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Health and Welfare



Adoptions Australia

2020-21



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2020-21



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Summary

Adoption numbers decline



Adoption numbers in Australia declined by 63% over the past 25 years – from 709 in 1996–97 to 264 in 2020–21. This decline consisted of a 50% decrease in domestic adoptions and 84% decrease in intercountry adoptions. The 264 adoptions finalised in 2020–21 are the lowest number on record.

Known child adoption made up 69% of all adoptions



In 2020–21, 183 known child adoptions (where the child is already known to the adoptive parent) were finalised, a decrease of 27% on the previous year. Over the long term, there has been an increase of 14% from 160 in 2001–02 to 183 in 2020–21.

These adoptions accounted for 69% of all finalised adoptions in 2020–21, with adoption by carers, such as foster parents, the most common (55% of all known child adoptions), followed by step-parents (42%).

Around 1 in 6 are intercountry adoptions



In 2020–21, the 42 intercountry adoptions (of children from countries other than Australia with which Australia had an official adoption program) made up 16% of all adoptions. Intercountry adoptions declined each year between 2004–05 and 2019–20 but remained relatively stable in 2020–21.

Local and intercountry adoptees were younger than known child adoptees



Adoption of Australian children not known to their adoptive parent(s) are called 'local' adoptions. In 2020–21, 39 local adoptions were finalised, representing 15% of all adoptions. Nearly all (95%) of local adoptees and 71% of intercountry adoptees were aged under 5. By comparison, just under 1 in 7 known child adoptees (14%) were aged under 5.

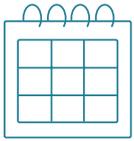
Over the past 25 years, 3 in 5 adoptions of Indigenous children were by adoptive parents who already knew the child



In 2020–21, 5 Indigenous children were adopted, the lowest number of finalised adoptions of Indigenous children since 2016–17.

Over the 25-year period from 1996–97 to 2020–21, a total of 124 Indigenous children were adopted. Almost 2 in 5 (39%) Indigenous children were adopted by Indigenous Australians. Nearly 3 in 5 (58%) Indigenous children were adopted through known child adoptions.

Intercountry adoptions on average took over 3 years to process



In 2020–21, the median length of time from when an adoptive parent became an official client of an Australian state or territory department responsible for intercountry adoption to when a child was placed for adoption was 3 years and 4 months.

The median length of time varied across countries. Placements from South Korea had a median time of 24 months, while the median time for the Philippines was over 5 years.

Nearly all intercountry adoptions were from Asian countries



In 2020–21, 90% of finalised intercountry adoptions were for adoptees from Asian countries. The most common countries of origin were Taiwan, with just over a third (36%) of all intercountry adoptions, followed by South Korea (29%).

1 Introduction

Adoption is a legal process involving the transfer of the rights and responsibilities for the permanent care of a child from the child's parent(s) to their adoptive parent(s).

The form of adoption practised in Australia is referred to as 'plenary open adoption'. When an adoption order is granted, the legal relationship between the child and their parent(s) is severed. Any legal rights that existed from birth regarding the parent(s), such as inheritance, are removed. For the adoptive parent(s), 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 is able to be issued for the child, recording the name(s) of the adoptive parent(s) as the legal parent(s), and, if relevant, a new name for the child.

Adoption in Australia aims to provide a nurturing, safe and permanent family for children and young people. Adoption is seen as a service for the child or young person, and decisions about an adoption are to be made with their best interests – both in childhood and later life – as the primary consideration.

To help inform adoption policy and practice in Australia, the Australian Institute of Health and Welfare (AIHW) releases this annual *Adoptions Australia* report documenting trends in the use of adoption to meet the needs of children and young people. An overview of adoption processes in Australia is provided in Appendix C.

1.1 Categories of adoption

There are 3 categories of adoption in the AIHW Adoptions Australia data collection:

- **Intercountry adoptions** are adoptions of children from countries other than Australia who are legally able to be placed for adoption, but generally have had no previous contact or relationship with the adoptive parent(s). Intercountry adoptions include adoptions that occurred through one of Australia's official adoption programs with a partner country. These adoptions are referred to in this report as either 'Hague' or 'bilateral' adoptions, depending on the arrangement in place between Australia and the partner country.
- **Local adoptions** are adoptions of children born or permanently living 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).
- **Known child adoptions** are adoptions of children born or permanently living 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 (including foster carers).

Other types of adoptions that are not included in the AIHW Adoptions Australia data collection are outlined in Box 1.1.

