provides an overview of the adoption process in Australia.
- Chapter 3 provides detailed data on categories of adoption in 2013–14.
- Chapter 4 provides comparable trend data for adoptions in Australia over periods up to 25 years.

More detailed statistical tables are provided at Appendix A, each state and territory's adoptions legislation is summarised at Appendix B, the countries party to the Hague Convention are listed at Appendix C, and a data quality statement is provided at Appendix D.

## 2 Adoptions in Australia

This report recognises that for some people, the use of the term 'birth mother' is problematic. For this reason the report endeavours to refer to the parents of children who were adopted as 'mother', 'father' or 'parent(s)'. Acknowledging sensitivities, 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.

Due to the limited involvement of Australian adoption authorities, data on intercountry known child adoptions are not readily available, so they are not considered in this publication.

### 2.2 Adoption legislation and processes

A child is legally able to 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). Eligibility requirements set by countries of origin for intercountry adoptions also vary (AGD 2014a).

## 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 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.

Australia has been a signatory to the Hague Convention since December 1998. The Hague Convention establishes:

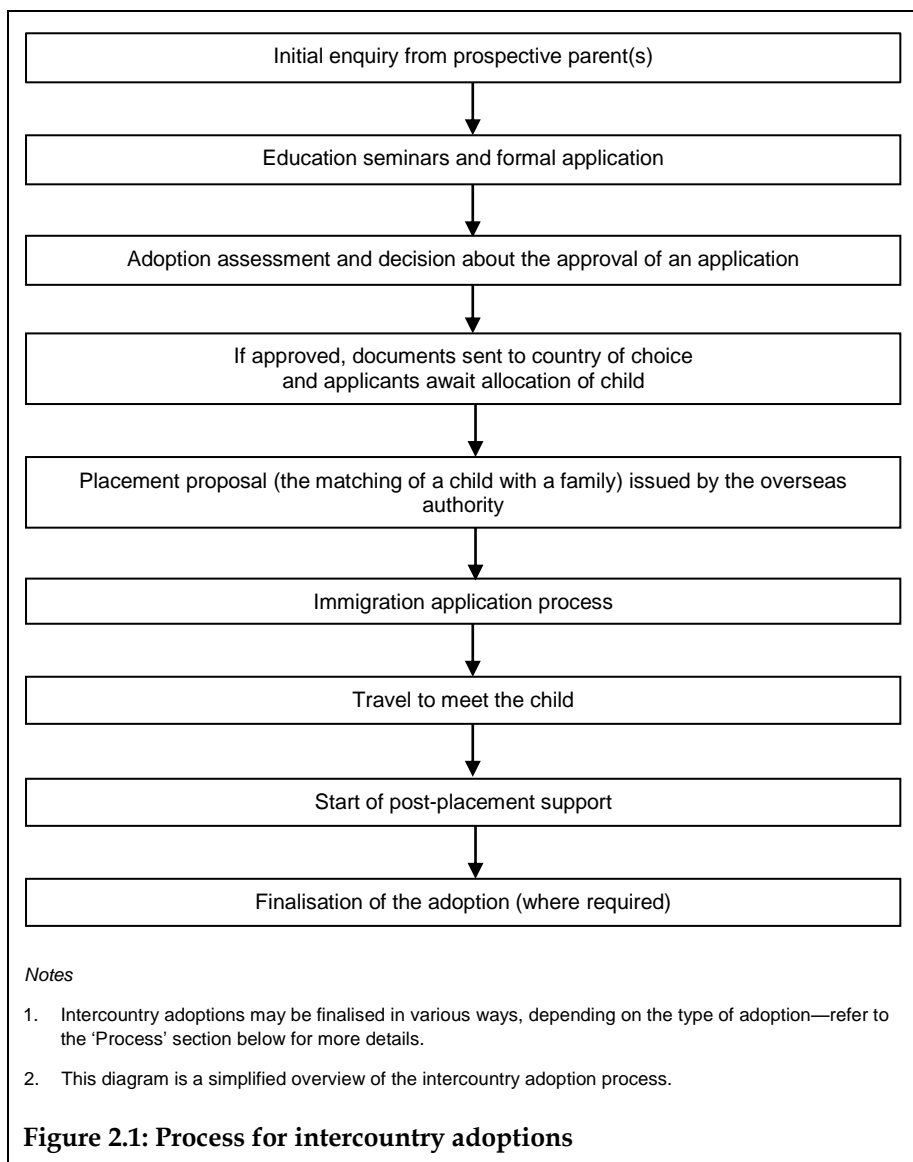
- uniform standards and procedures between countries, including legally binding standards and safeguards
- a system of supervision to ensure that these standards and procedures are observed
- channels of communication between authorities in countries of origin and countries of destination for children 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 its 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 to determine if they meet the standards for the Hague Convention. The state and territory governments process adoption applications, and assess and approve prospective adoptive parents.

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.



## Australia's intercountry adoption programs

As at late 2014, 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. A new intercountry adoption program was opened with South Africa in May 2014. Due to a decision either by the Attorney-General or the relevant overseas authority, programs with Bolivia, Fiji and India were on hold. For much of 2011–12, an Ethiopian program was also in operation. This was closed on 28 June 2012, affecting the number of finalised adoptions from Ethiopia (see Section 4.1).

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 2013–14). Investigations into possible new intercountry adoption partner countries are ongoing (AGD 2014a).

## **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 where there are 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 are entitled to make a formal application for adoption and be assessed to determine their 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-funded 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 (AGD 2014b) (see the 'Expatriate adoptions' section in Chapter 3).

## **Process**

Countries of origin have eligibility requirements for adoptive parents. These 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 AGD website (AGD 2014a).

Waiting periods between when a partner country receives an application and the allocation of a child are influenced by several factors that are outside the control of Australian authorities. These include the number and characteristics of children available for 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 allocated 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 various ways. 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. In addition, in March 2014, the Family Law Regulations were amended to automatically recognise full and final adoption orders issued in non-Hague countries with which Australia has a bilateral arrangement (that is, Taiwan, South Korea and Ethiopia). As noted above, the Ethiopian program is no longer in operation, but Ethiopia was included in the regulation amendments to help a small number of families finalise their child's adoption.

Alternatively, some children enter Australia under the care of a prospective adoptive parent intending to adopt once the period of post-placement supervision has passed. In this case,

the federal immigration Minister becomes legal guardian of the child when he or she arrives in Australia. This guardianship is usually delegated to the relevant state or territory minister or departmental officers. 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.

## **Local adoptions**

### **Legislation and responsibilities**

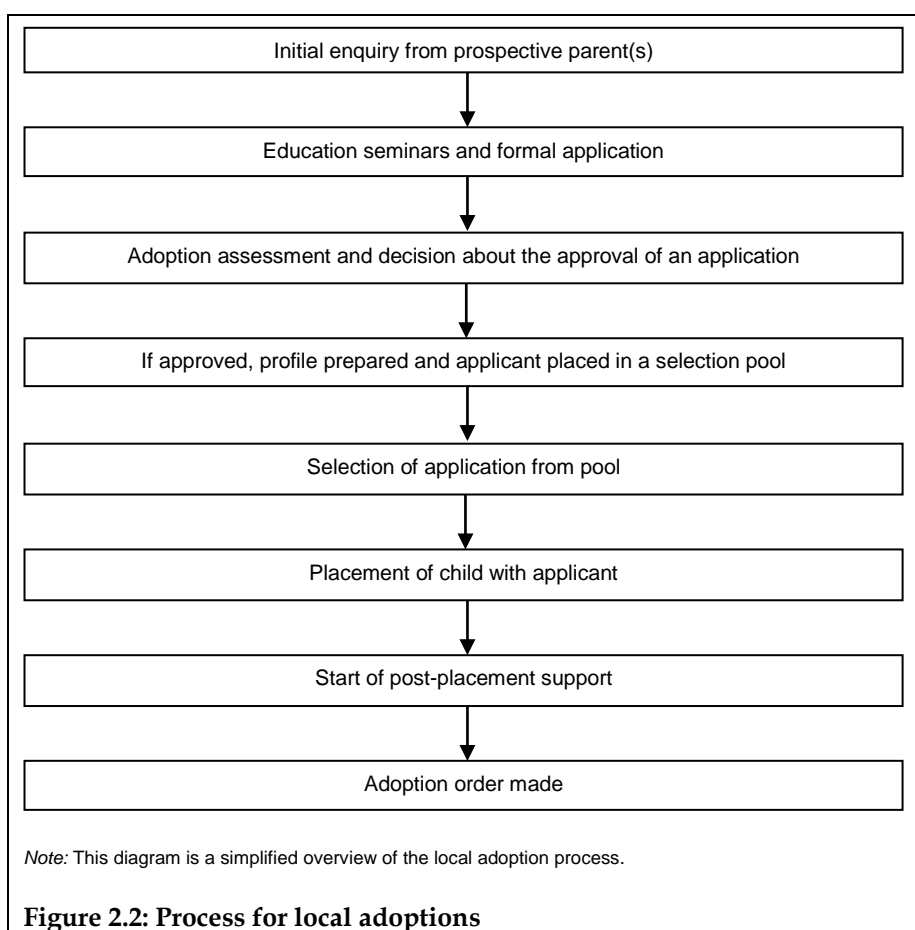
Each state and territory has its own legislation that governs local adoption practices – an outline of the legislation for each jurisdiction is provided at Appendix B. The relevant state or territory authority for adoption works to ensure that local adoption practices follow the regulations set out by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

For local adoptions, the guardianship of a child for whom general consents for adoption have been signed will, in most cases, reside with the state or territory department responsible for the adoption. For some approved non-government adoption agencies, the guardianship resides with the agency's principal officer. 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 provides an overview of the process involved in the placement of local children with prospective adoptive parent(s), although the precise order of the steps may 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.

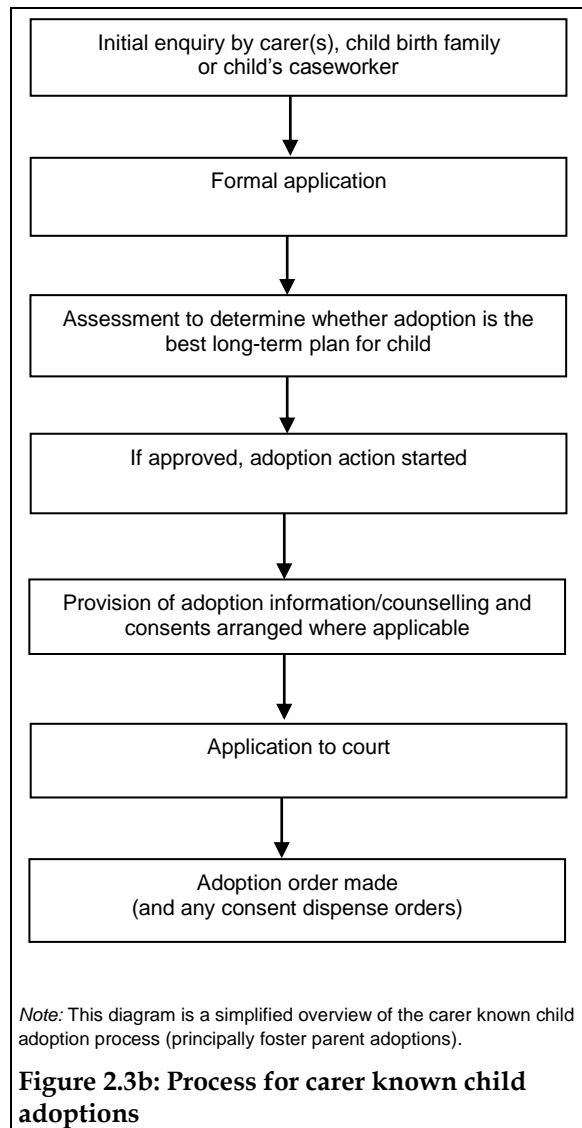
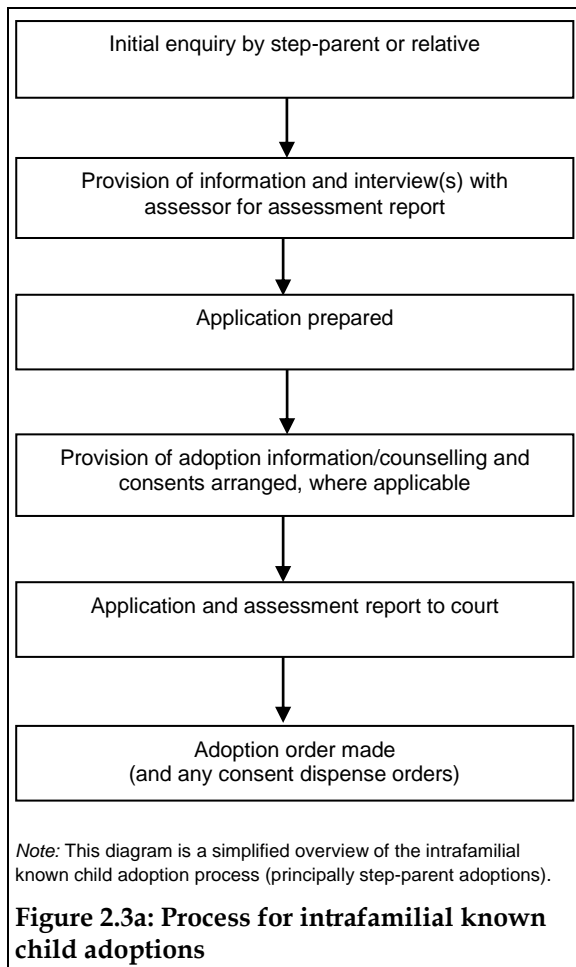
Adoption by relatives other than step-parents is less common. This is because most states and territories have policies that promote the use of parental responsibility orders rather than adoption when a child is to be permanently cared for by another relative – for example, permanent care and guardianship/custody 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, as noted in Section 1.2, this is changing in some jurisdictions, particularly for carer adoptions.

Known child adoptions by people who are not carers or relatives, such as by 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 by prospective parent(s). The most common types of known child adoptions are step-parent adoptions and carer adoptions. Figure 2.3a provides a broad outline of 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 provides a broad outline of the process for adoptions by carers, such as foster parents. In both cases, the precise order of the steps may vary slightly between jurisdictions. Further, some of the additional complexities associated with adoptions by known carers are not depicted.



### **3 Detailed analysis of adoptions in Australia in 2013–14**

This chapter provides an in-depth analysis of intercountry, local and known adoptions in Australia in 2013–14. 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.

#### **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). Common reasons for wanting to adopt include the desire to be a parent, humanitarian or altruistic motives, infertility, or ‘just wanted to adopt’ (Malm & Welti 2010; Welsh et al. 2008).

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

Many viewed intercountry adoption as the most attractive option. Reasons given for this included the belief that having birth parent(s) involved would add complications in local adoptions and fostering (Malm & Welti 2010; Welsh et al. 2008; Young 2012; Zhang & Lee 2011). Complex backgrounds were also viewed as social problems for foster children, but perceived as interesting challenges for children in intercountry adoptions (Young 2012; Zhang & Lee 2011). Further, many prospective Australian parents believed intercountry adoption had a more predictable outcome than local adoption, created permanent, life-long bonds (compared with impermanent bonds for fostering), and had more children available than through local adoption (Young 2012).

Those who chose local over intercountry adoption often believed they would more likely adopt a healthy child. Those who chose fostering over adoption often cited the lower cost or faster outcome as main reasons (Malm & Welti 2010).

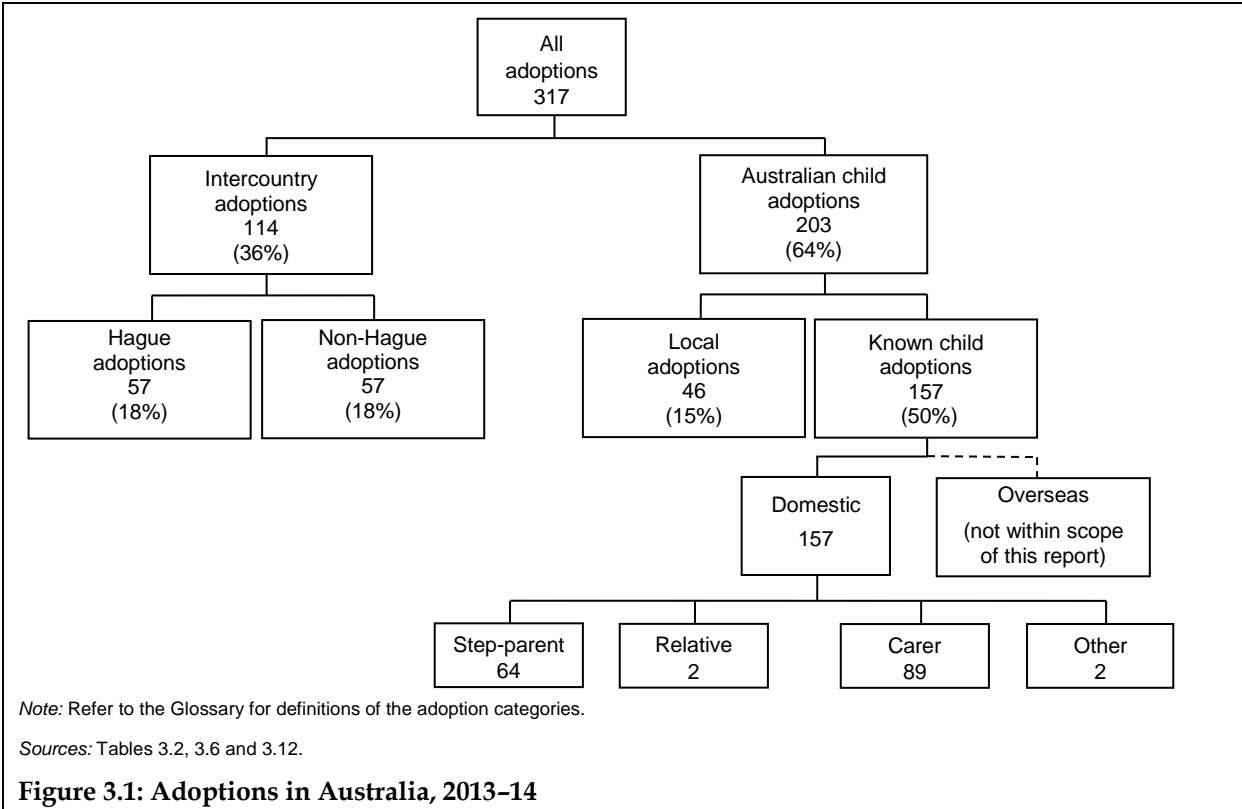
Many prospective adoptive parents had a strong desire for a younger baby, partly because they thought older children would have more health and behavioural issues, and often believed finding a younger child was more likely through intercountry adoption. Research in the United States also found that parents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

Interestingly, 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 protracted process, with an average wait time of about 5 years. Further, national data for Australia indicate a decreasing proportion of intercountry adoptees are infants under 12 months, and that local adoptees are often younger. These data are explored in greater detail in following sections.