Box 1.1: Adoptions not included in national counts

Adoptions by relatives or other known carers of children from countries other than Australia, termed 'known child intercountry adoptions', are not included in counts of intercountry adoption presented in this report. It is anticipated that data development work will look to further understand these types of adoptions in future years.

Adoptions by Australian citizens or permanent residents living abroad that occur through an overseas agency or government authority are also excluded from the counts of intercountry adoption. These adoptions are referred to in this report as 'expatriate adoptions'. Australian adoption authorities are not responsible for facilitating expatriate adoptions, and do not assess or approve applicants for such adoptions. Available data on expatriate adoptions, obtained from visa applications, are reported in Section 2.2.

1.2 Adoptions in Australia

Adoptions in Australia have changed over time. These changes are due to a complex interplay of economic, political and sociocultural factors, including, but not limited to:

- the availability of financial support for single mothers
- a reduction in stigma associated with children born outside marriage
- the end of forced adoption practices
- improved child protection systems and the use of long-term legal orders that transfer parental responsibility
- the increasing labour force participation of women
- contraception and legalised abortion
- reproductive innovations (Carmichael 2014; Constantinidis and Cook 2012; Higgins 2012; Higgins et al. 2014; Mills et al. 2011).

These factors have reduced the number of Australian children considered to be in need of adoption, while also changing perceptions of adoption and when it is in the best interests of a child or young person.

Likewise, similar economic, political and sociocultural factors overseas, along with 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 – have influenced intercountry adoption patterns (United Nations General Assembly 1989). Changes have supported children remaining either with their families or within their country of origin, leading to fewer children, particularly infants, in need of intercountry adoption.

In Australia, the secrecy associated with past forced adoption policies and practices has largely given way to a system characterised by open exchange of information between parties to an adoption and by a focus on the needs of the child.

Recent research into contact relationships and adoption plans has shown that communicative openness, in relation to family history or adoption circumstances, is associated with healthy identity formation and a child's sense of belonging (Luu et al. 2018; Luu et al. 2019). Access to, and information exchange about, an adopted child by parties to the adoption (referred to in this report as an 'open' adoption) are supported in all states and territories, but the degree to which this occurs varies across jurisdictions (see Appendix A Section A2).

1.3 Recent developments

Carer adoptions

A relatively recent change to the pattern of adoption in Australia is the rise in numbers of adoptions by carers who had a pre-existing relationship with an adoptee before the adoption, such as foster parents – referred to in this report as ‘carer (known child) adoption’. Based on the desire to provide permanency of placement for children in out of home and foster care environments (Fernandez 2014), this category of adoption has made up a growing proportion of all adoptions in Australia over the past decade (see Section 2.4). However, the extent to which carer (known child) adoptions occur varies across states and territories, underpinned by differences in legislation.

Some jurisdictions, such as New South Wales, established a new hierarchy for child permanency planning (*Child Protection Legislation Amendment Act 2014*). These amendments placed adoption as the highest preference (except in the case of an Aboriginal or Torres Strait Islander child or young person) when reunification with parent(s), or guardianship with family, kin or other suitable person is not practical or in the best interests of the child.

Other jurisdictions such as Victoria have focused on improving stability and permanency for these children through long-term permanent care orders, which transfer guardianship and custody of a child to a third party, often until the child turns 18 (see Section 3.3).

Governance and support for intercountry adoptions

The Australian Government Department of Social Services (DSS) performs the duties of the Australian Central Authority under the Hague Convention. As the Australian Central Authority, DSS is responsible for enabling the performance of Australia’s responsibilities under the Hague Convention, including that intercountry adoption occurs in the best interests of the child. DSS also manages Australia’s intercountry adoption country programs (see Section 2.2), and is responsible for building strong relationships with overseas countries and providing national policy leadership on intercountry adoption practices.

The Attorney General’s Department transferred the Australian Central Authority function to DSS in April 2019.

DSS also delivers the [Intercountry Adoption Australia](#) information and referral service and funds and manages the [Intercountry Adoptee and Family Support Service](#) (ICAFSS), delivered by Relationships Australia.

Each state and territory government also undertake central authority responsibility for the adoption process, referred to as [State and Territory Central Authorities](#), and are responsible for managing and assessing adoption applications; preparing families for, and supporting them through, the intercountry adoption process; providing advice and assistance to families regarding specific overseas country requirements; monitoring progress of individual applications with the relevant agency in the overseas country; and providing support and supervision of families after the placement of adopted children (IAA 2020a).

Impact of coronavirus disease 2019 (COVID-19)

Measures put in place as part of government responses to COVID-19 during 2020 and 2021 (including closure of international borders, travel bans/restrictions, lockdowns, quarantine requirements, limitations on non-urgent face-to-face work, and resource reallocations) may have affected domestic and intercountry adoption processes during 2019–20 and 2020–21.