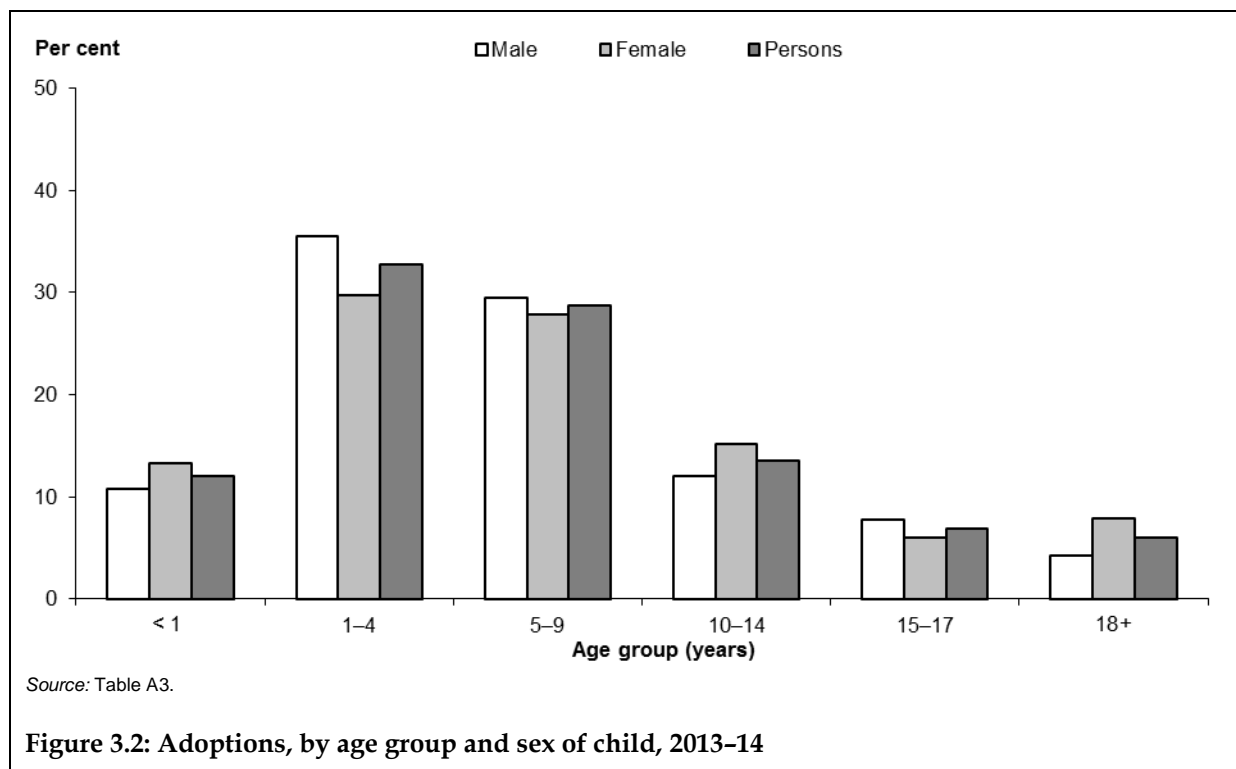
### 3.1 Adoptions in 2013–14

A total of 317 adoptions were considered to have been finalised in 2013–14. This represented a fall of 9% from the 348 adoptions in 2012–13, and the smallest number of children adopted since national records began in 1968–69 (Adoptions Australia data collection). Under the amendments to the Family Law Regulations, another 21 adoptions were recognised during 2013–14, but considered to have been finalised before 1 July 2013. These additional adoptions are reflected in updated trend data in Chapter 4 of this report.

Of the 317 adoptions, 114 (36%) were children adopted from overseas and 203 (64%) were children from Australia – 46 local adoptions and 157 known child adoptions (Figure 3.1).



The adoptees from the different types of adoption (intercountry, local and known) have differing age profiles. For example, adoptees from known child adoptions are generally older than intercountry and local adoptees. The reasons for these differences are explored in detail in subsequent sections. Although it is worth noting that, with known child adoptions making up a high portion of all finalised adoptions in 2013–14, and the tendency for known child adoptees to be older, less than half (142 or 45%) of all children who were the subject of a finalised adoption were aged under 5. Only 38 (12%) were infants aged under 12 months (Figure 3.2; Table A3).



In line with the overall fall nationally, the number of adoptions also fell in most states and territories, except for Victoria, where the number of adoptions rose slightly (from 45 to 48), and the Australian Capital Territory, where there was a more substantial increase (from 6 to 17) (Table A1).

For local and intercountry adoptions, children can be placed with their adoptive families before their adoption order is finalised (see Figure 2.1 and 2.2). There were 133 such placements during 2013-14 (Table A2). For some of these children their adoption order might not be finalised until after the 2013-14 period, so they would not be counted in the reported 317 finalised adoptions. In addition, some adoption orders finalised in 2013-14 might relate to children who were placed in previous years.

## 3.2 Intercountry adoptions

There were 114 intercountry adoptions finalised in 2013-14, representing 36% of all adoptions (Figure 3.1). This was a decrease of 24 adoptions, or 17%, from 2012-13. The decrease in intercountry adoptions was apparent in all jurisdictions, except the Australian Capital Territory, where the number rose from 4 to 10 (Table A9).

An additional 4 adoptions from Ethiopia and 17 adoptions from Taiwan were recognised during 2013-14 under the amendments to the Family Law Regulations, but were considered to have been finalised in previous reporting periods.

### Applicants for intercountry adoption

In 2013-14, 146 applicants became official clients of Australian adoption authorities (Table 3.1). An ‘applicant’ can be a married couple, a de facto couple or a single person; however, the method by which the applicant becomes an official client 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 (Appendix B.1). So the reported number of applicants is not the same as the number of initial enquiries from prospective parents received by departments, but reflects those that progressed to a certain point within the year.

National data on the number of applicants who become an official client in a given year has been reported since 2011–12. During this 3-year period, the number has decreased (from 203 to 146) (AIHW 2012; Table 3.1). However, until a longer time series is available, this downward trend should be interpreted with caution.

An adoption authority made a formal decision to approve 62 applicants as eligible and suitable to adopt a child. Not all of these approvals necessarily relate to applicants who became official clients during 2013–14 – some might have become official clients during a previous year. In addition, this number does not reflect the pool of approved applicants, but rather new additions during 2013–14 (see ‘Limitations in existing data’ in Appendix D).

Australian adoption authorities also sent 68 files overseas during 2013–14 to await the allocation of a child (Table 3.1).

**Table 3.1: Level of activity in intercountry adoption, by state and territory, 2013–14**

	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Australia
Number of applicants who became official clients <sup>(a)</sup>	20	11	59	27	14	7	4	4	146
Number of applicants who were approved as eligible and suitable for adoption <sup>(b)</sup>	16	5	12	14	3	5	2	5	62
Number of files sent overseas <sup>(c)</sup>	21	5	12	10	11	4	1	4	68

(a) Counts the applicants who became official clients of the adoptions section of the relevant state/territory department between 1 July 2013 and 30 June 2014.

(b) Counts the number of applicants whose application to adopt was approved by the department between 1 July 2013 and 30 June 2014. 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 2013 and 30 June 2014.

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 2011–12, been approved in 2012–13 and had their file sent overseas in 2013–14. These applicants would appear only in the last category.

Source: AIHW Adoptions Australia data collection.

## Country of origin

Of the finalised intercountry adoptions in 2013–14, 89% of children were from Asia, 5% were from South/Central America, and 3% from Africa (Table A8). This distribution is a result of the number of countries in each region with which Australia has an adoption program, and the characteristics of these programs. For example, the closure of the Ethiopian program on 28 June 2012 has directly affected the number of finalised adoptions from Africa.

The most common countries of origin were Taiwan (41 adoptions or 36%), the Philippines (18 or 16%) and South Korea (13 or 11%) (Table 3.2). While Ethiopia has previously been one of the most common countries of origin, in 2013–14, the number of finalised adoptions from Ethiopia continued to decrease (from 17 in 2013–14 to 3 in 2012–13 – an 82% decrease) (Table A10). This can be attributed to the program closure – the 3 adoptions finalised in 2013–14 were children placed before the 28 June 2012 closure.

Fluctuations were less pronounced for other countries of origin, though numbers generally decreased (Table A10). See 'Adoptions of overseas children' in Section 4.1 for a detailed discussion of trends in intercountry adoption.

**Table 3.2: Number of finalised intercountry adoptions, by type of adoption and child's country of origin, 2013–14**

Country of origin	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Australia
<b>Hague adoptions</b>									
China <sup>(a)</sup>	3	4	1	1	1	—	—	1	11
India	—	5	—	—	—	—	2	—	7
Philippines	3	3	3	2	1	3	2	1	18
Thailand	—	4	2	—	1	—	2	2	11
Other <sup>(b)</sup>	1	1	—	—	6	1	—	1	10
<i>Total Hague adoptions</i>	<i>7</i>	<i>17</i>	<i>6</i>	<i>3</i>	<i>9</i>	<i>4</i>	<i>6</i>	<i>5</i>	<i>57</i>
<b>Non-Hague adoptions</b>									
Ethiopia	1	—	—	—	—	—	2	—	3
South Korea	4	3	3	—	1	1	1	—	13
Taiwan	18	2	6	6	4	2	1	2	41
<i>Total non-Hague adoptions</i>	<i>23</i>	<i>5</i>	<i>9</i>	<i>6</i>	<i>5</i>	<i>3</i>	<i>4</i>	<i>2</i>	<i>57</i>
<b>Total intercountry adoptions</b>	<b>30</b>	<b>22</b>	<b>15</b>	<b>9</b>	<b>14</b>	<b>7</b>	<b>10</b>	<b>7</b>	<b>114</b>
<b>Proportion of intercountry adoptions (per cent)</b>	<b>26.3</b>	<b>19.3</b>	<b>13.2</b>	<b>7.9</b>	<b>12.3</b>	<b>6.1</b>	<b>8.8</b>	<b>6.1</b>	<b>100.0</b>

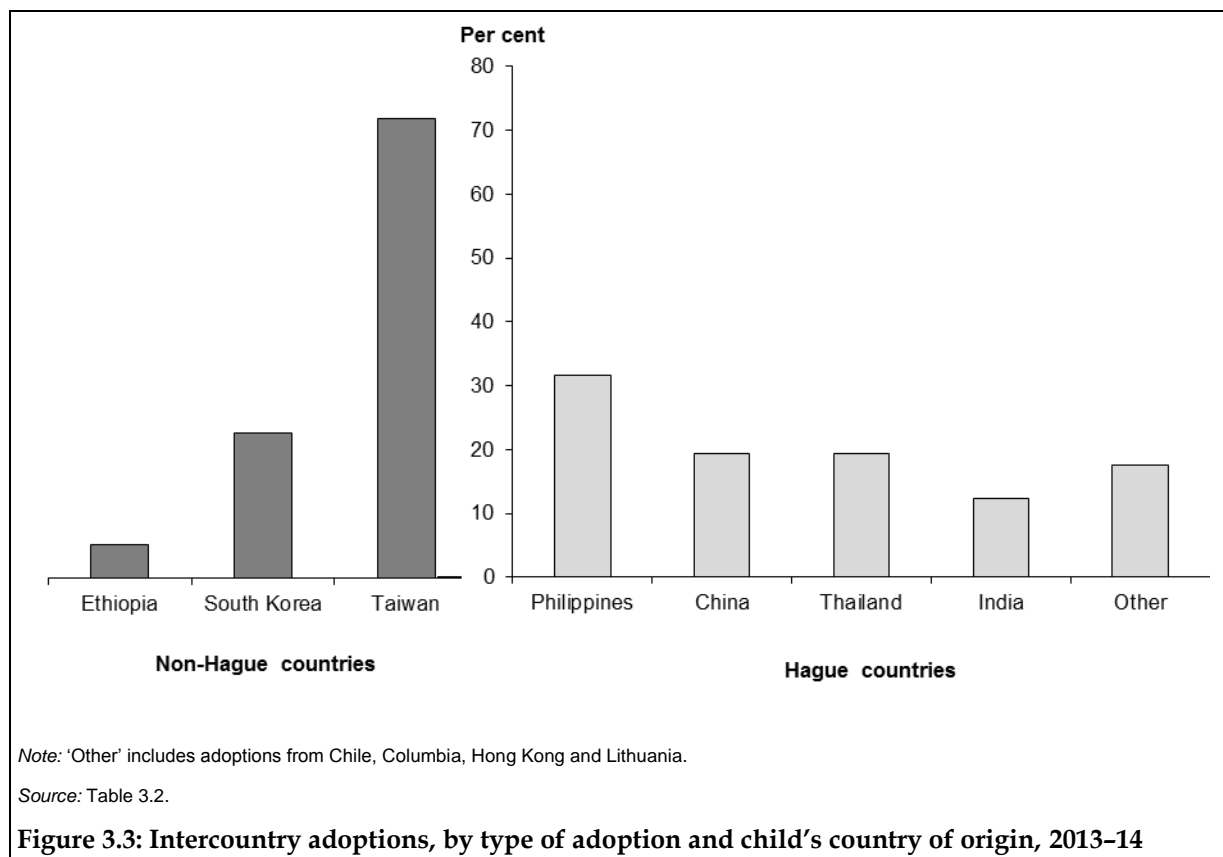
(a) Excludes Special Administrative Regions and Taiwan Province.

(b) 'Other' includes adoptions from Chile, Columbia, Hong Kong and Lithuania.

Source: AIHW Adoptions Australia data collection.

Of those intercountry adoptions finalised in 2013–14, half (50%) were from countries that are party to the Hague Convention (Table 3.2). This was slightly higher than the proportion from 2012–13 (44%) (Table A10). Adoptions from Taiwan represented almost three-quarters (72%) of non-Hague adoptions, while the highest proportion of Hague adoptions came from the Philippines (32%) (Figure 3.3).





### Processing times for children placed during 2013-14

The length of the adoption process in Australia provides insights into the level of efficiency in contemporary adoption practices, and is an important aspect of the lived experience of prospective parents seeking to form a family via adoption. 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 2013-14, 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 60 months (or 5 years). The median length of time ranged from 40 months (just over 3 years) for Taiwan to 94 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 2013-14, the combined median time for all countries of origin for this period was just over 2 years (27 months). However, there was considerable variation between countries. In Taiwan, this period was just under a year (11 months), while in China it was just over 7 years (85 months) (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
- how long it takes the overseas country to process the application (which is subject to changes in their policies and resources).

After a child is placed with their adoptive family, if a recognised full adoption order is not in place, there can still be a period while the adoption order is finalised by Australian authorities. As a result, some children placed for adoption during 2013–14 might not have had their adoption finalised within that financial year.

**Table 3.3: Median length of time for the intercountry adoptions process, by country of origin, for children placed in 2013–14<sup>(a)</sup> (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 <sup>(b)</sup>
Chile	11	19	14	3	47
China	9	3	85	2	94
Philippines	12	4	35	6	61
Taiwan	8	6	11	8	40
Thailand	11	6	61	3	76
Other <sup>(c)</sup>	10	6	26	11	59
<b>All countries</b>	<b>9</b>	<b>6</b>	<b>27</b>	<b>6</b>	<b>60</b>

(a) This table includes all children who were placed with their adoptive families during 2013–14. 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.

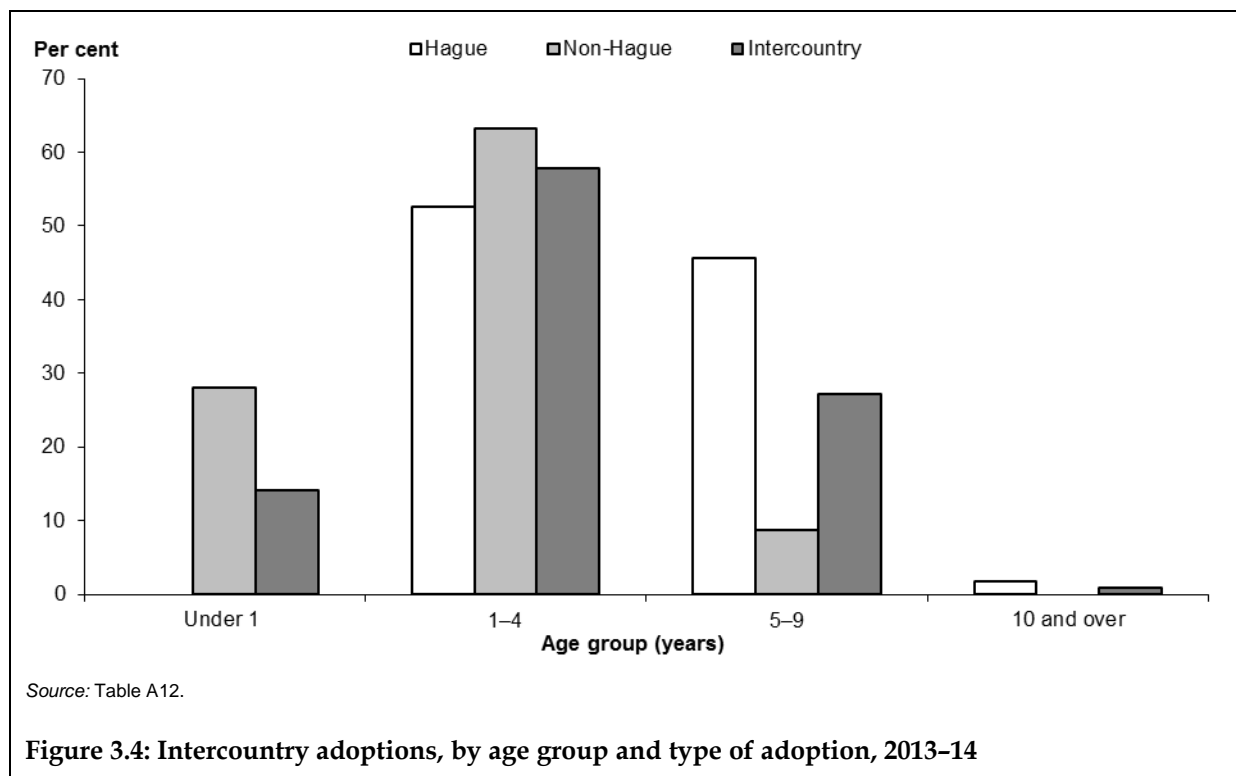
(c) 'Other' includes Columbia, Hong Kong, India, Lithuania and South Korea. All of these countries had less than 4 placements in 2013–14, making it unsuitable to report a median measure for these countries individually.

Source: AIHW Adoptions Australia data collection.

## Characteristics of adopted children

Overall, a greater proportion of the 114 intercountry adoptees in 2013–14 were male (58%), and almost three-quarters (72%) of children were aged under 5 – with comparable proportions for males and females (74% and 69%, respectively) (Table A3). While this is similar to previous years, changes to the population of children available for adoption have led to fewer infant adoptions, and to an increased proportion of adoptees being aged 5 and over (Table A11).

Only 16 of the 114 adoptees (14%) were infants aged under 12 months (Figure 3.4), with all of these from Taiwan (Table A12). A higher proportion of female adoptees were infants (19% compared with 11% of males) (Table A3). See 'Adoptions of overseas children' in Section 4.1 for a detailed discussion of trends in the age distribution of intercountry adoptees.



In 2013–14, the majority of intercountry adoptions finalised were for single children, but 18 children were adopted as part of 9 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, 6 sibling groups were adopted from Hague countries and 3 from non-Hague countries (Table A13).