The long-term impact of COVID-19 on adoption processes is still unknown. Such effects may become apparent in adoptions data in future years. Where specific impacts on data have been identified, these are described in this report and in table footnotes.

1.4 Data sources and processes

The AIHW Adoptions Australia data collection is the authoritative source of national adoptions data for Australia. This report presents data extracted from the administrative systems of each state and territory department responsible for adoption, according to definitions and technical specifications agreed by the jurisdictions and the AIHW.

Data on adoption visas issued in 2020–21, including those for children adopted by expatriate Australians, are provided by the Department of Home Affairs.

Due to the size of the target population of this collection, some analyses contain small counts. Where published in this report, these data have been cleared for release by the state and territory departments responsible for adoption and, in some instances, reflect data that are publicly available elsewhere at the same level of disaggregation.

From 2019–20, the Department of Communities Tasmania requested that counts lower than 5 not be separately identifiable for Tasmania in national reporting on adoptions. This request was consistent with the position of the department to suppress similarly low counts in other national reports based on community services data. To accommodate this request, data from Tasmania, the Australian Capital Territory and the Northern Territory have been combined in tables that present data disaggregated by state and territory. In some instances, the reported combined count will include 'null' or 'zero' counts from one or more of these jurisdictions.

Definitions can be found in the Glossary. Further information on the data contained in this collection can be found in the data quality statement, available at <https://meteor.aihw.gov.au/content/index.phtml/itemId/751171>.

1.5 Report structure

This report has 3 chapters:

- Chapter 1 (this chapter) provides an introduction to adoption.
- Chapter 2 presents detailed data on adoptions in 2020–21.
- Chapter 3 presents trends in adoptions in Australia.

Additional information, including detailed data tables, as well as appendixes that contain summaries of state and territory adoption legislation, a list of the countries party to the Hague Convention, and an overview of adoption processes in Australia, can be downloaded from:

www.aihw.gov.au/reports/adoptions/adoptions-australia-2020-21/.

2 Adoptions in Australia in 2020–21

Key findings

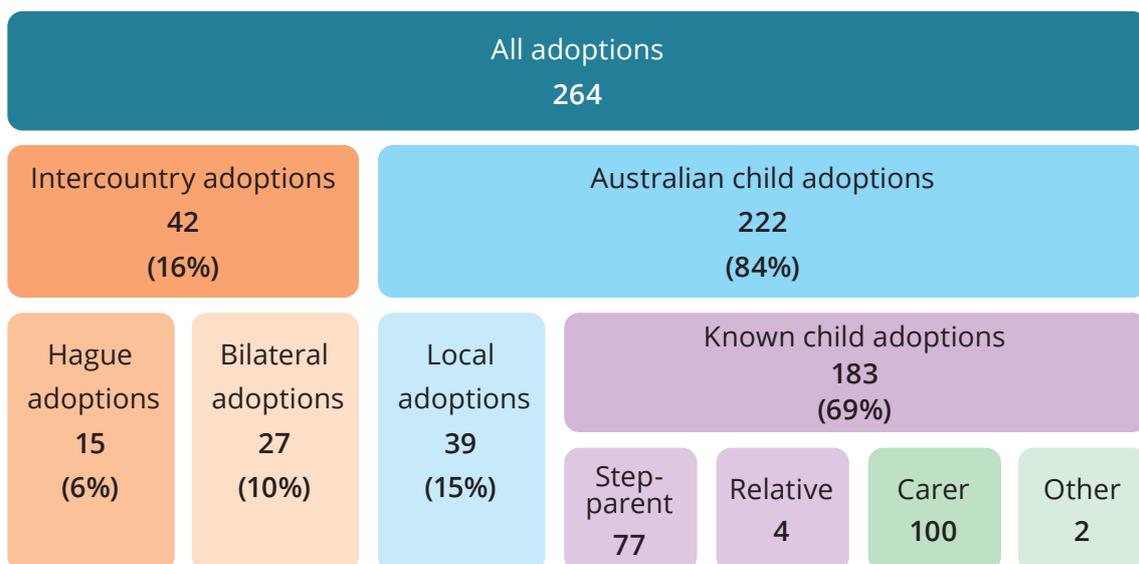
- There were 264 adoptions finalised in Australia in 2020–21.
- The majority (222, or 84%) were of Australian children and 16% (42) were intercountry adoptions.
- Carer (known child) adoptions were the most common – 100, or 38% of all finalised adoptions.
- Almost all local adoptees (37, or 95%), and the majority of intercountry adoptees (30, or 71%), were aged under 5, whereas 14% (25) of known child adoptees were aged under 5.
- The median waiting time for families adopting from overseas was 3 years and 4 months for children placed in 2020–21.
- More than half of all adoptive parents involved in local (42, or 54%) and intercountry (44, or 53%) adoptions were aged 40 and over – lower than for carer (known child) adoptions (157, or 84%).

Given the small numbers of adoptions, there can be volatility in the data from year to year. Changes over short periods (such as from one year to the next) should therefore be interpreted with caution. More information about the implications of the small size of the adoption population can be found in the data quality statement for this collection at <https://meteor.aihw.gov.au/content/index.phtml/itemId/751171>.

2.1 Adoptions in 2020–21

In 2020–21, 264 adoptions of children were finalised in Australia – a decrease of 21% from the 334 adoptions in the previous year. Of the 264 adoptions, 42 (16%) were children adopted from overseas and 222 (84%) were children from Australia, comprising 39 local adoptions and 183 known child adoptions (Figure 2.1).

Figure 2.1: Adoptions in Australia, by type of adoption, 2020–21



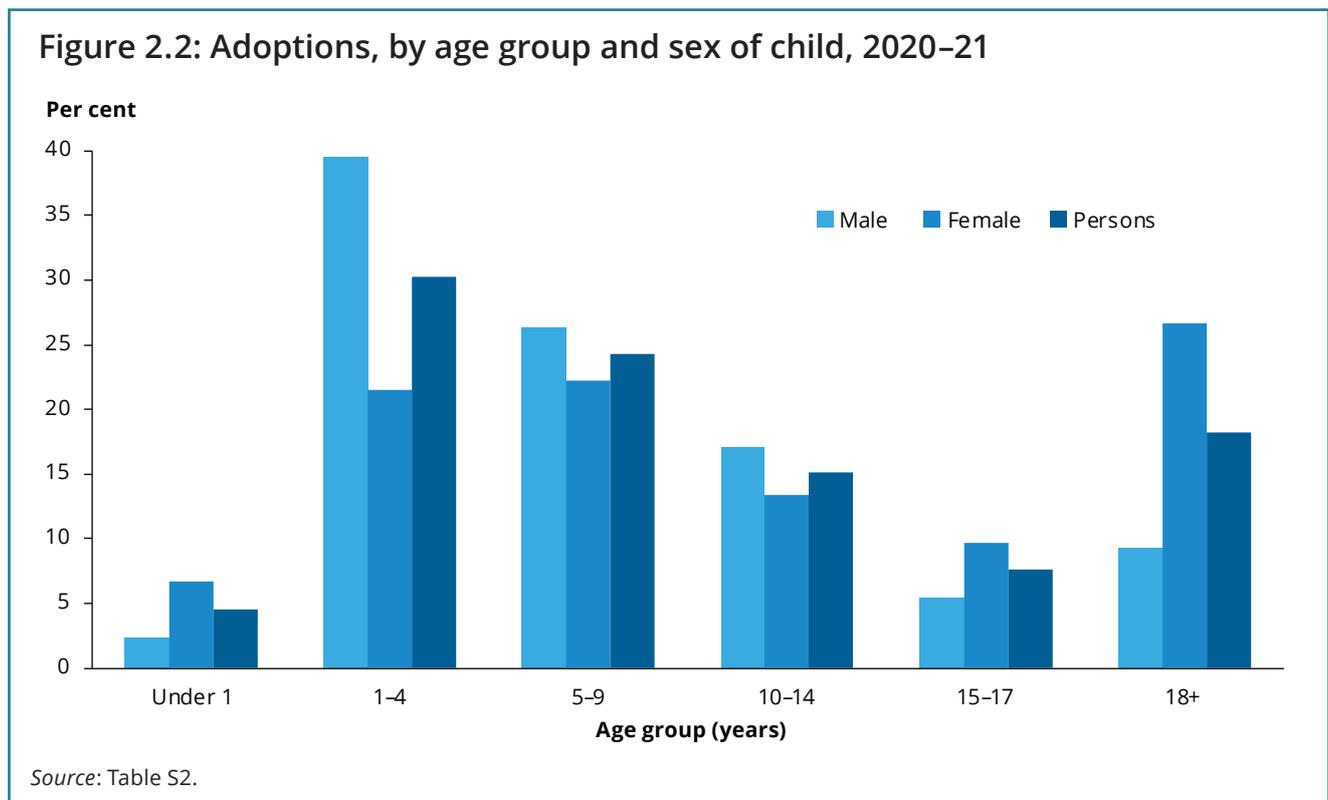
Notes

1. See Glossary for definitions of the adoption categories.
2. Expatriate and ad hoc adoptions are not included in the numbers for intercountry adoptions.
3. Known child adoptions include only those children born or permanently living in Australia before the adoption. Intercountry known child adoption is outside the scope of this report.