### Administration of Hague adoptions

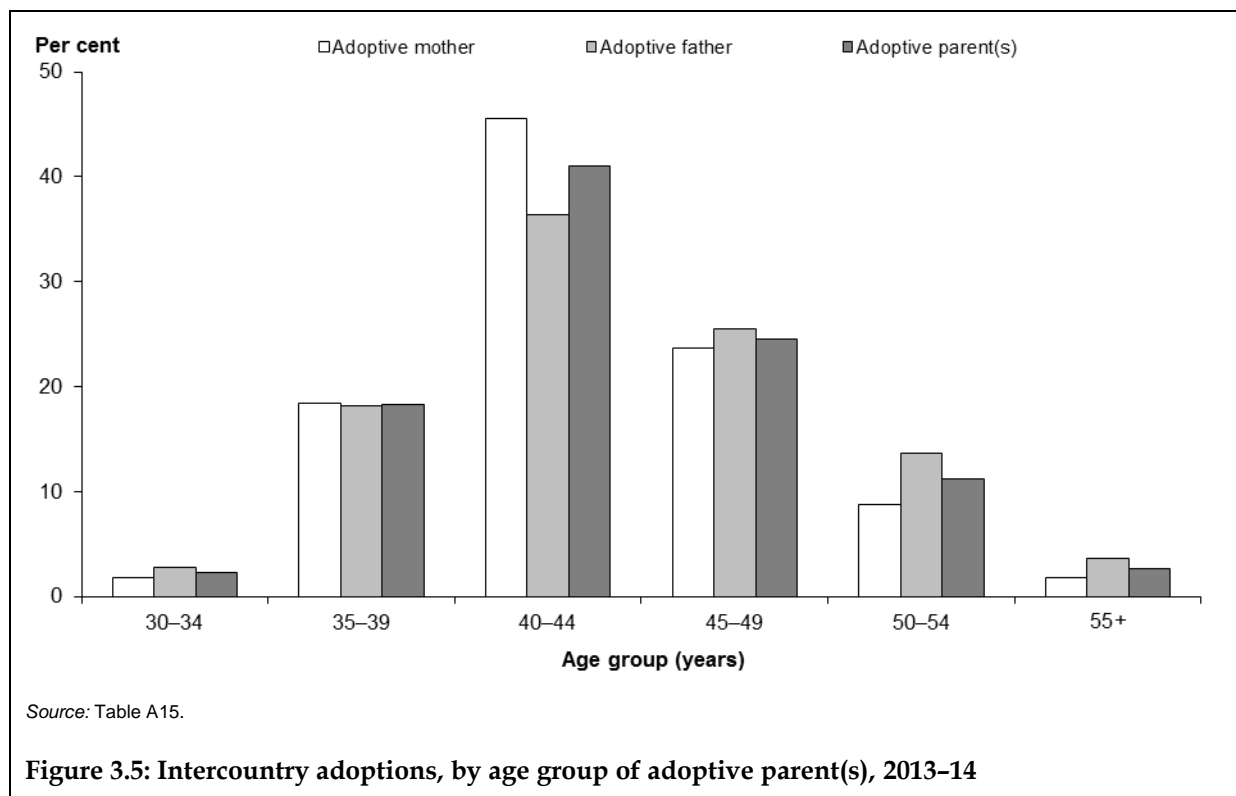
In 2013–14, more than half (56%) of the children who were the subject of a finalised Hague adoption entered Australia under guardianship orders, then had their adoption orders finalised in Australia. The remaining children entered Australia under full adoption orders made in their country of origin (Table A14).

Of the 32 children entering Australia under guardianship orders, the vast majority were from the Philippines and Thailand (56% and 34%, respectively) (Table A14).

### 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 between 30 and 50 (or 55 for applicants to their Special Needs Program) (AGD 2014a).

In 2013–14, all adoptive parents who were part of a finalised intercountry adoption were aged at least 30 and more than three-quarters (79%) 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. Increasingly fewer intercountry programs permit applications from single people, with many programs requiring prospective adoptive parents to have been in a registered marriage for a set period of time. For example, South Korea requires applicants to have been in a registered marriage for a minimum of 3 years. Further, only 1 of Australia's 14 country partners (South Africa) will allow same-sex couples to apply (AGD 2014a). These requirements not only contribute to the older age profile of adoptive parents, but directly influence the types of parental relationships seen in the data.

In 2013-14, nearly all intercountry adoptees (96%) became part of families where the parents were in a registered marriage (Table 3.4).

**Table 3.4: Finalised intercountry adoptions, by type of adoption and marital status of the adoptive parent(s), 2013-14**

Marital status of the adoptive parent(s)	Hague adoption		Non-Hague adoption		All intercountry adoptions	
	Number	Per cent	Number	Per cent	Number	Per cent
Registered married couple	55	96.5	55	96.5	110	96.5
De facto couple	—	—	—	—	—	—
Single person <sup>(a)</sup>	2	3.5	2	3.5	4	3.5
<b>Total</b>	<b>57</b>	<b>100.0</b>	<b>57</b>	<b>100.0</b>	<b>114</b>	<b>100.0</b>

(a) May include widowed parents.

Source: AIHW Adoptions Australia data collection.

In 2013–14, half (50%) of children who were the subject of a finalised intercountry adoption were adopted into families with no other children (excluding adoptions for New South Wales, for which data were not available), and more than one-quarter (29%) were adopted into families with other adopted children only (Table 3.5). 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 (AGD 2014a).

**Table 3.5: Finalised intercountry adoptions, by type of adoption and composition of the adoptive family, 2013–14<sup>(a)</sup>**

Composition of the adoptive family	Hague adoption		Non-Hague adoption		All intercountry adoptions	
	Number	Per cent	Number	Per cent	Number	Per cent
No other children	23	46.0	19	55.9	42	50.0
Biological children only	12	24.0	1	2.9	13	15.5
Adopted children only	12	24.0	12	35.3	24	28.6
Biological and adopted children	3	6.0	2	5.9	5	6.0
<b>Total</b>	<b>50</b>	<b>100.0</b>	<b>34</b>	<b>100.0</b>	<b>84</b>	<b>100.0</b>

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

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

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 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 2013–14, 112 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 A16). This was a 20% increase from 2012–13, when 93 visas were issued (AIHW 2013). In 2013–14, visas for this type of adoption were issued from 36 countries, compared with 32 in 2012–13.

A further 90 visas were issued for intercountry adoptions that were arranged by an Australian state or territory authority (Table A16). However, not all children who were issued with visas in 2013–14 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.

### 3.3 Local adoptions

In 2013–14, 46 local adoptions were finalised, representing 15% of all adoptions (Table 3.6; Figure 3.1). This was a decrease from 54 such adoptions in 2012–13 (Table A5). With a 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, 2013–14**

State/territory	Number	Per cent
New South Wales	9	19.6
Victoria	20	43.5
Queensland	9	19.6
Western Australia	4	8.7
South Australia	1	2.2
Tasmania	2	4.3
Australian Capital Territory	1	2.2
Northern Territory	—	—
<b>Australia</b>	<b>46</b>	<b>100.0</b>

*Note:* Percentages may not add to 100 because of rounding.

*Source:* AIHW Adoptions Australia data collection.

#### Characteristics of adopted children

Equal numbers of males and females had their local adoption finalised in 2013–14 (23 of each), and there were no substantive differences in age between the sexes (Table A3). A single sibling pair was adopted as part of the 46 local adoptions (Table A13).

As was the case in 2012–13, children in local adoptions were generally younger than those adopted from other countries. All local adoptees in 2013–14 were aged under 5, and almost half (48%) of them were aged under 12 months (Table A3). 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 for a detailed discussion of trends.

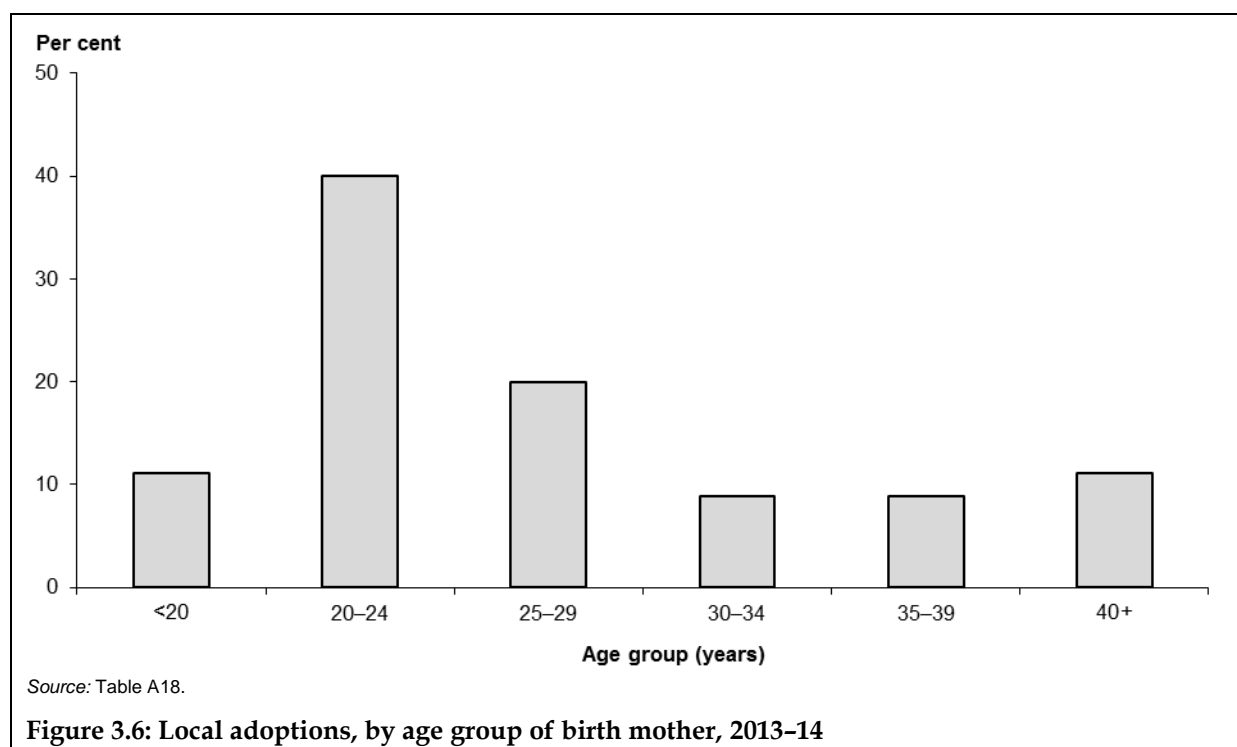
#### Characteristics of birth mothers

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 2013–14 was 24 at the time of the child’s birth, with ages ranging from 15 to 44. This median is almost 7 years younger than the median age of all Australian mothers giving birth in 2012 (ABS 2013; Table A17).

Just under three-quarters (70%) of children in local adoptions had birth mothers who were aged under 30 (51% were aged under 25) (Table A18; Figure 3.6), and almost all were not in a

registered marriage (93%) (Table A19). 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 2009).



## Characteristics of adoptive families

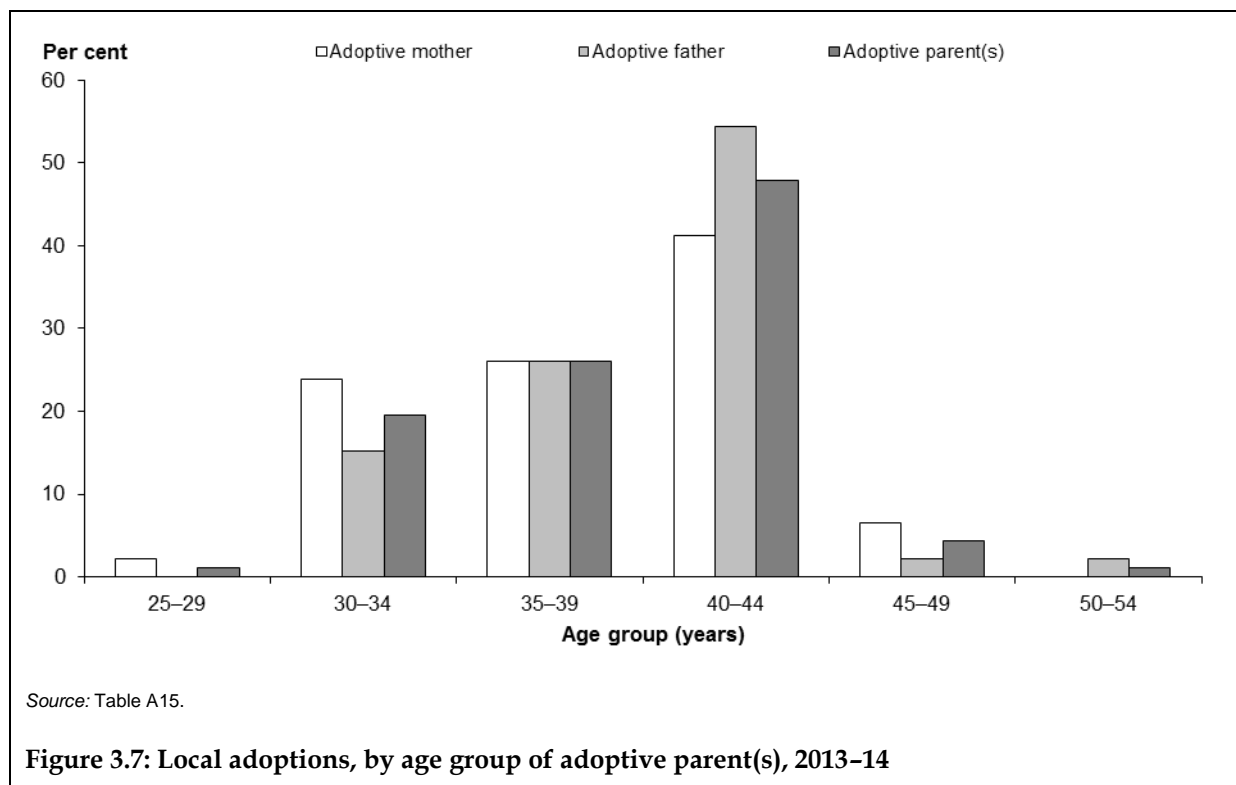
In contrast to birth parents, almost all (96%) of the adoptive parents involved in local adoptions in 2013-14 were in a registered marriage (Table 3.7). This was similar to adoptive parents involved in intercountry adoptions. Local adoptive parents were also generally older than the mothers of adoptees—nearly all (99%) local adoptive parents were aged 30 or over. However, they were slightly younger than those who had adopted a child through intercountry adoption—just over half were 40 or over (53%) compared with 79% of those involved in finalised intercountry adoptions (Table A15; Figure 3.7).

**Table 3.7: Local adoptions, by marital status of the adoptive parent(s), 2013-14**

Marital status of the adoptive parent(s)	Number	Per cent
Registered married couple	44	95.7
De facto couple	2	4.3
Single person <sup>(a)</sup>	—	—
<b>Total</b>	<b>46</b>	<b>100.0</b>

(a) May include widowed parents.

Source: AIHW Adoptions Australia data collection.



About three-fifths of local adoptees in 2013-14 were adopted into families with no other children (62%), and one-fifth (22%) into families with other adopted children only. A further 14% of the adoptive families had biological children only (excluding adoptions for New South Wales, for which data were not available for this table) (Table 3.8).

**Table 3.8: Local adoptions, by composition of the adoptive family, 2013-14<sup>(a)</sup>**

Composition of the adoptive family	Number	Per cent
No other children	23	62.2
Biological children only	5	13.5
Adopted children only	8	21.6
Biological and adopted children	—	—
Unknown	1	2.7
<b>Total</b>	<b>37</b>	<b>100.0</b>

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

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. However, specifications on the length of time couples need to 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 (ABS 2007).

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 a previous longstanding relationship with the child – with adoption deemed to be in the child’s best interests (which would be considered a known child adoption) – or 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) (Appendix B.1).

## Administration of local adoptions

For about three-quarters (76%) of local adoptions finalised in 2013–14, consent for the adoptions was given by the mother only – which may relate to the high proportion of mothers who were not in a registered marriage at the time of the birth. For the remaining quarter, both parents provided consent for the adoption (Table 3.9).

**Table 3.9: Local adoptions, by type of consent, 2013–14**

Type of consent given	Number	Per cent
From mother only <sup>(a)</sup>	35	76.1
From father only <sup>(b)</sup>	—	—
From both parents	11	23.9
Both parents’ consent dispensed/not required	—	—
<b>Total</b>	<b>46</b>	<b>100.0</b>

(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 (89%) of local adoptions finalised in 2013–14 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 above 80% (Table A20; Adoptions Australia data collection).

**Table 3.10: Local adoptions, by type of agreement, 2013–14**

Type of agreement	Number	Per cent
Contact and information exchange	32	69.6
Contact only	—	—
Information exchange only	9	19.6
No contact or information exchange	5	10.9
<b>Total</b>	<b>46</b>	<b>100.0</b>

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

Source: AIHW Adoptions Australia data collection.

As in 2012–13, about three-fifths (61%) of the local adoptions finalised in 2013–14 were arranged by a relevant state and territory government department. The remainder (39%) were arranged by a non-government organisation (Table A21).

### 3.4 Known child adoptions

In 2013–14, 157 known child adoptions were finalised (Table 3.11). While this was similar to the previous year (Table A6), the overall number of adoptions fell, so known child adoptions represented a larger proportion of all adoptions in 2013–14 (50% compared with 45% in 2012–13).

**Table 3.11: Known child adoptions, by state and territory, 2013–14**

State/territory	Number <sup>(a)</sup>	Per cent
New South Wales	102	65.0
Victoria	6	3.8
Queensland	10	6.4
Western Australia	27	17.2
South Australia	—	—
Tasmania	3	1.9
Australian Capital Territory	6	3.8
Northern Territory	3	1.9
<b>Australia</b>	<b>157</b>	<b>100.0</b>

(a) Number of adoptions includes children aged 18 and over (see Table A23).

Source: AIHW Adoptions Australia data collection.

The majority of known child adoptions finalised in 2013–14 were by a carer, such as a foster parent. Carer adoptions comprised 57% of known child adoptions, with the majority of these (84 of the 89) occurring in New South Wales. This is indicative of that state's policies, which increasingly promote adoption to achieve stability for children under the long-term care of state child protective services, when reunification is not considered appropriate.

Most (41%) of the remaining known adoptions finalised in 2013–14 were by step-parents. This reflects that options other than adoption are often preferred when relatives other than step-parents have long-term parental responsibility for a child, to avoid confusing biological relationships (Table 3.12; Table A22).

**Table 3.12: Known child adoptions, by relationship of adoptive parent(s), 2013–14**

Relationship of the adoptive parent(s)	Number <sup>(a)</sup>	Per cent
Carer	89	56.7
Step-parent	64	40.8
Relative <sup>(b)</sup>	2	1.3
Other	2	1.3
<b>Total</b>	<b>157</b>	<b>100.0</b>

(a) Number of adoptions includes 19 children aged 18 and over (see Table A23).

(b) Includes relatives other than step-parents.

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

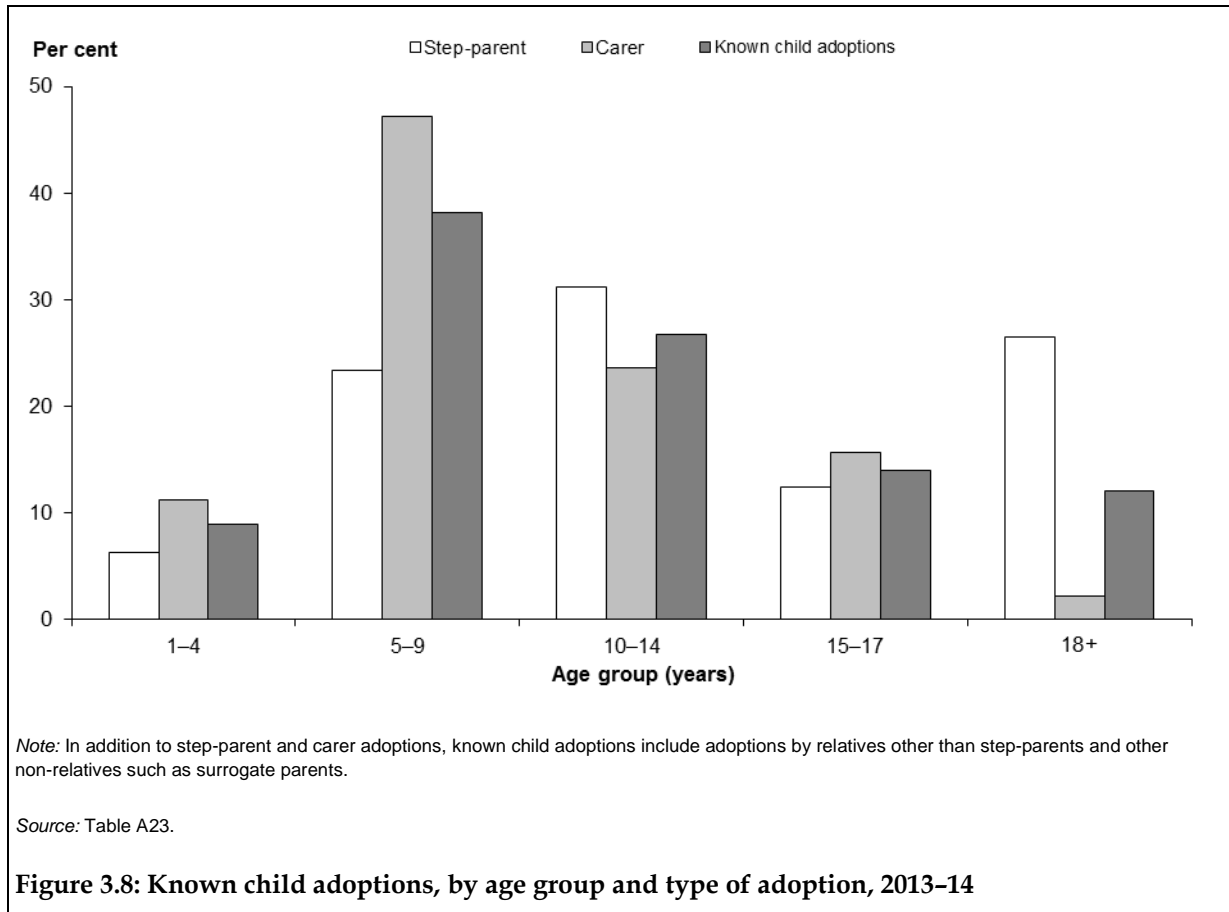
Source: AIHW Adoptions Australia data collection.