Source: AIHW Adoptions Australia data collection.

As part of the adoption process, children will be placed with their adoptive families (see Appendix C for an overview of adoption processes). This can occur before or after the adoption order is finalised. For local adoption, placement refers to when the child is taken into care of the prospective adoptive parent(s) regardless of the status of the final adoption order. For intercountry adoption, placement refers to when the child enters Australia. There were 83 placements during 2020–21 – 34 local adoptees and 49 intercountry adoptees (Table S3). For some of these children, the adoption order was not finalised during 2020–21, and therefore these children are not included among the reported 264 finalised adoptions. Additionally, some adoption orders finalised in 2020–21 related to children who were placed in previous years.

Of all adoption orders finalised in 2020–21, slightly more females (51%) than males (49%) were adopted. The most frequently adopted age group was children aged 1–4 (30% of all adoptions) (Figure 2.2; Table S2), however, the age and sex profile tends to differ between intercountry, local and known child adoptions.



Children in known child adoptions were generally older than their local and intercountry counterparts. This was due, in part, to requirements in jurisdictions on the length of time that prospective adoptive parents (such as foster parents) must have had a relationship with the child before an adoption can occur. The additional time involved in the creation of step families also contributes to the tendency for known child adoptees to be older.

In 2020–21, 86% of known child adoptees were aged 5 and over, whereas the majority of intercountry (71%) and local adoptees (95%) were aged under 5. Overall, around one-third of all finalised adoptions in 2020–21 were of children aged under 5 (92 or 35%) and 12 adoptees (5% of all adoptions) were younger than 12 months (Figure 2.2; Table S2).

From 2019–20 to 2020–21, the number of finalised adoptions in New South Wales declined by 35% – from 224 to 146 (Table S1). This decline is due largely to the decrease in known child adoptions in New South Wales (Table S23). The implementation of a new policy in 2018, which focused on achieving permanency for children in out-of-home-care, saw a higher number of adoptions in 2019–20 as resources focused on securing permanency for children who had been waiting several

years for the finalisation of adoption casework. This was followed by a decrease in the number of known child adoptions in 2020–21 as these processes stabilised.

Finalised adoptions in South Australia and Western Australia rose – from 7 to 15 and from 38 to 44, respectively. The number remained relatively stable in Victoria, Queensland, Tasmania, the Australian Capital Territory, and the Northern Territory (Table S1).

2.2 Intercountry adoptions

In 2020–21, 42 intercountry adoptions were finalised, representing 16% of all adoptions finalised (Figure 2.1). The number of intercountry adoptions remained relatively stable between 2019–20 (37) and 2020–21 (42) (Table S4).

Applicants for intercountry adoptions

Applicants for intercountry adoption may be married couples, de facto couples or single persons. The definition of when an applicant becomes an official client varies across jurisdictions. For example, it might be when the department first opened a file, when the applicant registered, or when the applicant was invited to attend an information session (see Appendix A, Section A1).

In 2020–21, 136 applicants became official clients of Australian adoption authorities (Table 2.1). This is the same number as reported in 2019–20, and the joint-lowest reported number on record. These numbers have fluctuated over the past 10 years (Table S5).

Table 2.1: Level of activity in intercountry adoptions, by state and territory, 2020–21

Activity	NSW	Vic	Qld	WA	SA	Tas/ACT/NT	Australia
Number of applicants who became official clients	1	2	82	35	2	14	136
Number of applicants who were approved as eligible and suitable for adoption	8	5	9	25	1	5	53
Number of files sent overseas	6	3	12	12	—	5	38

Notes

1. 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 2018–19, been approved in 2019–20, and had their file sent overseas in 2020–21. These applicants would appear only in the last category in the current reporting period.
2. The number of applicants who were approved as eligible does not reflect all approved applicants, but only those who were newly approved during 2020–21 (see 'Limitations of existing data' in the data quality statement at <https://meteor.aihw.gov.au/content/index.phtml/itemId/751171>).

Source: AIHW Adoptions Australia data collection.

In 2020–21, Australian adoption authorities formally approved 53 applicants as being eligible and suitable to adopt a child (Table 2.1) – a decline of 51% from the number recorded in 2011–12 (Table S5). Not all of these approvals relate to applicants who became official clients during 2020–21, as some might have become official clients during a previous year.