## Characteristics of adopted children

As was the case with local adoptions, a similar number of known child adoptees were male and female (77 and 80, respectively) and there was little variation in age between the sexes (Table A3).

However, Australian children from known child adoptions were generally much older than children in local or intercountry adoptions. More than half (53%) of the known child adoptees in 2013–14 were aged 10 and over, including 12% who were aged 18 and over. Only 9% were aged under 5 (Table A3; Figure 3.8). This may 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 (Appendix B section, B.1).

The older age of children in known child adoptions is also affected by the high proportion of adoptions by step-parents – 41% of known adoptions finalised in 2013–14 (Table A22). 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 adoptions finalised in 2013–14, almost three-quarters (70%) of the children in step-parent adoptions were aged 10 and over, compared with 41% of children in the other categories of known child adoption (Table A23; 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 one in which adoptions were seen as providing a service for adults, to one in which the wellbeing of children is paramount.

Currently, all states and territories have legislation that grants certain information rights to adopted persons 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 (Appendix B, sections B.2 and B.3).

#### 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 (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 2013–14 was consistent with the previous year. In 2013–14:

- 2,695 information applications were made – 86% of these for identifying information (Table 3.13)
- the majority of the information applications (both identifying and non-identifying) were made by the adopted person (69%), with 12% made by the birth parents, and 8% by other birth relatives (Table 3.13)
- most adopted persons seeking identifying information were aged 35 and over (86%) (Table 3.14)
- a similar proportion of male and female adopted persons lodged information applications (48% and 52%, respectively) (Table 3.14).

**Table 3.13: Number of information applications lodged, by person lodging application, 2013–14**

Person lodging the application	NSW <sup>(a)</sup>	Vic	Qld	WA <sup>(b)(c)</sup>	SA <sup>(d)</sup>	Tas	ACT	NT <sup>(b)</sup>	Australia	Total (%)
<b>Identifying information</b>										
Adopted person	576	467	286	133	175	54	22	12	1,725	74.2
Adoptive mother	—	—	—	4	3	—	—	—	7	0.3
Adoptive father	—	—	2	4	2	—	1	—	9	0.4
Birth mother	80	84	48	32	12	6	6	1	269	11.6
Birth father	5	6	10	4	6	1	1	—	33	1.4
Other birth relative(s)	2	—	41	30	18	8	—	1	100	4.3
Other adoptive relative(s)	15	—	..	18	11	—	—	—	44	1.9
Child of adopted person	22	47	3	37	17	7	—	1	134	5.8
Unknown	—	—	3	2	—	—	—	—	5	0.2
<b>Total</b>	<b>700</b>	<b>604</b>	<b>393</b>	<b>264</b>	<b>244</b>	<b>76</b>	<b>30</b>	<b>15</b>	<b>2,326</b>	<b>100.0</b>

*(continued)*

**Table 3.13 (continued): Number of information applications lodged, by person lodging application, 2013–14**

Person lodging the application	NSW <sup>(a)</sup>	Vic	Qld	WA <sup>(b)(c)</sup>	SA <sup>(d)</sup>	Tas	ACT	NT <sup>(b)</sup>	Australia	Total (%)
<b>Non-identifying information</b>										
Adopted person	..	—	3	123	9	—	—	—	135	36.6
Adoptive mother	..	2	1	18	—	..	—	—	21	5.7
Adoptive father	..	9	1	5	—	..	—	—	15	4.1
Birth mother	..	—	1	28	—	..	—	—	29	7.9
Birth father	..	—	—	4	—	..	—	—	4	1.1
Other birth relative(s)	..	85	..	25	3	..	—	—	113	30.6
Other adoptive relative(s)	..	—	..	17	—	..	—	—	17	4.6
Child of adopted person	..	—	..	31	—	..	—	—	31	8.4
Unknown	..	—	..	4	—	..	—	—	4	1.1
<b>Total</b>	..	<b>96</b>	<b>6</b>	<b>255</b>	<b>12</b>	<b>—</b>	<b>—</b>	<b>—</b>	<b>369</b>	<b>100.0</b>

- (a) In New South Wales, for adoption orders that occur after 1 January 2010, adopted persons, adoptive parents and birth parents are able to apply for identifying information about one another where an adopted person is over the age of 18. Where an adopted person is under the age of 18, he/she will need the consent of his/her adoptive parent/s or the consent of the Director-General of the New South Wales Department of Family and Community Services to apply for his/her identifying information. When a birth parent or a non-adopted sibling applies for identifying information where the adopted person is under the age of 18, the birth parent or a non-adopted sibling must produce a supply authority that has been issued after a risk assessment.
- (b) 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'.
- (c) In Western Australia, where an application is lodged by both adoptive/birth parents, it is counted under the mother.
- (d) In South Australia, adopted persons aged 18 or over can access information on their adoption, 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 adopted person turns 18. Adoptive parents can apply for certain information under certain circumstances. A descendant of an adopted person 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*

1. Percentages may not add to 100 because of rounding.
2. Data predominantly relate to applicants who are party to a local adoption. Very few applicants are party to an intercountry adoption.
3. 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 adopted persons who lodged information applications, by Indigenous status, age group and sex of applicant, 2013–14**

Age group (years)	Indigenous Australians			Other Australians <sup>(a)</sup>			Total <sup>(a)</sup>			% <sup>(b)</sup>
	Males	Females	Persons	Males	Females	Persons	Males	Females	Persons	
18–19	—	1	1	5	13	18	5	14	19	1.7
20–24	—	1	1	11	14	25	11	15	26	2.3
25–34	2	2	4	55	59	114	57	61	118	10.4
35–44	5	6	11	163	147	310	168	153	321	28.2
45+	11	14	25	297	334	631	308	348	656	57.5
<b>Total</b>	<b>18</b>	<b>24</b>	<b>42</b>	<b>546</b>	<b>581</b>	<b>1,127</b>	<b>564</b>	<b>605</b>	<b>1,169</b>	
<b>%</b>	<b>42.9</b>	<b>57.1</b>		<b>48.4</b>	<b>51.6</b>		<b>48.2</b>	<b>51.8</b>		<b>100.0</b>

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

(b) Percentages exclude 14 females and 15 males whose age was unknown.

*Notes*

1. Percentages may not add to 100 because of 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 (Appendix B.3).

The number of vetoes lodged or in place in 2013–14 was consistent with the previous year. In 2013–14, 131 contact and identifying information vetoes were lodged (Table 3.15) and 8,693 contact and identifying information vetoes were in place at 30 June 2014 (Table 3.16).

For both vetoes lodged in 2013–14 and vetoes in place at 30 June 2014, more than half were lodged by the adopted person (61% and 54%, respectively) (Table 3.15; Table 3.16). Birth mothers were the next highest proportion to lodge vetoes (32% and 25%, respectively) (Table 3.15; Table 3.16), with the number of birth mothers with vetoes in place at 30 June 2014 considerably lower than the previous year (2,155 compared with 3,404 on 30 June 2013) (AIHW 2013).

The number of vetoes lodged each year has fluctuated since 2001–02, ranging from 52 to 140 (Table A24). 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—2,695 compared with 131 (Table A24).

**Table 3.15: Number of vetoes lodged, by person lodging veto, 2013–14**

	Person lodging the veto							Total
	Adopted person	Adoptive mother	Adoptive father	Birth mother	Birth father	Other birth relative	Other adoptive relative	
<b>Contact vetoes lodged</b>								
Australia	12	—	—	6	—	—	—	18
Per cent	66.7	—	—	33.3	—	—	—	100.0
<b>Identifying information vetoes lodged</b>								
Australia	68	3	2	36	4	—	—	113
Per cent	60.2	2.7	1.8	31.9	3.5	—	—	100.0
<b>Total vetoes lodged</b>								
<b>Australia</b>	<b>80</b>	<b>3</b>	<b>2</b>	<b>42</b>	<b>4</b>	<b>—</b>	<b>—</b>	<b>131</b>
<b>Total (per cent)</b>	<b>61.1</b>	<b>2.3</b>	<b>1.5</b>	<b>32.1</b>	<b>3.1</b>	<b>—</b>	<b>—</b>	<b>100.0</b>

Source: AIHW Adoptions Australia data collection.



**Table 3.16: Number of vetoes in place as at 30 June 2014, by person lodging veto, for selected states and territories<sup>(a)</sup>**

Person lodging veto <sup>(a)</sup>	NSW <sup>(b)(c)</sup>	Vic <sup>(a)</sup>	Qld <sup>(b)(c)(d)</sup>	WA <sup>(e)</sup>	SA <sup>(b)</sup>	Tas <sup>(c)</sup>	ACT <sup>(f)</sup>	NT <sup>(b)</sup>	Total	Total (%)
<b>Contact vetoes</b>										
Adopted person	2,370	9	1,724	263	..	109	48	..	4,514	54.4
Adoptive mother	..	..	1,252	218	..	1	15	..	1,486	17.9
Adoptive father	..	..	11	176	..	3	14	..	204	2.5
Birth mother	1,805	..	..	158	..	26	22	..	2,011	24.2
Birth father	53	..	..	14	..	1	4	..	72	0.9
Other birth relative(s)	..	..	1	3	..	4	3	..	11	0.1
Other adoptive relative(s)	..	..	..	1	..	—	—	..	1	—
<b>Total<sup>(g)</sup></b>	<b>4,228</b>	<b>9</b>	<b>2,989</b>	<b>833</b>	<b>..</b>	<b>144</b>	<b>106</b>	<b>..</b>	<b>8,300</b>	<b>100.0</b>
<b>Identifying information vetoes</b>										
Adopted person	..	—	..	..	218	..	..	1	219	55.7
Adoptive mother	..	..	..	..	14	..	..	..	14	3.6
Adoptive father	..	..	..	..	7	..	..	..	7	1.8
Birth mother	..	..	..	..	143	..	..	1	144	36.6
Birth father	..	..	..	..	9	..	..	—	9	2.3
Other birth relative(s)	..	..	..	..	..	..	..	..	..	..
Other adoptive relative(s)	..	..	..	..	..	..	..	..	..	..
<b>Total</b>	<b>..</b>	<b>—</b>	<b>..</b>	<b>..</b>	<b>391</b>	<b>..</b>	<b>..</b>	<b>2</b>	<b>393</b>	<b>100.0</b>

- (a) Data for Victoria are included in the table for the first time. While birth parents have a right to identifying information about an adopted child who is now an adult, if the adopted person has specified their wishes for no contact with their birth parent in a current contact statement, the parent will not be given the identifying information until they have been informed of those wishes about contact.
- (b) In some jurisdictions, only certain people may lodge a veto. In New South Wales, only adopted persons 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 adopted persons, 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 adopted persons, 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 adopted person 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.
- (c) 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 Children's Court can prevent the release of information where there is an unacceptable risk that it would put the safety of another person at risk.
- (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 2013–14, 140 are contact statements specifying how contact is to occur—36 from birth mothers, 4 from birth fathers and 1 from adopted persons.
- (e) Amendments to the Western Australian Adoption Act in 2003 prohibit any new information or contact vetoes on any adoptions after 1 June 2003. However, adopted persons 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 became ineffective on 1 June 2005.
- (f) 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.
- (f) Total includes where the relationship of the person lodging the veto was unknown.

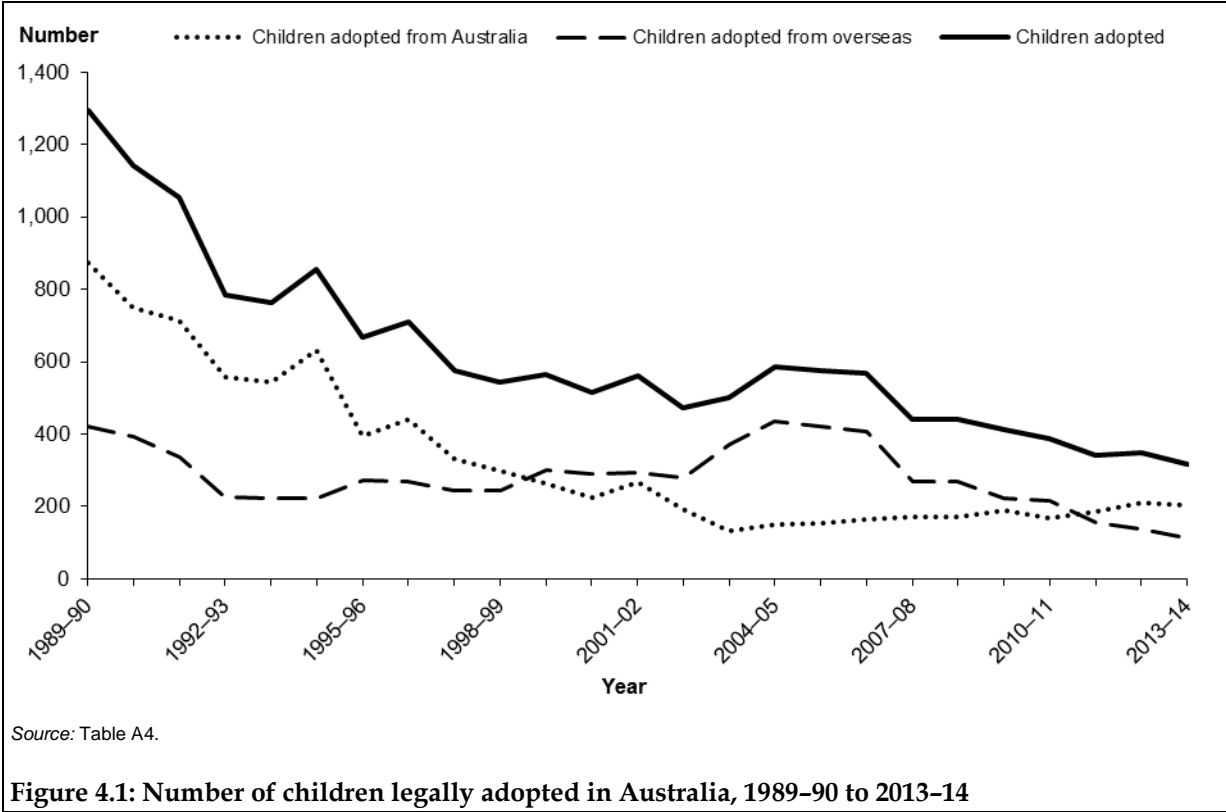
Note: Percentages may not add to 100 because of rounding.

Source: AIHW Adoptions Australia data collection.

# 4 Trends in adoptions in Australia

This chapter provides information on trends in adoptions in Australia, dating back to 1989-90. Due to the small size of the adoptions population, trend analysis over longer periods of time, such as those included in this chapter (for example, 10 and 25 years), can provide more robust and meaningful insights than analyses of change over shorter periods.

The number of annual adoptions in Australia has fallen substantially over the past 25 years. In 1989-90, 1,294 adoptions were finalised; by 2004-05, this had fallen to 585. In 2013-14, only 317 adoptions were finalised – a 76% decline since 1989-90, and a 46% decline over the past decade. The 2013-14 figure was lower than the revised 2012-13 figure of 348 adoptions, and the lowest annual number of finalised adoptions recorded since national data have been collated and reported (Table A4; Figure 4.1).



**Figure 4.1: Number of children legally adopted in Australia, 1989-90 to 2013-14**

As shown in Figure 4.1, the long-term fall in the number of adoptions is more noticeable in the number of Australian children (comprising local and known child adoptions) adopted each year than children from overseas. From 1989-90 to 2003-04, the number of annual adoptions of Australian children fell to its lowest point, from 874 to 132 – an 85% decline. While there has been a gradual increase in numbers since 2003-04, the 203 adoptions of Australian children in 2013-14 still represented a decline of 77% over the 25 year period.

In contrast, while the number of children adopted from overseas initially declined from 420 to 222 between 1989-90 and 1993-94, by 2004-05 the annual number had returned to 434. However, in each of the 9 years following 2004-05, numbers again declined, with the 114 children from overseas adopted in 2013-14 representing the lowest annual number over the 25 year period (a 73% decline since 1989-90) (Table A4; Figure 4.1). In 2013-14, more Australian children had their adoption order finalised than children from overseas

(excluding expatriate adoptions) (64% and 36%, respectively). This has been the case since 2011–12, which was the first time this occurred since 1998–99 (Table A4; Figure 4.1).

The fall in the number of adoptions of Australian children can be attributed to changes that have occurred over time. 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 (Appendix B.1).

However, as noted in Section 3.4, 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 2013–14, this contributed to the highest number of carer adoptions on record (89, or 57% of known child adoptions) (Table A22). Further, changing views within Australian society have reduced the number of children for whom adoption is 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 have contributed to a fall in the number of Australian children requiring adoption.

Factors contributing to the decline in intercountry adoptions include economic and social changes that allow children to remain with their birth family or be adopted in their country of origin. This results in fewer children being available for intercountry adoption, and has led to countries of origin employing strategies 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

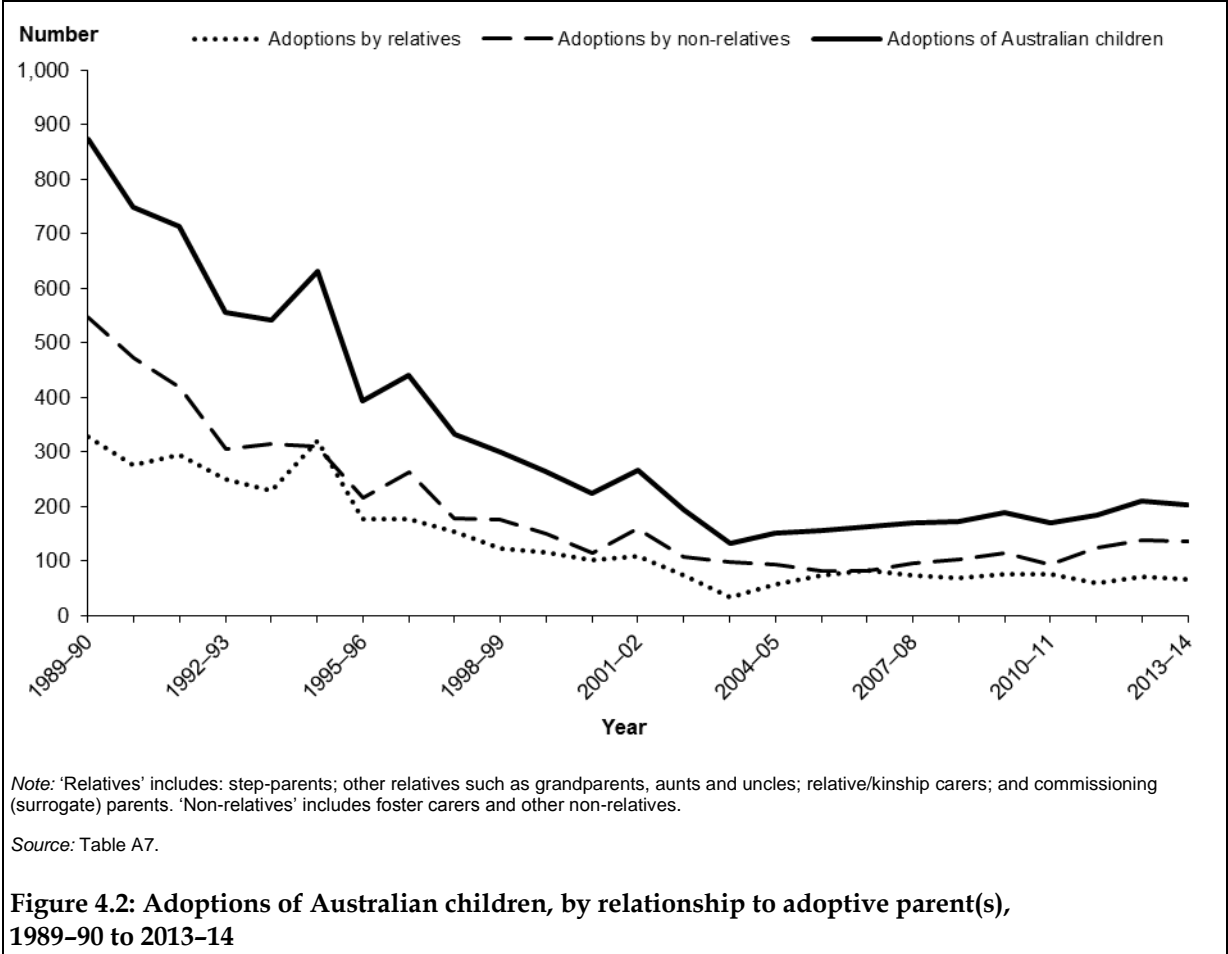
### Adoption of Australian children

Overall, the number of finalised annual adoptions of Australian children has fallen since 1989–90, from 874 to 203 in 2013–14—a 77% decline (Table A4) (note: New South Wales were unable to report on step-parent adoptions in 1989–90, 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 explore trends for adoptions by both relatives and non-relatives over a longer period.

While the numbers of Australian children adopted by relatives and non-relatives have decreased overall since 1989–90 (80% and 75%, respectively), there have been some fluctuations since the mid-1990s. For example, the number of finalised adoptions of Australian children fell from 440 in 1996–97 to 132 in 2003–04, but then rose annually to 190 in 2009–10 and reached 203 in 2013–14 (Table A7; Figure 4.2). The increase since 2003–04 was due to increases in New South Wales (from 49 to 111) and Western Australia (from 15 to 31). Numbers fell or remained relatively stable in the remaining states and territories during this time (Table A5; Table A6).

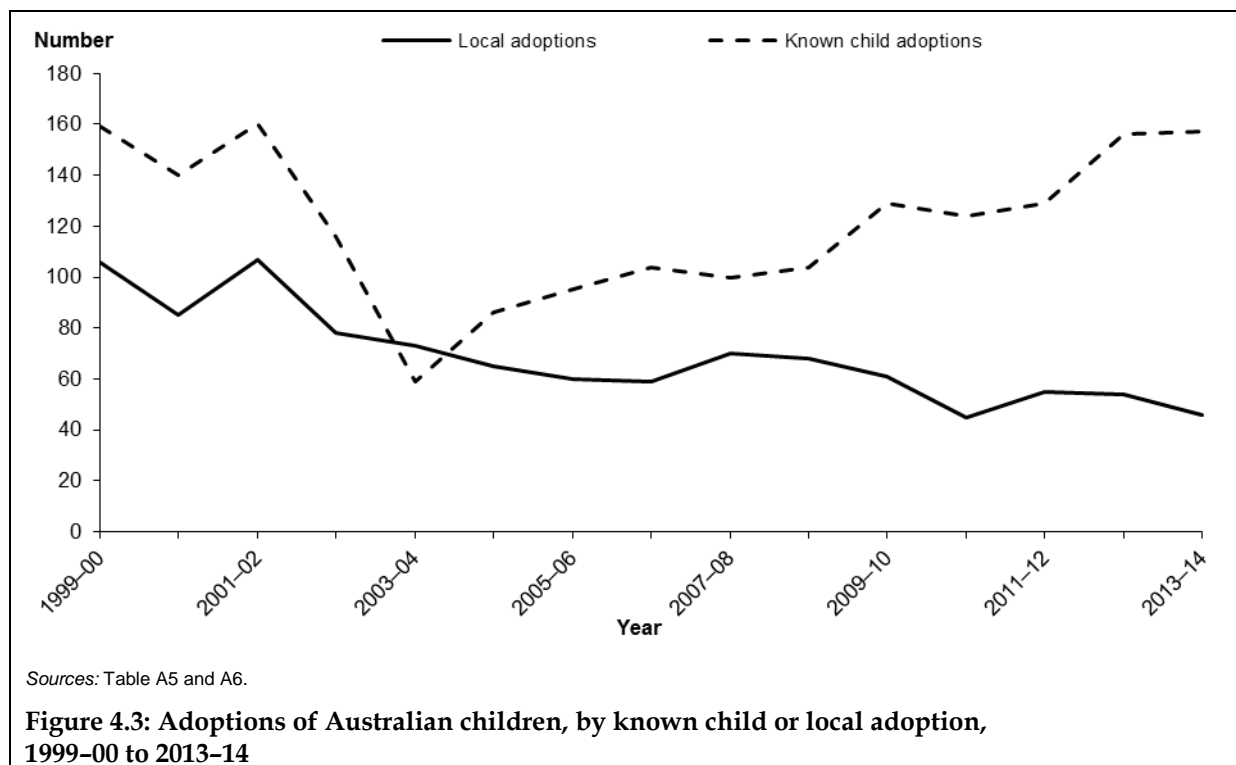
The number of adoptions by non-relatives (such as carers) increased by 46% since 2004–05 from 94 adoptions finalised to 137 in 2013–14. Accordingly, the number of known child

adoptions by carers, such as foster parents, also increased notably—from 29 in 2004–05 to 89 in 2013–14. At the same time, the overall number of adoptions fell, leading to a substantial rise in the proportion of adoptions by carers (from 5% of all adoptions in 2004–05 to 28% in 2013–14) (Table A1; Table A22). It is likely this is 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 84 in 2013–14 (Adoptions Australia data collection). In comparison, adoptions by relatives finalised during this time fluctuated between 57 and 82 (Table A7).



Non-relative adoption has generally remained the more common of the 2 forms of adoption since 1989–90 (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).

Since 1999–00, the number of finalised local and known adoptions of Australian children has fluctuated. Compared with 1999–00, the number of local adoptions has decreased—from 106 to 46 in 2013–14. The number of known child adoptions fell sharply between 2001–02 and 2003–04 from 160 to 59, but have since more than doubled to 157 in 2013–14 (Table A5; Table A6; Figure 4.3).



## 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. However, after this period, the number of intercountry adoptions steadily decreased to 114, or just over one-third (36%) of all finalised adoptions in 2013-14. This is similar to the proportions seen between 1989-90 and 1998-99, when a greater number of children were adopted from Australia than overseas (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). However, since 2004, numbers have fallen by 36% between 2004 and 2010. This trend was consistent across most countries, though, there were some exceptions – numbers increased in Canada and Italy to 2009 (and continued to increase to 2010 in Italy). While the United States had previously received about half of all international adoptions since the mid-1980s, from 2009, more children were adopted in European countries than in the United States (Selman 2012).

Since 2004-05, an average of 265 intercountry adoptions were finalised each year in Australia. At less than half this average, the 114 intercountry adoptions finalised in 2013-14 represented a continued annual decline and the lowest number of such adoptions during the 10-year period. This long-term decline occurred in all states and territories, although numbers in the Australian Capital Territory in the most recent year rose to be similar to what they were in 2004-05 (10 and 12, respectively) (Table A9).

The change in the number of intercountry adoptions can, at least in part, be attributed to variations in the intercountry programs operating each year, 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 will accept to help manage the large numbers of applications on their waiting lists. Others, such as Colombia, will only accept 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 (AGD 2014a).

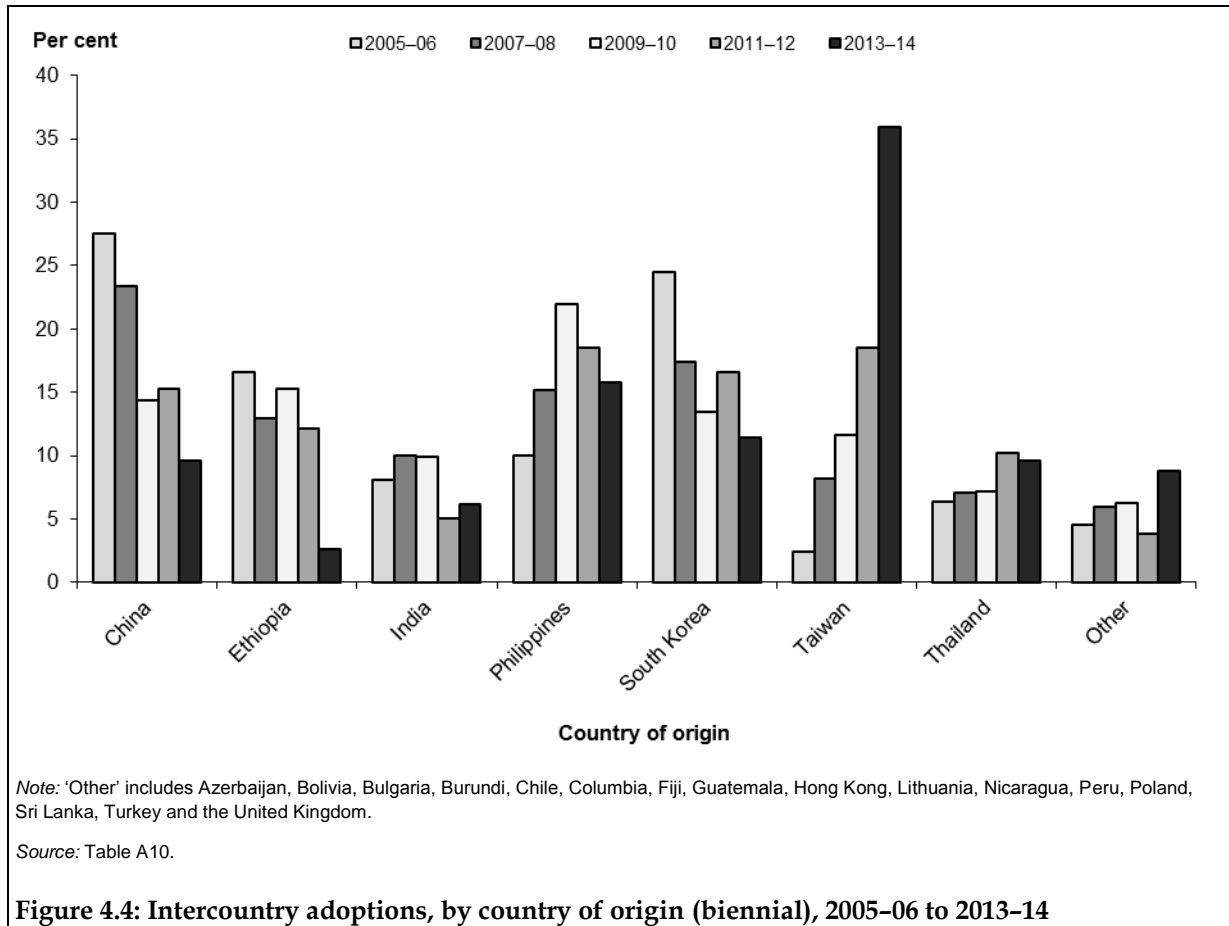
Caution should be used when interpreting the data for adoptions finalised from Ethiopia in recent years, since the program was closed on 28 June 2012. The program was closed in response to the specific circumstances of the Ethiopian adoption environment, as well as to the program's unique operational 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.

The AGD website provides additional information on changes to intercountry programs (AGD 2014a).

### **Countries 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 changed over time. For example, between 2004–05 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, in 2012–13 and 2013–14, it was Taiwan (Table A10).

Since 2004–05, the proportion of adoptions from China and South Korea has generally declined. In contrast, the proportions from the Philippines and Taiwan have increased, and the proportions from other countries, such as Ethiopia, India and Thailand, have fluctuated (Table A10; Figure 4.4). Factors such as the 2010 hold on sending new adoption applications to India, and the suspension of the Ethiopia program between 2009 and early 2010 (and its closure in 2012) have contributed to these fluctuations. However, caution should be used in interpreting these data, given that, until the recent changes to the Family Law Regulations, adoptions from Ethiopia were finalised in Australia. This might mean the adoption is not finalised until several years after the child arrives in Australia. This was also previously the case for adoptions from India.

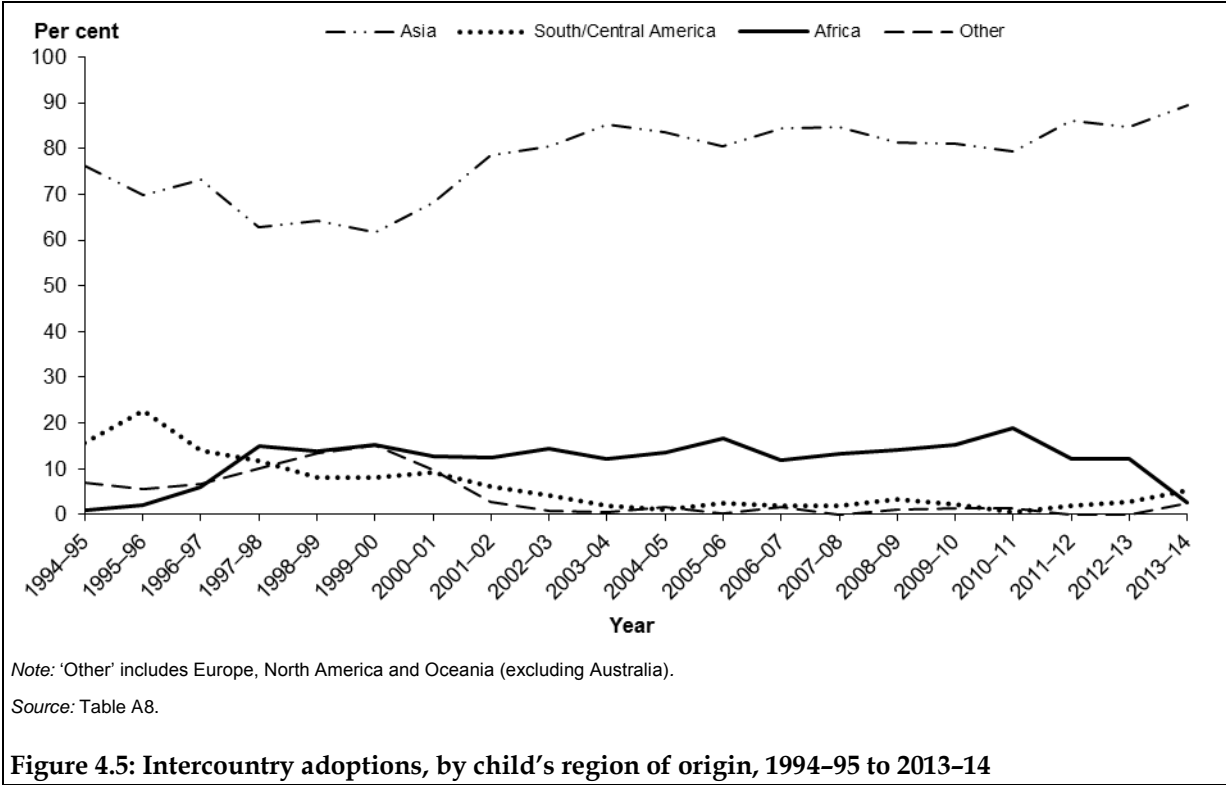


Consistent with trends internationally, the majority of intercountry adoptions in Australia have consistently been from Asia. For other regions, in the Australian context, the proportion of children adopted from Africa and South/Central America have changed considerably (Figure 4.5).

With the number of finalised adoptions from Ethiopia falling to a 15-year low in 2013-14, after the program closed (Table A10), children from Africa made up just 3% of all intercountry adoptions finalised in 2013-14. While this was still higher than in 1994-95, when the region contributed less than 1% of intercountry adoptions, it was considerably lower than 2010-11 when 19% of finalised adoptions came from Africa (Table A8; Figure 4.5). This can be directly attributed to the changes in the number of adoptions from Ethiopia during this time – from less than 5 adoptions per year before 1995-96, to a peak of 70 in 2005-06, before returning to less than 5 adoptions in 2013-14 (AIHW 2004; Table A10). With the opening of the South Africa–Australia program in May 2014, the proportion of adoptions coming from the African region will likely increase in future years.

The proportion of children adopted from South/Central American countries has declined since the mid-1990s – from 23% of all intercountry adoptions in 1995-96 to 5% in 2013-14 (Table A8; Figure 4.6). This is largely due to a decrease in children adopted from Colombia between 1995-96 and 2013-14, from 15% of all intercountry adoptions to less than 2%. This reflects efforts by Colombia to give local adoption a higher priority since becoming a signatory to the Hague Convention in 1998 (AIHW 2004; AIHW Adoptions Australia data collection).

Adoptions from Romania were responsible for the increase in adoptions from 'Other' countries between 1998-99 and 2000-01. However, 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, 1994-95 to 2013-14**

**Processing times**

Australian Central Authorities have generally maintained the time taken to complete the aspects of the intercountry adoption process for which they are responsible. Despite this, the median length of time from an applicant in Australia being approved to the child being placed has generally increased – from 37 months (or just over 3 years) in 2007-08 to 60 months (or 5 years) in 2013-14 (Table 4.1).

The increase can be largely attributed to countries of origin taking longer to allocate children after receiving files from Australia. The median length of time for this part of the adoption process increased by 42% from 2007-08 to 2013-14 (from 19 to 27 months).

Unlike in previous years, however, between 2012-13 and 2013-14 the median length of time for the full process remained stable at 5 years (61 months and 60 months, respectively), and the time taken by countries of origin to allocate children after receiving files from Australia actually decreased from 37 months to 27 months. This can be attributed to changes in the number of adoptions coming from certain countries of origin. For example, between 2012-13 and 2013-14 the number of placements from China and Thailand – which generally have the longest wait times – decreased, while the number of placements from Taiwan – which has the shortest wait time – increased (AIHW Adoptions Australia data collection).



**Table 4.1: Median length of time for the intercountry adoptions process, for children placed between 2007–08 and 2013–14<sup>(a)</sup> (months)**

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 process <sup>(b)</sup>
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

(a) This table includes all children who were placed with their adoptive families from 2008–09 to 2013–14, by the length of time each process took before the child was placed.

(b) Total 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 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.

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

For example, while some healthy younger children and infants are in need of families, Australia's partner countries generally have more applications from prospective adoptive parents willing to parent these children than there are children available for adoption. In contrast, a growing proportion of children available for 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, with relatively few prospective adoptive parents being willing and able to provide suitable care for these children.