Australian adoption authorities also sent 38 files overseas during 2020–21 to be matched with a child (Table 2.1). As with the number of applicants who became clients, this represents the lowest reported number on record, and a decrease of 55% since 2011–12 (Table S5). At any given time, there might be many more awaiting being matched with a child, as the number does not include those files sent overseas in previous years that were still to be matched.

Country of origin

Of the 42 finalised intercountry adoptions in 2020–21, all but 4 (or 90%) were for children from Asian countries (Table S7). The most common country of origin was Taiwan (36% of intercountry adoptions), followed by South Korea (29%) (Table 2.2).

Of those intercountry adoptions finalised in 2020–21, 64% were from bilateral countries (Table 2.2). This is consistent with the proportion in the previous year.

Table 2.2: Intercountry adoptions, by type of adoption and child's country of origin, 2020–21

Country of origin	Number	% of intercountry adoption
Hague		
Colombia	4	9.5
Hong Kong	1	2.4
India	1	2.4
Philippines	2	4.8
Thailand	6	14.3
Vietnam	1	2.4
<i>Total Hague adoptions</i>	15	35.7
Bilateral		
South Korea	12	28.6
Taiwan	15	35.7
<i>Total Bilateral adoptions</i>	27	64.3
Total intercountry adoptions	42	100.0

Note: Percentages may not sum to 100, due to rounding.

Source: AIHW Adoptions Australia data collection.

Processing times for children placed during 2020–21

For intercountry adoptees placed with their adoptive parent(s) in 2020–21, 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 3 years and 4 months. There is, however, variability between countries from which placements were received. The median time was shortest for placements from South Korea, at 24 months, and longest for placements from the Philippines, at 66 months (over 5 years) (Table 2.3).

Table 2.3: Median length of time for the intercountry adoption process, by country of origin, for children placed in 2020–21 (months)^(a)

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 matched	From when the child was matched to when the child was placed	Total length of process ^(b)
Colombia	16	2	12	9	40
Philippines	11	2	40	12	66
South Korea	12	1	1	9	24
Taiwan	10	2	17	10	42
Thailand	9	4	35	6	60
All countries^(c)	10	2	14	9	40

(a) This table includes children who were placed with their adoptive families during 2020–21.

(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.

(c) 'All countries' includes Hong Kong, India, and Vietnam, for each of which there were fewer than 3 placements in 2020–21, making it unsuitable to report individual medians.

Source: AIHW Adoptions Australia data collection.

Characteristics of adopted children

All but 2 of the intercountry adoptees whose adoption order was finalised 2020–21 were aged under 10. The majority of these (30 adoptees) were aged under 5, with 2 adoptees aged under 12 months (Table S2).

In 2020–21, more adoption orders were finalised for male (32) than female (10) adoptees (Table S2). The majority of the intercountry adoptions finalised were of single children (86%), but 6 children were adopted as part of 3 sibling groups – that is, a child and at least one of their siblings were adopted at the same time by the same family (Table S12).

Level of need

Special needs in the Australian adoption context can be explored through the perceived level of need of an adoptee and their adoptive family, compared with what would be expected for a family with an average, non-adopted child of similar age in the general population. 'Level of need' can be conceptualised on a continuum, from those adoptees and their families who do not require any additional resources or support to those who require regular and more intensive additional resources and supports.

While definitions of special needs vary between countries of origin, in general, older children (see Box 2.1), sibling groups, and those with a higher identified level of need represent a growing proportion of the children for whom intercountry adoption is used as an option to create permanent care arrangements (Mignot 2015).

Box 2.1: Why do children adopted at an older age have additional needs?