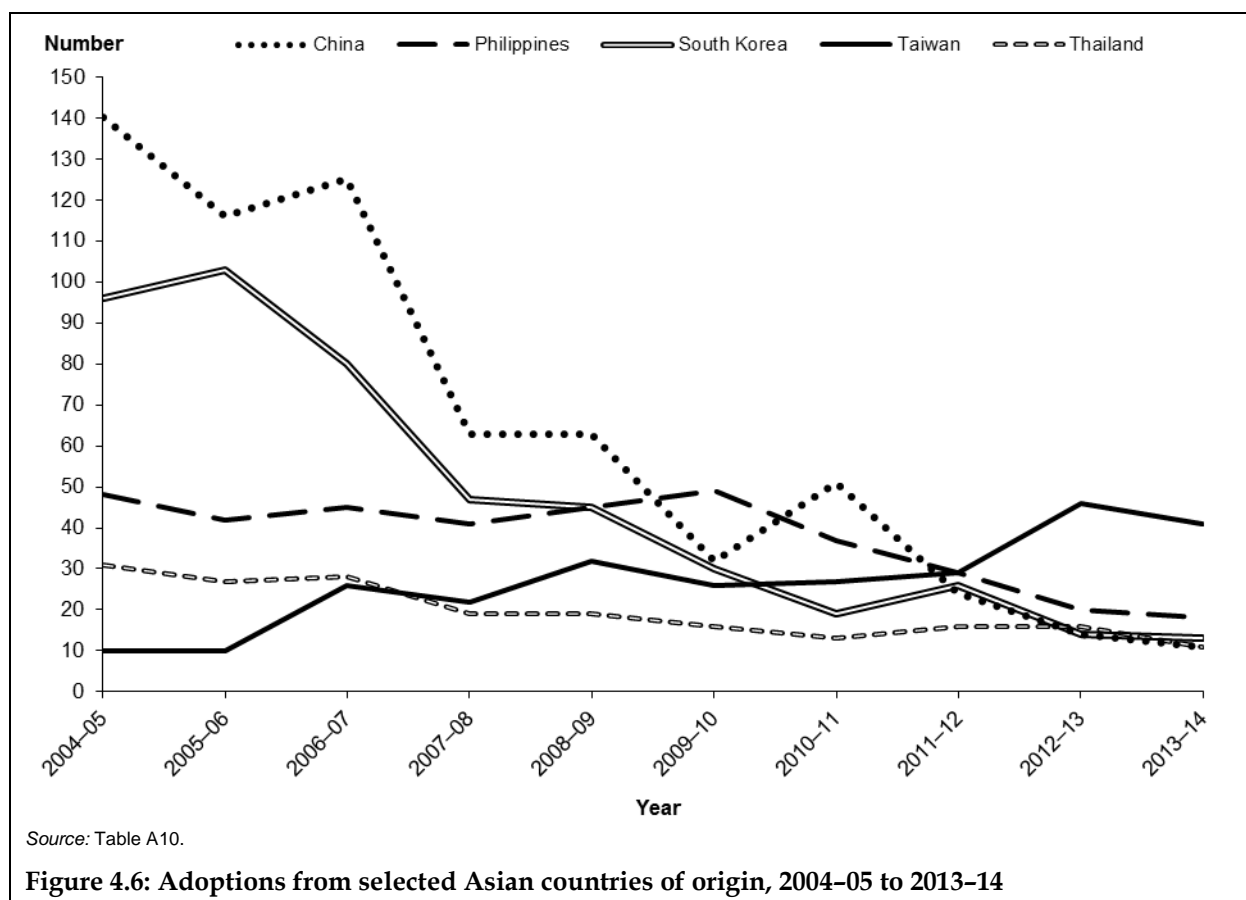
Several of Australia's partner countries have changed their intercountry adoption programs to try to meet this challenge. Some countries (such as, China, Chile, India and the Philippines) have established separate programs specifically for special needs adoptions – including adoptions of older children and sibling groups – and may accept more applications for children in these programs than in their general programs. Countries have also adapted their eligibility criteria. For example, in 2011, China began re-accepting female heterosexual single applicants, with the restriction that they can apply to adopt only children with special needs. Similarly, in a number of 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, Colombia, Hong Kong, Lithuania and India) (AGD 2014a).

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 dominant desire of applicants for healthy infants may 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. However, 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 the 2004–05 peak of 140 finalised adoptions, numbers have fallen to 11 in 2013–14. During the same period, the number of adoptions from South Korea fell from 96 to 13 (Table A10; Figure 4.6).



**Figure 4.6: Adoptions from selected Asian countries of origin, 2004-05 to 2013-14**

Revised data indicate that Taiwan was the leading country of origin in 2011–12, 2012–13 and 2013–14 (although it shared this position with the Philippines in 2011–12). The number of adoptions from Taiwan rose from 10 in 2004–05 to 41 in 2013–14 (Table A10; Figure 4.6).

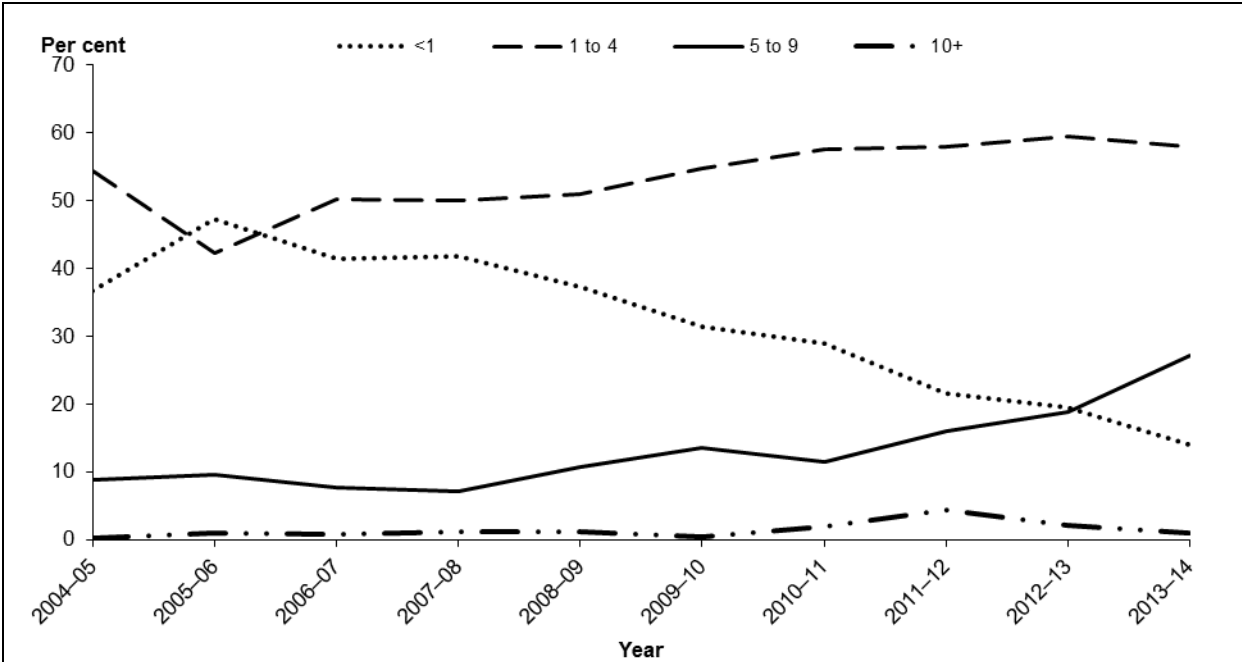
Accordingly, the proportion of annual adoptions from Taiwan has increased, from 2% of finalised intercountry adoptions in 2005–06 to 36% in 2013–14 (Table A10). This may relate to the fact that Taiwan has maintained a fairly constant median length of time for the intercountry adoption process over the 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, 40 months compared with 60 months for all countries in 2013–14; Table 3.3). The high number of infants aged under 12 months adopted from Taiwan may also have contributed to the large increase in annual adoptions from this country, as many prospective parents prefer to adopt younger children (Table A12).

The number of annual adoptions from the Philippines remained consistently high relative to other countries over several years (more than 40 per year from 2004–05 to 2009–10). However, from 2011–12, the number has steadily declined – falling to 18 in 2013–14 (Table A10; Figure 4.6). As noted previously, the Philippines introduced quotas on the number of applications it will accept, and this has likely contributed to this recent downward trend.

**Infants and older children**

The proportion of infants adopted from overseas has been declining since 2005–06 – from 47% of intercountry adoptions to 14% in 2013–14 (Table A11; 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. Further, falling fertility rates in key countries of origin, such as South Korea, are likely to affect the number of infants potentially available for intercountry adoption (Kenny et al. 2012; Selman 2009).



Source: Table A11.

**Figure 4.7: Intercountry adoptions, by age group of child, 2004–05 to 2013–14**

Accordingly, the proportion of adoptees aged 5 and over has been increasing. In 2004–05, these older adoptees comprised just 9% of all intercountry adoptions. This proportion has generally increased since then, reaching 28% in 2013–14.

Finding a suitable adoptive family can be more difficult for older children (Tan et al. 2007). Many prospective adoptive parents have a strong desire for a younger child, and believe

older children are more likely to have health and behavioural issues. 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 within 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'.

All intercountry children who were placed with adoptive parents in 2012–13 (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 2012–13 placements (AIHW Adoptions Australia data collection). As data only capture changes that occurred for intercountry adoptees, and only during the 12 months after they were placed with their adoptive families, this 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 to 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 2013–14, 7 Indigenous children had an adoption order finalised in Australia (Table 4.2). All of these adoptions were known child adoptions by adoptive parents who were either non-Indigenous or whose Indigenous status was unknown. Due to the small number of these adoptions each year, it is difficult to identify trends in the number of adoptions of Indigenous children. Since 2003–04, 49% of the Indigenous children adopted had adoptive parents who identified as Indigenous Australians (Table 4.2).

**Table 4.2: Number of Indigenous children adopted, by Indigenous status of adoptive parent(s), 2003–04 to 2013–14**

Year	Indigenous status of adoptive parent(s)		Total
	Indigenous Australian	Other Australian	
2003–04	—	1	1
2004–05	2	2	4
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
<b>Total</b>	<b>24</b>	<b>25</b>	<b>49</b>
<b>Per cent</b>	<b>49.0</b>	<b>51.0</b>	<b>100.0</b>

*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 generally increased. In 2013–14, 302 orders were granted: a 13% increase from the 267 granted in 2012–13, and a substantial increase from the 11 issued in 1992–93 (Table 4.3). A total of 3,686 permanent care orders have been granted by the Children’s Court of Victoria since their inception in 1992.

**Table 4.3: Number of permanent care orders granted in Victoria, 1992–93 to 2013–14**

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

Source: Victorian Government Department of Human Services.

# Appendix A Statistical tables

**Table A1: Number of children legally adopted, by state and territory, 1989–90 to 2013–14**

Year	NSW <sup>(a)</sup>	Vic	Qld <sup>(b)</sup>	WA	SA	Tas	ACT <sup>(b)</sup>	NT	Australia
1989–90	360	212	278	128	174	71	50	21	<b>1,294</b>
1990–91	329	258	210	136	103	61	25	20	<b>1,142</b>
1991–92	310	185	232	120	112	58	23	12	<b>1,052</b>
1992–93	209	101	222	87	111	23	20	10	<b>783</b>
1993–94	188	112	206	85	106	37	21	9	<b>764</b>
1994–95	260	145	179	127	108	12	18	6	<b>855</b>
1995–96	204	131	170	75	48	17	19	4	<b>668</b>
1996–97	263	123	129	56	79	30	26	3	<b>709</b>
1997–98	200	114	111	69	48	19	15	1	<b>577</b>
1998–99	185	102	94	64	53	25	16	6	<b>545</b>
1999–00	154	122	105	79	59	19	24	4	<b>566</b>
2000–01	166	98	62	74	53	24	27	10	<b>514</b>
2001–02	207	110	49	79	62	20	23	11	<b>561</b>
2002–03	122	82	67	76	72	21	25	7	<b>472</b>
2003–04	115	120	65	59	79	26	33	5	<b>502</b>
2004–05	154	161	84	49	77	23	20	17	<b>585</b>
2005–06	149	131	82	62	72	35	30	15	<b>576</b>
2006–07 <sup>(c)</sup>	165	127	91	65	62	26	22	11	<b>569</b>
2007–08	125	98	86	41	36	31	14	9	<b>440</b>
2008–09	155	71	92	43	35	23	13	9	<b>441</b>
2009–10 <sup>(c)</sup>	158	81	68	50	26	9	16	5	<b>413</b>
2010–11 <sup>(c)(d)</sup>	167	86	40	37	30	14	11	1	<b>386</b>
2011–12 <sup>(c)</sup>	157	73	33	26	24	6	11	11	<b>341</b>
2012–13 <sup>(c)</sup>	159	45	48	42	20	14	6	14	<b>348</b>
2013–14	141	48	34	40	15	12	17	10	<b>317</b>

(a) New South Wales was unable to provide data on adoptions by step-parents from 1989–90 to 1993–94.

(b) Data for Queensland and the Australian Capital Territory for 1988–89 and 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 were commenced. These amendments 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 report: 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 Children’s 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 1989–90 are included in previous editions of this publication.

Source: AIHW Adoptions Australia data collection.

**Table A2: Number of children who were placed for adoption, regardless of whether the adoption order was finalised, by state and territory, 2013–14**

Type of adoption	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Australia
Local placement	9	20	9	3	1	3	—	—	45
Intercountry placement									
Hague adoption	16	11	9	2	9	2	4	3	56
Non-Hague adoption	12	3	6	5	3	3	—	—	32
<b>Total</b>	<b>37</b>	<b>34</b>	<b>24</b>	<b>10</b>	<b>13</b>	<b>8</b>	<b>4</b>	<b>3</b>	<b>133</b>

*Note:* This table includes children placed with their adoptive families before their adoption order was finalised. 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 2013–14 might relate to children who were placed in the previous year. Therefore, numbers do not add to the total adoptions recorded during 2013–14.

*Source:* AIHW Adoptions Australia data collection.

**Table A3: Type of adoption, by age group and sex of child, 2013–14**

Age group (years)	Intercountry adoptions			Local adoptions			Known child adoptions			Total		
	M	F	P	M	F	P	M	F	P	M	F	P
<b>Number</b>												
Under 1	7	9	16	11	11	22	—	—	—	18	20	38
1–4	42	24	66	12	12	24	5	9	14	59	45	104
5–9	17	14	31	—	—	—	32	28	60	49	42	91
10–14	—	1	1	—	—	—	20	22	42	20	23	43
15–17	—	—	—	—	—	—	13	9	22	13	9	22
18+	—	—	—	—	—	—	7	12	19	7	12	19
<b>Total</b>	<b>66</b>	<b>48</b>	<b>114</b>	<b>23</b>	<b>23</b>	<b>46</b>	<b>77</b>	<b>80</b>	<b>157</b>	<b>166</b>	<b>151</b>	<b>317</b>
<b>Per cent</b>												
Under 1	10.6	18.8	14.0	47.8	47.8	47.8	—	—	—	10.8	13.2	12.0
1–4	63.6	50.0	57.9	52.2	52.2	52.2	6.5	11.3	8.9	35.5	29.8	32.8
5–9	25.8	29.2	27.2	—	—	—	41.6	35.0	38.2	29.5	27.8	28.7
10–14	—	2.1	0.9	—	—	—	26.0	27.5	26.8	12.0	15.2	13.6
15–17	—	—	—	—	—	—	16.9	11.3	14.0	7.8	6.0	6.9
18+	—	—	—	—	—	—	9.1	15.0	12.1	4.2	7.9	6.0
<b>Total</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>

M = males, F = females, P = persons

*Notes*

- Percentages may not add to 100 because of rounding.
- 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.
- Refer to the Glossary for definitions of the various adoption categories.

*Source:* AIHW Adoptions Australia data collection.



**Table A4: Adoptions in Australia, by type of adoption, 1989–90 to 2013–14**

Year	Children adopted from Australia		Children adopted from overseas		Total <sup>(a)</sup>	
	Number	Per cent	Number	Per cent	Number	Per cent
1989–90	874 <sup>(b)</sup>	67.5	420	32.5	<b>1,294</b>	<b>100.0</b>
1990–91	749 <sup>(b)</sup>	65.6	393	34.4	<b>1,142</b>	<b>100.0</b>
1991–92	713 <sup>(b)</sup>	67.8	338	32.1	<b>1,052</b>	<b>100.0</b>
1992–93	556 <sup>(b)</sup>	71.0	227	29.0	<b>783</b>	<b>100.0</b>
1993–94	542 <sup>(b)</sup>	70.9	222	29.1	<b>764</b>	<b>100.0</b>
1994–95	631	73.8	224	26.2	<b>855</b>	<b>100.0</b>
1995–96	394	59.0	274	41.0	<b>668</b>	<b>100.0</b>
1996–97	440	62.1	269	37.9	<b>709</b>	<b>100.0</b>
1997–98	332	57.5	245	42.5	<b>577</b>	<b>100.0</b>
1998–99	299	55.1	244	44.9	<b>543</b>	<b>100.0</b>
1999–00	265	46.8	301	53.2	<b>566</b>	<b>100.0</b>
2000–01	225	43.8	289	56.2	<b>514</b>	<b>100.0</b>
2001–02	267	47.6	294	52.4	<b>561</b>	<b>100.0</b>
2002–03	194	41.1	278	58.9	<b>472</b>	<b>100.0</b>
2003–04	132	26.3	370	73.7	<b>502</b>	<b>100.0</b>
2004–05	151	25.8	434	74.2	<b>585</b>	<b>100.0</b>
2005–06	155	26.9	421	73.1	<b>576</b>	<b>100.0</b>
2006–07 <sup>(c)</sup>	163	28.6	406	71.4	<b>569</b>	<b>100.0</b>
2007–08	170	38.6	270	61.4	<b>440</b>	<b>100.0</b>
2008–09	172	39.0	269	61.0	<b>441</b>	<b>100.0</b>
2009–10 <sup>(c)</sup>	190	46.0	223	54.0	<b>413</b>	<b>100.0</b>
2010–11 <sup>(c)</sup>	169	43.8	217	56.2	<b>386</b>	<b>100.0</b>
2011–12 <sup>(c)</sup>	184	54.0	157	46.0	<b>341</b>	<b>100.0</b>
2012–13 <sup>(c)</sup>	210	60.3	138	39.7	<b>348</b>	<b>100.0</b>
2013–14	203	64.0	114	36.0	<b>317</b>	<b>100.0</b>

(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 1989–90 to 1993–94.

(c) On 4 March 2014, amendments to the Family Law (Bilateral Arrangements—Intercountry Adoption) Regulations 1998 were commenced. These amendments 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 report: 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 1989–90 are included in previous editions of this publication.

*Sources:* AIHW Adoptions Australia data collection.

**Table A5: Number of local adoptions, by state and territory, 1999–00 to 2013–14**

<b>Year</b>	<b>NSW</b>	<b>Vic</b>	<b>Qld</b>	<b>WA</b>	<b>SA</b>	<b>Tas</b>	<b>ACT</b>	<b>NT</b>	<b>Australia</b>
1999–00	31	34	24	10	3	2	2	—	<b>106</b>
2000–01	28	28	9	6	5	5	2	2	<b>85</b>
2001–02	54	22	10	13	3	2	3	—	<b>107</b>
2002–03	22	20	23	6	3	3	1	—	<b>78</b>
2003–04	24	23	14	3	6	1	2	—	<b>73</b>
2004–05	24	16	13	4	2	2	3	1	<b>65</b>
2005–06	23	17	8	9	—	2	1	—	<b>60</b>
2006–07	12	18	12	8	5	3	1	—	<b>59</b>
2007–08	15	27	17	3	1	3	3	1	<b>70</b>
2008–09	20	18	20	7	1	1	1	—	<b>68</b>
2009–10	13	18	10	12	2	2	2	2	<b>61</b>
2010–11 <sup>(a)</sup>	14	23	1	4	2	—	1	—	<b>45</b>
2011–12	13	28	7	3	—	2	1	1	<b>55</b>
2012–13	13	17	13	6	2	2	—	1	<b>54</b>
2013–14	9	20	9	4	1	2	1	—	<b>46</b>

(a) 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.

*Notes*

1. Changes to the categories of adoption introduced in 1998–99 limit the amount of trend data available for local adoptions (Section 2.1).
2. Data for years before 1999–00 are included in previous editions of this publication.

Source: AIHW Adoptions Australia data collection.

**Table A6: Number of known child adoptions, by state and territory, 1999–00 to 2013–14**

<b>Year</b>	<b>NSW</b>	<b>Vic</b>	<b>Qld</b>	<b>WA</b>	<b>SA</b>	<b>Tas</b>	<b>ACT</b>	<b>NT</b>	<b>Australia</b>
1999–00	68	12	21	43	—	4	11	—	<b>159</b>
2000–01	53	10	13	48	4	5	7	—	<b>140</b>
2001–02	82	14	6	37	5	2	11	3	<b>160</b>
2002–03	39	3	15	46	1	3	9	—	<b>116</b>
2003–04	25	11	2	12	1	3	5	—	<b>59</b>
2004–05	42	13	6	16	1	3	5	—	<b>86</b>
2005–06	33	10	13	17	3	7	9	3	<b>95</b>
2006–07	40	14	16	17	1	12	3	1	<b>104</b>
2007–08	37	5	22	21	3	5	6	1	<b>100</b>
2008–09	42	5	23	22	—	5	6	1	<b>104</b>
2009–10	66	9	20	20	3	1	8	2	<b>129</b>
2010–11	81	7	4	25	2	2	3	—	<b>124</b>
2011–12	91	8	6	18	1	—	4	1	<b>129</b>
2012–13	108	4	10	26	—	3	2	3	<b>156</b>
2013–14	102	6	10	27	—	3	6	3	<b>157</b>

*Notes*

1. Changes to the categories of adoption introduced in 1998–99 limit the amount of trend data available for local adoptions (Section 2.1).
2. Data for years before 1999–00 are included in previous editions of this publication.

Source: AIHW Adoptions Australia data collection.

**Table A7: Adoptions of Australian children, by relationship to adoptive parent(s), 1989–90 to 2013–14**

Year	Adopted by relatives		Adopted by non-relatives		Total <sup>(a)</sup>	
	Number	Per cent	Number	Per cent	Number	Per cent
1989–90 <sup>(b)</sup>	327	37.4	547	62.6	874	100.0
1990–91 <sup>(b)</sup>	277	37.0	472	63.0	749	100.0
1991–92 <sup>(b)</sup>	295	41.4	418	58.6	713	100.0
1992–93 <sup>(b)</sup>	250	45.0	306	55.0	556	100.0
1993–94 <sup>(b)</sup>	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

(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 1989–90 to 1993–94.

*Notes*

1. The total number of adoptions of Australian children in 2013–14 (203) includes the sum of local adoptions (46) and known adoptions (157).
2. 'Relatives' includes: step-parents; other relatives such as grandparents, aunts and uncles; and commissioning (surrogate) parents. 'Non-relatives' includes foster carers and other non-relatives.
3. Data for years before 1989–90 are included in previous editions of this publication.

Source: AIHW Adoptions Australia data collection.

**Table A8: Intercountry adoptions, by child's region of origin, 1994–95 to 2013–14**

	Asia		South/Central America		Africa		Other		Total	
	Number	%	Number	%	Number	%	Number	%	Number	%
1994–95	171	76.3	35	15.6	2	0.9	16	7.1	<b>224</b>	<b>100.0</b>
1995–96	191	69.7	62	22.6	6	2.2	15	5.5	<b>274</b>	<b>100.0</b>
1996–97	197	73.2	38	14.1	16	5.9	18	6.7	<b>269</b>	<b>100.0</b>
1997–98	154	62.9	29	11.8	37	15.1	25	10.2	<b>245</b>	<b>100.0</b>
1998–99	157	64.3	20	8.2	34	13.9	33	13.5	<b>244</b>	<b>100.0</b>
1999–00	186	61.8	24	8.0	46	15.3	45	15.0	<b>301</b>	<b>100.0</b>
2000–01	197	68.2	27	9.3	37	12.8	28	9.7	<b>289</b>	<b>100.0</b>
2001–02	231	78.6	18	6.1	37	12.6	8	2.7	<b>294</b>	<b>100.0</b>
2002–03	224	80.6	12	4.3	40	14.4	2	0.7	<b>278</b>	<b>100.0</b>
2003–04	316	85.4	7	1.9	45	12.2	2	0.5	<b>370</b>	<b>100.0</b>
2004–05	363	83.6	5	1.2	59	13.6	7	1.6	<b>434</b>	<b>100.0</b>
2005–06	339	80.5	11	2.6	70	16.6	1	0.2	<b>421</b>	<b>100.0</b>
2006–07 <sup>(a)</sup>	343	84.5	8	2.0	48	11.8	7	1.7	<b>406</b>	<b>100.0</b>
2007–08	229	84.8	5	1.9	36	13.3	—	—	<b>270</b>	<b>100.0</b>
2008–09	219	81.4	9	3.3	38	14.1	3	1.1	<b>269</b>	<b>100.0</b>
2009–10 <sup>(a)</sup>	181	81.2	5	2.2	34	15.2	3	1.3	<b>223</b>	<b>100.0</b>
2010–11 <sup>(a)</sup>	172	79.3	1	0.5	41	18.9	3	1.4	<b>217</b>	<b>100.0</b>
2011–12 <sup>(a)</sup>	135	86.0	3	1.9	19	12.1	—	—	<b>157</b>	<b>100.0</b>
2012–13 <sup>(a)</sup>	117	84.8	4	2.9	17	12.3	—	—	<b>138</b>	<b>100.0</b>
2013–14	102	89.5	6	5.3	3	2.6	3	2.6	<b>114</b>	<b>100.0</b>

(a) On 4 March 2014, amendments to the Family Law (Bilateral Arrangements—Intercountry Adoption) Regulations 1998 were commenced. These amendments 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 report: 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 may not add to 100 because of rounding.
2. 'Other' includes Europe, North America and Oceania.
3. Data for years before 1994–95 are included in previous editions of this publication.

Source: AIHW Adoptions Australia data collection.

**Table A9: Number of intercountry adoptions, by state and territory, 1999–00 to 2013–14**

<b>Year</b>	<b>NSW</b>	<b>Vic</b>	<b>Qld</b>	<b>WA</b>	<b>SA</b>	<b>Tas</b>	<b>ACT</b>	<b>NT</b>	<b>Australia</b>
1999–00	55	76	60	26	56	13	11	4	<b>301</b>
2000–01	85	60	40	20	44	14	18	8	<b>289</b>
2001–02	71	74	33	29	54	16	9	8	<b>294</b>
2002–03	61	59	29	24	68	15	15	7	<b>278</b>
2003–04	66	86	49	44	72	22	26	5	<b>370</b>
2004–05	88	132	65	29	74	18	12	16	<b>434</b>
2005–06	93	104	61	36	69	26	20	12	<b>421</b>
2006–07 <sup>(a)</sup>	113	95	63	40	56	11	18	10	<b>406</b>
2007–08	73	66	47	17	32	23	5	7	<b>270</b>
2008–09	93	48	49	14	34	17	6	8	<b>269</b>
2009–10 <sup>(a)</sup>	79	54	38	18	21	6	6	1	<b>223</b>
2010–11 <sup>(a)</sup>	72	56	35	8	26	12	7	1	<b>217</b>
2011–12 <sup>(a)</sup>	53	37	20	5	23	4	6	9	<b>157</b>
2012–13 <sup>(a)</sup>	38	24	25	10	18	9	4	10	<b>138</b>
2013–14	30	22	15	9	14	7	10	7	<b>114</b>

(a) On 4 March 2014, amendments to the Family Law (Bilateral Arrangements—Intercountry Adoption) Regulations 1998 were commenced. These amendments 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 report: 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. Before 1998–99, 'intercountry adoptions' were referred to as 'adoptions of overseas-born children by non-relatives'.
2. Data for years before 1999–00 are included in previous editions of this publication.

Source: AIHW Adoptions Australia data collection.

**Table A10: Intercountry adoptions, by country of origin, 2004–05 to 2013–14**

Country of birth	2004–05	2005–06	2006–07	2007–08	2008–09	2009–10	2010–11	2011–12	2012–13	2013–14	Total
<b>Number</b>											
China <sup>(a)</sup>	140	116	125	63	63	32	51	24	14	11	<b>639</b>
Ethiopia <sup>(b)</sup>	59	70	48	35	38	34	41	19	17	3	<b>364</b>
India	31	34	25	27	12	22	19	8	3	7	<b>188</b>
Philippines	48	42	45	41	45	49	37	29	20	18	<b>374</b>
South Korea	96	103	80	47	45	30	19	26	14	13	<b>473</b>
Taiwan <sup>(b)</sup>	10	10	26	22	32	26	27	29	46	41	<b>269</b>
Thailand	31	27	28	19	19	16	13	16	16	11	<b>196</b>
Other <sup>(c)</sup>	19	19	29	16	15	14	10	6	8	10	<b>146</b>
<b>Total</b>	<b>434</b>	<b>421</b>	<b>406</b>	<b>270</b>	<b>269</b>	<b>223</b>	<b>217</b>	<b>157</b>	<b>138</b>	<b>114</b>	<b>2,649</b>
<b>Per cent</b>											
China <sup>(a)</sup>	32.3	27.6	30.8	23.3	23.4	14.3	23.5	15.3	10.1	9.6	<b>24.1</b>
Ethiopia <sup>(b)</sup>	13.6	16.6	11.8	13.0	14.1	15.2	18.9	12.1	12.3	2.6	<b>13.7</b>
India	7.1	8.1	6.2	10.0	4.5	9.9	8.8	5.1	2.2	6.1	<b>7.1</b>
Philippines	11.1	10.0	11.1	15.2	16.7	22.0	17.1	18.5	14.5	15.8	<b>14.1</b>
South Korea	22.1	24.5	19.7	17.4	16.7	13.5	8.8	16.6	10.1	11.4	<b>17.9</b>
Taiwan <sup>(b)</sup>	2.3	2.4	6.4	8.1	11.9	11.7	12.4	18.5	33.3	36.0	<b>10.2</b>
Thailand	7.1	6.4	6.9	7.0	7.1	7.2	6.0	10.2	11.6	9.6	<b>7.4</b>
Other <sup>(c)</sup>	4.4	4.5	7.1	5.9	5.6	6.3	4.6	3.8	5.8	8.8	<b>5.5</b>
<b>Total</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>

(a) Excludes Special Administrative Regions and Taiwan Province.

(b) On 4 March 2014, amendments to the Family Law (Bilateral Arrangements—Intercountry Adoption) Regulations 1998 were commenced. These amendments 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 report: 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' includes Azerbaijan, Bolivia, Bulgaria, Burundi, Chile, Columbia, Fiji, Guatemala, Hong Kong, Lithuania, Nicaragua, Peru, Poland, Sri Lanka, Turkey and the United Kingdom.

*Notes*

1. Percentages may not add to 100 because of rounding.
2. Data for years before 2004–05 are included in previous editions of this publication.

Source: AIHW Adoptions Australia data collection.

**Table A11: Number of intercountry adoptions, by age group, 1999–00 to 2013–14**

Year	Less than 1 year	1–4 years	5–9 years	10 or more years	Total
<b>Number</b>					
1999–00	111	125	58	7	<b>301</b>
2000–01	82	157	44	6	<b>289</b>
2001–02	89	150	46	9	<b>294</b>
2002–03	77	163	29	9	<b>278</b>
2003–04	152	194	24	—	<b>370</b>
2004–05	159	236	38	1	<b>434</b>
2005–06	199	178	40	4	<b>421</b>
2006–07 <sup>(a)</sup>	168	204	31	3	<b>406</b>
2007–08	113	135	19	3	<b>270</b>
2008–09	100	137	29	3	<b>269</b>
2009–10 <sup>(a)</sup>	70	122	30	1	<b>223</b>
2010–11 <sup>(a)</sup>	63	125	25	4	<b>217</b>
2011–12 <sup>(a)</sup>	34	91	25	7	<b>157</b>
2012–13 <sup>(a)</sup>	27	82	26	3	<b>138</b>
2013–14	16	66	31	1	<b>114</b>
<b>Per cent</b>					
1999–00	36.9	41.5	19.3	2.3	<b>100.0</b>
2000–01	28.4	54.3	15.2	2.1	<b>100.0</b>
2001–02	30.3	51.0	15.6	3.1	<b>100.0</b>
2002–03	27.7	58.6	10.4	3.2	<b>100.0</b>
2003–04	41.1	52.4	6.5	—	<b>100.0</b>
2004–05	36.6	54.4	8.8	0.2	<b>100.0</b>
2005–06	47.3	42.3	9.5	1.0	<b>100.0</b>
2006–07 <sup>(a)</sup>	41.4	50.2	7.6	0.7	<b>100.0</b>
2007–08	41.9	50.0	7.0	1.1	<b>100.0</b>
2008–09	37.2	50.9	10.8	1.1	<b>100.0</b>
2009–10 <sup>(a)</sup>	31.4	54.7	13.5	0.4	<b>100.0</b>
2010–11 <sup>(a)</sup>	29.0	57.6	11.5	1.8	<b>100.0</b>
2011–12 <sup>(a)</sup>	21.7	58.0	15.9	4.5	<b>100.0</b>
2012–13 <sup>(a)</sup>	19.6	59.4	18.8	2.2	<b>100.0</b>
2013–14	14.0	57.9	27.2	0.9	<b>100.0</b>

(a) On 4 March 2014, amendments to the Family Law (Bilateral Arrangements—Intercountry Adoption) Regulations 1998 were commenced. These amendments 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 report: 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 1999–00 are included in previous editions of this publication.

Source: AIHW Adoptions Australia data collection.



**Table A12: Intercountry adoptions, by type of adoption, age group and sex of child, 2013–14**

Country of origin	Number					Per cent				
	<1	1–4	5–9	10+	All	<1	1–4	5–9	10+	All
<b>Hague adoption</b>										
China <sup>(a)</sup>	—	10	1	—	11	—	90.9	9.1	—	100.0
India	—	3	4	—	7	—	42.9	57.1	—	100.0
Philippines	—	13	4	1	18	—	72.2	22.2	5.6	100.0
Thailand	—	1	10	—	11	—	9.1	90.9	—	100.0
Other <sup>(b)</sup>	—	3	7	—	10	—	30.0	70.0	—	100.0
<i>Total Hague</i>	—	30	26	1	57	—	52.6	45.6	1.8	100.0
<b>Non-Hague adoption</b>										
Ethiopia	—	2	1	—	3	—	66.7	33.3	—	100.0
South Korea	—	13	—	—	13	—	100.0	—	—	100.0
Taiwan	16	21	4	—	41	39.0	51.2	9.8	—	100.0
<i>Total non-Hague</i>	16	36	5	—	57	28.1	63.2	8.8	—	100.0
<b>Total intercountry adoptions</b>	<b>16</b>	<b>66</b>	<b>31</b>	<b>1</b>	<b>114</b>	<b>14.0</b>	<b>57.9</b>	<b>27.2</b>	<b>0.9</b>	<b>100.0</b>

(a) Excludes Special Administrative Regions and Taiwan Province.

(b) 'Other' includes adoptions from Chile, Columbia, Hong Kong and Lithuania.

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

Source: AIHW Adoptions Australia data collection.

**Table A13: Local and intercountry adoptions, by sibling groups, 2013–14**

Type of adoption	Number of sibling groups	Children adopted in sibling groups	
		Number	Proportion of adoption type (%)
Local adoption	1	2	4.3
Intercountry adoptions			
Hague adoption	6	12	21.1
Non-Hague adoption	3	6	10.5
<i>Total intercountry adoptions</i>	9	18	15.8
<b>Total local and intercountry adoptions</b>	<b>10</b>	<b>20</b>	<b>12.5</b>

Source: AIHW Adoptions Australia data collection.

**Table A14: Number of intercountry adoptions from Hague countries, by type of order under which the child entered Australia, 2013–14**

Country of origin	Full adoption order in country of origin	Guardianship order	Total
China <sup>(a)</sup>	11	—	11
India	5	2	7
Philippines	—	18	18
Thailand	—	11	11
Other <sup>(b)</sup>	9	1	10
<b>Total Hague intercountry adoptions</b>	<b>25</b>	<b>32</b>	<b>57</b>
<b>Proportion of total (%)</b>	<b>43.9</b>	<b>56.1</b>	<b>100.0</b>

(a) Excludes Special Administrative Regions and Taiwan Province.

(b) 'Other' includes adoptions from Chile, Columbia, Hong Kong and Lithuania.

Source: AIHW Adoptions Australia data collection.

**Table A15: Number of local and intercountry adoptions, by age group of the adoptive parent(s), 2013–14**

	Age group (years)								Total
	Under 25	25–29	30–34	35–39	40–44	45–49	50–54	55+	
<b>Adoptive mother</b>									
Local adoptions	—	1	11	12	19	3	—	—	46
Intercountry adoptions									
Hague adoption	—	—	1	6	26	15	7	2	57
Non-Hague adoption	—	—	1	15	26	12	3	—	57
<i>Total intercountry</i>	—	—	2	21	52	27	10	2	114
<b>Total local and intercountry adoptions</b>	<b>—</b>	<b>1</b>	<b>13</b>	<b>33</b>	<b>71</b>	<b>30</b>	<b>10</b>	<b>2</b>	<b>160</b>
<b>Adoptive father</b>									
Local adoptions	—	—	7	12	25	1	1	—	46
Intercountry adoptions									
Hague adoption	—	—	1	5	19	14	12	4	55
Non-Hague adoption	—	—	2	15	21	14	3	—	55
<i>Total intercountry</i>	—	—	3	20	40	28	15	4	110
<b>Total local and intercountry adoptions</b>	<b>—</b>	<b>—</b>	<b>10</b>	<b>32</b>	<b>65</b>	<b>29</b>	<b>16</b>	<b>4</b>	<b>156</b>
<b>Adoptive parents</b>									
Local adoptions	—	1	18	24	44	4	1	—	92
Intercountry adoptions									
Hague adoption	—	—	2	11	45	29	19	6	112
Non-Hague adoption	—	—	3	30	47	26	6	—	112
<i>Total intercountry</i>	—	—	5	41	92	55	25	6	224
<b>Total local and intercountry adoptions</b>	<b>—</b>	<b>1</b>	<b>23</b>	<b>65</b>	<b>136</b>	<b>59</b>	<b>26</b>	<b>6</b>	<b>316</b>

*Note:* In 2013–14, there were a total of 160 local and intercountry adoptions (46 local and 114 intercountry). The total for mothers and fathers does not add to the total number of local and intercountry adoptions because 4 adoptive parents were single.

*Source:* AIHW Adoptions Australia data collection.