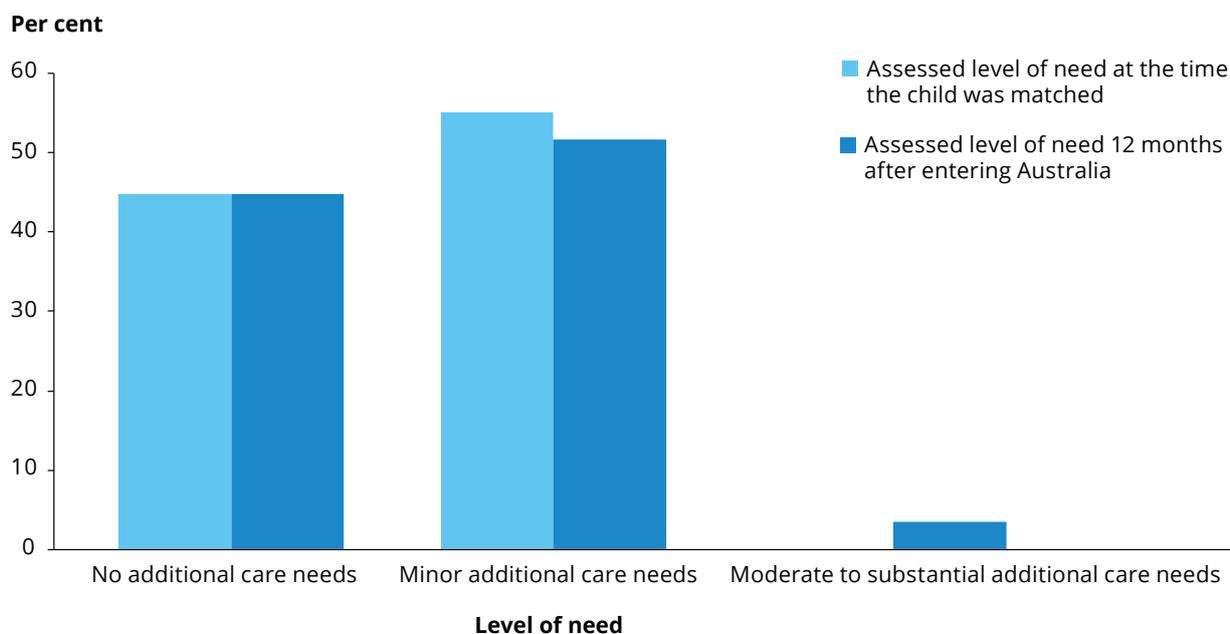
Many prospective adoptive parents are seeking a younger child. In an independent review of Intercountry Adoption Australia, more than half of all respondents (54%) expressed a preference for a child under the age of 3 (Australian Healthcare Associates 2017). Finding a suitable adoptive family can therefore be more difficult for older children (Tan et al. 2007).

Older intercountry adoptees may have experienced an extended history of abuse, neglect and long periods in poor-quality institutional care. This complex background can make it harder for these children to find an adoptive family in their country of origin capable of providing the long-term therapeutic and intensive parenting they require. As a result, older children represent a growing proportion of the children for whom intercountry adoption is deemed to be appropriate (Spark et al. 2008).

The level of need of intercountry adoptees who enter Australia is assessed at the point at which the child has been matched with, presented to, and accepted by, prospective adoptive parent(s) as part of the intercountry adoptions process, and again 12 months after entering Australia (excluding adoptions for Western Australia, for which these data were not available).

Of those children who entered Australia in 2019–20, 45% were identified as having no additional care needs at the time the child was matched with their prospective adoptive parents, with 55% assessed as having minor additional care needs, and zero with moderate to substantial additional care needs. These proportions varied little when the level of need was assessed again, 12 months after the children entered Australia, with a small proportion (3%) of children considered to have moderate to substantial additional care needs at this point in time (Table S14 and Figure 2.3).

Figure 2.3: Children who entered Australia in 2019–20, by assessed level of need at the time the child was matched, and 12 months after entering Australia