**Table A16: Number of adoption visas (subclass 102) issued during 2013–14**

<b>Country of birth</b>	<b>Adoptions arranged by Australian state/territory authority</b>	<b>Adoptions arranged by overseas agency/authority</b>	<b>Total</b>
Taiwan	28	1	29
Philippines	22	6	28
Ethiopia	—	20	20
China <sup>(a)</sup>	8	7	15
Thailand	12	—	12
Hong Kong <sup>(b)</sup>	1	7	8
United States of America	—	8	8
Malaysia	—	6	6
Indonesia	—	5	5
Singapore	—	5	5
South Africa	4	1	5
South Korea	4	1	5
United Kingdom <sup>(c)</sup>	—	5	5
Haiti	—	4	4
Brazil	—	3	3
Fiji	2	1	3
India	—	3	3
Kenya	—	3	3
Papua New Guinea	2	1	3
Tanzania	1	2	3
Timor-Leste	—	3	3
Bulgaria	—	2	2
Greece	—	2	2
Kyrgyzstan	—	2	2
Uganda	—	2	2
Zambia	1	1	2
Colombia	1	—	1
Iran	—	1	1
Japan	—	1	1
Jordan	—	1	1
Lebanon	—	1	1
Myanmar	—	1	1
Namibia	1	—	1
Nigeria	—	1	1
Samoa	1	—	1

*(continued)*

**Table A16 (continued): Number of adoption visas (subclass 102) issued during 2013–14**

Country of birth	Adoptions arranged by Australian state/territory authority	Adoptions arranged by overseas agency/authority	Total
Solomon Islands	—	1	1
Sri Lanka	1	—	1
Tonga	—	1	1
Vanuatu	—	1	1
Vietnam	—	1	1
Unknown	1	1	2
<b>Total</b>	<b>90</b>	<b>112</b>	<b>202</b>

(a) Excludes Special Administrative Regions and Taiwan Province.

(b) Special Administrative Region of China.

(c) Includes England, Northern Ireland, Isle of Man, Scotland and Wales.

*Notes*

1. This table relates to visas (subclass 102) that were issued during 2013–14. 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 A17: Local adoptions, by median age of birth mother at child's birth, 1999–00 to 2013–14**

Year	Median age of birth mother
1999–00	23.0
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

Note: Data for years before 1999–00 are included in previous editions of this publication.

Source: AIHW Adoptions Australia data collection.

**Table A18: Local adoptions, by marital status and age group of birth mother, 2013–14**

Age group (years)	Married		Unmarried <sup>(a)</sup>		Total	
	Number	Per cent	Number	Per cent	Number	Per cent
Under 20	—	—	5	11.6	5	11.1
20–24	1	33.3	17	39.5	18	40.0
25–29	1	33.3	8	18.6	9	20.0
30–34	—	—	4	9.3	4	8.9
35–39	1	33.3	3	7.0	4	8.9
40+	—	—	5	11.6	5	11.1
<b>Total<sup>(b)</sup></b>	<b>3</b>	<b>100.0</b>	<b>43</b>	<b>100.0</b>	<b>46</b>	<b>100.0</b>

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

(b) Total includes mothers of unknown age.

Source: AIHW Adoptions Australia data collection.

**Table A19: Local adoptions, by marital status of birth mother, 1999–00 to 2013–14**

Year	Married		Unmarried <sup>(a)</sup>		Unknown		Total
	Number	%	Number	%	Number		
1999–00	10	12.5	70	87.5	26		106
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 <sup>(b)</sup>	31.4	48	68.6	—		70
2008–09	4	6.0	63	94.0	1		68
2009–10	5 <sup>(b)</sup>	8.2	56	91.8	—		61
2010–11	5 <sup>(b)</sup>	11.1	40	88.9	—		45
2011–12	8 <sup>(b)</sup>	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

(a) 'Unmarried' includes couples in a de facto relationship and lone 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 (Section 2.1).
3. Data for years before 1999–00 are included in previous editions of this publication.

Source: AIHW Adoptions Australia data collection.

**Table A20: Proportion of local adoptions, by type of agreement, 1999–00 to 2013–14 (per cent)**

<b>Year</b>	<b>No contact or information exchange</b>	<b>Some contact and/or information exchange</b>
1999–00	8.1	91.9
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

*Notes*

1. Percentages exclude 'unknown'.
2. Data for years before 1999–00 are included in previous editions of this publication.

*Source:* AIHW Adoptions Australia data collection.

**Table A21: Local adoptions, by type of arranging body, 2013–14**

<b>Arranging body</b>	<b>Number</b>	<b>Per cent</b>
Government department	28	60.9
Non-government agency	18	39.1
<b>Total</b>	<b>46</b>	<b>100.0</b>

*Source:* AIHW Adoptions Australia data collection.



**Table A22: Known child adoptions, by relationship to adoptive parent(s), 1999–00 to 2013–14**

Year	Step-parent	Relative <sup>(a)</sup>	Carer	Other	Total
<b>Number</b>					
1999–00	114	2	43	..	159
2000–01	98	1	29	..	140 <sup>(b)</sup>
2001–02	103	5	52	..	160
2002–03	72	2	29	..	116 <sup>(c)</sup>
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
<b>Per cent<sup>(d)</sup></b>					
1999–00	71.7	1.3	27.0	..	100.0
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

(a) Includes 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 may not add to 100 because of rounding.
2. Changes to categories of adoption introduced in 1998–99 limit the amount of trend data available for known child adoptions (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 1999–00 are included in previous editions of this publication.

Source: AIHW Adoptions Australia data collection.

**Table A23: Known child adoptions, by relationship to adoptive parents, and age group and sex of child, 2013–14**

Age group (years)	Step-parent			Carer			Relative/other <sup>(a)</sup>			Total		
	M	F	P	M	F	P	M	F	P	M	F	P
	<b>Number</b>											
Under 1	—	—	—	—	—	—	—	—	—	—	—	—
1–4	1	3	4	4	6	10	—	—	—	5	9	14
5–9	10	5	15	21	21	42	1	2	3	32	28	60
<i>Under 10</i>	<i>11</i>	<i>8</i>	<i>19</i>	<i>25</i>	<i>27</i>	<i>52</i>	<i>1</i>	<i>2</i>	<i>3</i>	<i>37</i>	<i>37</i>	<i>74</i>
10–14	9	11	20	10	11	21	1	—	1	20	22	42
15–17	4	4	8	9	5	14	—	—	—	13	9	22
18+	6	11	17	1	1	2	—	—	—	7	12	19
10–18+	19	26	45	20	17	37	1	—	1	40	43	83
<b>Total</b>	<b>30</b>	<b>34</b>	<b>64</b>	<b>45</b>	<b>44</b>	<b>89</b>	<b>2</b>	<b>2</b>	<b>4</b>	<b>77</b>	<b>80</b>	<b>157</b>
	<b>Per cent</b>											
Under 1	—	—	—	—	—	—	—	—	—	—	—	—
1–4	3.3	8.8	6.3	8.9	13.6	11.2	—	—	—	6.5	11.3	8.9
5–9	33.3	14.7	23.4	46.7	47.7	47.2	50.0	100.0	75.0	41.6	35.0	38.2
<i>Under 10</i>	<i>36.7</i>	<i>23.5</i>	<i>29.7</i>	<i>55.6</i>	<i>61.4</i>	<i>58.4</i>	<i>50.0</i>	<i>100.0</i>	<i>75.0</i>	<i>48.1</i>	<i>46.3</i>	<i>47.1</i>
10–14	30.0	32.4	31.3	22.2	25.0	23.6	50.0	—	25.0	26.0	27.5	26.8
15–17	13.3	11.8	12.5	20.0	11.4	15.7	—	—	—	16.9	11.3	14.0
18+	20.0	32.4	26.6	2.2	2.3	2.2	—	—	—	9.1	15.0	12.1
10–18+	63.3	76.5	70.3	44.4	38.6	41.6	50.0	—	25.0	51.9	53.8	52.9
<b>Total</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>

M = males, F = females, P = persons

(a) Includes relatives other than step-parents and other non-relatives such as surrogate parents.

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

Source: AIHW Adoptions Australia data collection.

**Table A24: Number of information applications and vetoes lodged, 1994–95 to 2013–14**

<b>Year</b>	<b>Applications for access to information lodged</b>	<b>Contact and information vetoes lodged</b>
1994–95	6,252	584
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

*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 1994–95 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.

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.

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
- be 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](http://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 (for local adoptions only) an accredited adoption service provider (CatholicCare, Anglicare Adoption Services or Barnardos Australia).

## **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 Human Services (DHS) 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 DHS 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:

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

Intercountry adoptions are arranged only via DHS. However, local adoptions may be arranged by DHS 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 DHS 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**

- Children's 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**

For the purpose of intercountry adoptions, a person is considered an official client when he or she has submitted an expression of interest to be assessed for suitability to be an adoptive parent(s), and is eligible to have his or her name entered in the expression of interest register.

### **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:

- a member of the child's community or language group
- another Indigenous person who is compatible with the child's community or language group
- 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 legislation in late 2012 include significant reform of the adoption process to:

- make decision making more independent and transparent
- reintroduce relative adoptions
- enable applicants to foster children
- establish equitable application criteria to married and de facto couples
- relax restrictions on placement
- 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 give 60 days' notice to the Department for Child Protection and Family Support of their intention to apply for an adoption order. For the purpose of the adoption process, it might be necessary to engage a solicitor, as well as to apply to the Family Court of Western Australia 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 Act 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 carer adopting the child. The 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 seminars.

## **Adoption of Indigenous children**

The Western Australian Adoption Act 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 (DECD) 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 is granted only when there is no other order that will adequately provide for the interests and welfare of the child. The DECD 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
- a single person in special circumstances.

Adoptions can be arranged only through the DECD.

### **Official client**

An applicant becomes an official client when they lodge an expression of interest to adopt a child with the DECD.

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). 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 the DHHS.

### **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 the DHHS.

### **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 the DHHS.

## **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
- a single person in special circumstances that relate to the welfare and interests of the child.

Adoptions by non-relatives can be arranged by the DHHS or a non-government organisation approved by the 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 (OCYFS).

## **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 OCYFS.

## **Local and intercountry adoptions**

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

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

Adoptions by non-relatives must be arranged through the OCYFS.

## **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**

Since the inception of Western Australia's Adoption Act, all adoptions are considered open. All parties to an adoption may apply for access either identifying or non-identifying information. The level of information depends on the information recorded at the time and whether the records still exist. 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.



Adoption plans, which are required for an adoption, specify whether contact will occur between the parties to an adoption and what kind of contact. 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 done 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 Tasmania 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 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 a supply authority. Before a supply authority 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 to people 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 adopted person if he or she is aged 18 or over, or the 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**

While birth parents have a right to identifying information about an adopted child who is now an adult, if the adopted person has specified a wish for no contact with their birth parent in a current contact statement, the parent will not be given the identifying information until they have been informed of those wishes about contact.

The *Adoption Act 1984*, it is an offence for a birth parent to contact an adopted person if the parent knows the adopted person has requested no contact in a current contact statement.

Contact statements must be lodged with the Department of Human Services' Family Information Networks and Discovery service, and are held in a central location. Contact statements remain in force for 5 years from the date they are lodge, and only enable an adult adopted person to express their wishes about how contact should take place.

## **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**

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.

Under the Western Australian Adoption Act, birth parents, adoptive parents and adopted persons may apply for access to identifying and non-identifying information about the adoption from departmental records, at the discretionary authority of the Department's Chief Executive Officer.

Since 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.

Western Australia's *Adoption of Children Act 1896* was repealed in January 1995 when the *Adoption Act 1994* was enacted.

### **Veto system**

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

Under the Western Australian Adoption Act, all parties can apply for access to birth records and adoption court records (that is, identifying information).

Since changes to the legislation in 2003, information and contact vetoes may no longer be lodged. All existing information vetoes became ineffective in June 2005.

The adoption plan agreed to by parties to the adoption can, however, include provisions for no contact between parties. Adoption plans are registered with the Family Court of Western Australia and can be varied by the Family Court after the parties have participated in a mediation process done 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**

### **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 occupation, 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.

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. This makes contact more difficult, but 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 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 making contact with 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 on the adoption, which consists of information in a register of births on 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 previous legislation.

### **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 people.

The Act allows unqualified right to information, but gives the right to lodge a contact veto by 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. 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 for adoption orders made after 22 April 2010. The Act also provides for accountability in obtaining consents to adoptions, rights of the birth parents, and promotes an 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 new 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 new Act.

# Appendix C Countries party to the Hague Convention

Table C1: The 89 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	Germany	1 March 2002
Andorra <sup>(a)</sup>	1 May 1997	Greece	1 January 2010
Armenia <sup>(a)</sup>	1 June 2007	Guatemala <sup>(a)</sup>	1 March 2003
Australia	1 December 1998	Guinea <sup>(a)</sup>	1 February 2004
Austria	1 September 1999	Haiti	1 April 2014
Azerbaijan <sup>(a)</sup>	1 October 2004	Hungary	1 August 2005
Belarus	1 November 2003	Iceland <sup>(a)</sup>	1 May 2000
Belgium	1 September 2005	India	1 October 2003
Belize <sup>(a)</sup>	1 April 2006	Ireland	1 November 2010
Bolivia	1 July 2002	Israel	1 June 1999
Brazil	1 July 1999	Italy	1 May 2000
Bulgaria	1 September 2002	Kazakhstan <sup>(a)</sup>	1 November 2010
Burkina Faso	1 May 1996	Kenya <sup>(a)</sup>	1 June 2007
Burundi <sup>(a)</sup>	1 February 1999	Latvia	1 December 2002
Cambodia <sup>(a)</sup>	1 August 2007	Lesotho <sup>(d)</sup>	1 December 2012
Canada	1 April 1997	Liechtenstein <sup>(a)</sup>	1 May 2009
Cape Verde <sup>(a)</sup>	1 January 2010	Lithuania <sup>(a)</sup>	1 August 1998
Chile	1 November 1999	Luxembourg	1 November 2002
China <sup>(b)</sup>	1 January 2006	Macedonia <sup>(a)</sup>	1 April 2009
Colombia	1 November 1998	Madagascar	1 September 2004
Costa Rica	1 February 1996	Mali <sup>(a)</sup>	1 September 2006
Croatia	1 April 2014	Malta <sup>(a)</sup>	1 February 2005
Cuba <sup>(a)</sup>	1 June 2007	Mauritius <sup>(a)</sup>	1 January 1999
Cyprus	1 June 1995	Mexico	1 May 1995
Czech Republic	1 June 2000	Moldova <sup>(a)</sup>	1 August 1998
Denmark <sup>(c)</sup>	1 November 1997	Monaco <sup>(a)</sup>	1 October 1999
Dominican Republic <sup>(a)</sup>	1 March 2007	Mongolia <sup>(a)</sup>	1 August 2000
Ecuador	1 January 1996	Montenegro <sup>(a)</sup>	1 July 2012
El Salvador	1 March 1999	Netherlands	1 October 1998
Estonia <sup>(a)</sup>	1 June 2002	New Zealand <sup>(a)</sup>	1 January 1999
Finland	1 July 1997	Norway	1 January 1998
Fiji	1 August 2012	Panama	1 January 2000
France	1 October 1998	Paraguay <sup>(a)</sup>	1 September 1998
Georgia <sup>(a)</sup>	1 August 1999	Peru	1 January 1996

(continued)



**Table C1 (continued): The 89 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
Philippines	1 November 1996	Sri Lanka	1 May 1995
Poland	1 October 1995	Swaziland <sup>(a)</sup>	1 July 2013
Portugal	1 July 2004	Sweden	1 September 1997
Romania	1 May 1995	Switzerland	1 January 2003
Rwanda <sup>(a)</sup>	1 July 2012	Thailand	1 August 2004
San Marino <sup>(a)</sup>	1 February 2005	Togo <sup>(a)</sup>	1 February 2010
Senegal <sup>(a)</sup>	1 December 2011	Turkey	1 September 2004
Serbia <sup>(a)</sup>	1 April 2014	United Kingdom <sup>(e)</sup>	1 June 2003
Seychelles <sup>(a)</sup>	1 October 2008	United States of America	1 April 2008
Slovakia	1 October 2001	Uruguay	1 April 2004
Slovenia	1 May 2002	Venezuela	1 May 1997
South Africa <sup>(a)</sup>	1 December 2003	Vietnam	1 February 2012
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—came into force 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) Includes England, Northern Ireland, Scotland and Wales. The Hague Convention came into force for the Isle of Man on 1 November 2003.

*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. Ireland, Nepal and the Russian Federation have signed, but are yet to ratify, the Hague Convention.

Source: HCCH 2014.

# 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 (1 jurisdiction was unable to provide or only able to partially provide) for 3 of the 27 collection tables, and data are rarely recorded as unknown in any of the collection tables.

## Institutional environment

The AIHW is a major national agency set up 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 established in 1987, governed by a management board, and accountable to the Australian Parliament through the Health and Ageing 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](http://www.aihw.gov.au)>.

## Timeliness

The reference period for *Adoptions Australia 2013–14* is from 1 July 2013 to 30 June 2014. 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 2013–14 collection, the first iteration of data was due to the AIHW 6 weeks after the end of the financial year (by 8 August 2014), and data were finalised for all states and territories by 9 September 2014.

The data for each collection period are released in the AIHW's *Adoptions Australia* annual publication. In 2013–14, 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](http://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](mailto:info@aihw.gov.au). A cost recovery charge might apply to complicated 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](mailto: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 looked at. 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 related to intercountry, local and known adoption placements, as well as finalisations that occurred during the reporting period (that is, the 2013–14 reporting period would include data from 1 July 2013 to 30 June 2014). 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 where the data for the collection are sourced is 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 order was finalised 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.
- **Placements** – Children, regardless of the status of their adoption order, who were placed with their adoptive family (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 those 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, and, therefore, it is difficult to determine whether information about an observed adopted person 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 2013–14, of the 24 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 one table
- only 2 tables contain data recorded as unknown – no tables had an unknown category, which comprised more than 3% 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: WELSTAT (from 1987–88 to 1989–90) and the Australian Bureau of Statistics (ABS) (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 that occur, 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. Refer to *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 ABS *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. Placement proposals refer to 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 2014d). While both the AGD collection and *Adoptions Australia* collection contain information on the number of adoption applications and files sent overseas, there are differences in the reporting periods of the 2 collections, and in the definitions underlying the data. 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 in 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 (AGD 2014c). A United States study (Welsh et al. 2008) 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.

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). The more informed adoptive parents can be about the child's developmental or physical disabilities or chronic medical conditions (where relevant), 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, as noted previously, the capacity of countries of origin to determine and record information regarding a child for whom intercountry adoption is deemed appropriate 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**

The length of time the adoption process in Australia takes is of significant interest to a range of stakeholders (from government officials, to prospective adoptive parents). Such data provide insights into the level of efficiency in 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 in this over time. However, data are not currently nationally available in relation to the other types of adoption. For carer adoptions complexities regarding when the process should be considered to have commenced make it difficult to capture nationally comparable data. The availability of data in relation to 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 available for adoption**

For intercountry adoption, national data have been reportable for the last three years 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 available for 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 available for 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 'special needs' is also frequently applied (in the context of adoption) to a broad range of conditions that are 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 to comprise a special needs adoption 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 any one person. 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). Initiatives such as the Nationally Consistent Core Curriculum help make pre-adoption services widely available across Australia.

Previous studies have highlighted some post-adoption support services reported to be needed by adoptive parents. These are particularly important for adoptive families of



children with special needs. Services highlighted in the literature 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 Parliament of the United Kingdom 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 the 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 due to these reasons.

### **Addressing information gaps**

The AIHW, with the support of the state and territory departments responsible for adoption and other national agencies, such as the Attorney-General’s Department and the 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 bestow any responsibility for the long-term welfare of the child.

**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 must be made in Australia.

**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 adoptions 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, or 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 2013–14*, 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](http://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](http://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 2013–14, the 24th 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 1989–90. Data cover characteristics of adopted children, their parents and adoptive families, as well as applications and vetoes for contact and information exchange, and intercountry adoption processing times.

During 2013–14, 317 adoptions were finalised across Australia. Among these adoptions:

- 64% were children from Australia and 36% were from overseas
- 28% were by carers, such as foster parents
- 32% of adoptees came from Asia
- 45% of adoptees were aged under 5.