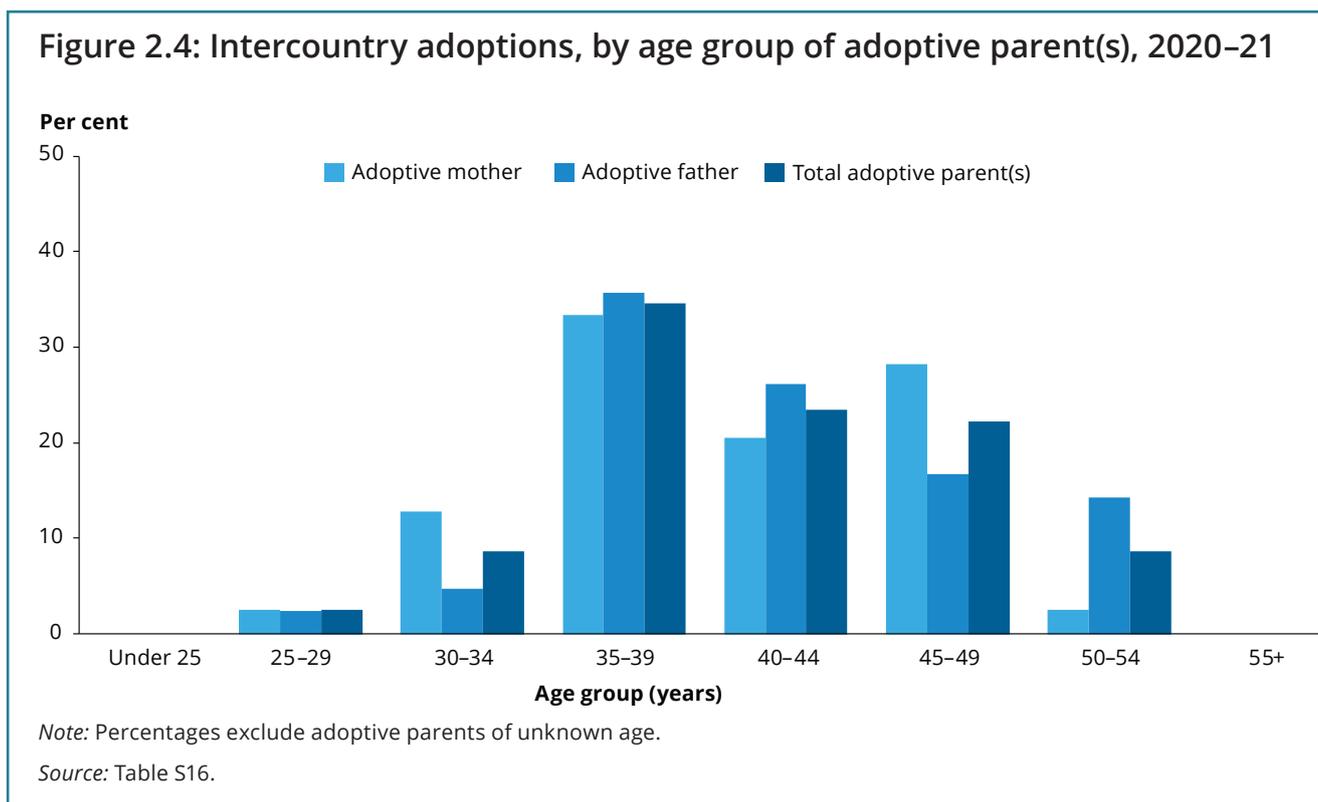
Note: Excludes adoptions from Western Australia, for which these data were not available.

Source: Table S14.

Characteristics of adoptive families

Adoptive parents tend to be older than parents of non-adopted children (see Box 2.2). In 2020–21, of all adoptive parents who were part of a finalised intercountry adoption, 53% were aged 40 and over, with 9 parents aged under 35, 2 of whom were under 30 (Figure 2.4). There was a higher proportion of adoptive mothers aged 45 to 49 (28%) when compared with adoptive fathers (17%). There were 6 (14%) adoptive fathers aged 50 to 54, compared with one adoptive mother in this age range. No adoptive parents were aged over 55. The majority (93%) of intercountry adoptees in 2020–21 became part of families where the adoptive parents were in a registered marriage (Table S30).

No national data were available on the characteristics of the birth families of intercountry adoptees.



In 2020–21, half (50%) of the children in finalised intercountry adoptions were adopted into families with no other children, and a further 23% were adopted into families with other adopted children only (Table 2.4). This excludes adoptions for New South Wales, for which data were not available.

Table 2.4: Intercountry adoptions, by type of adoption and composition of the adoptive family, 2020–21^(a)

Composition of the adoptive family	Hague adoption		Bilateral adoption		Total	
	Number	%	Number	%	Number	%
No other children	8	61.5	7	41.2	15	50.0
Biological children only	1	7.7	5	29.4	6	20.0
Adopted children only	2	15.4	5	29.4	7	23.3
Biological and adopted children	2	15.4	—	..	2	6.7
Total	13	100.0	17	100.0	30	100.0

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

Source: AIHW Adoptions Australia data collection.

Box 2.2: Why do characteristics of intercountry adoptive parents differ from those of parents of non-adopted children?

Adoptive parents tend to be older than parents of non-adopted children. Reasons for this might include decisions about postponed childbearing, exploration of alternatives in relation to family formation (including possible time spent pursuing fertility treatments) and the time involved in the intercountry adoption process. Further, countries of origin can specify age requirements for prospective adoptive parents as part of an intercountry adoption program, as well as requirements about the length of time applicants need to have been in a relationship with one another.

Regarding the marital status of prospective adoptive parents, apart from additional flexibility for the adoption of children with special needs, few intercountry programs allow applications by single people, with many programs requiring prospective adoptive parents to have been in a registered marriage for a set period.

For example, South Korea requires applicants to have been married for a minimum of 3 years. While all jurisdictions in Australia allow de facto and same sex couples to apply to adopt, many of Australia's partner countries do not accept applications from de facto or same sex couples – except for Poland which allows de facto couples, Hong Kong which allows same sex couples, and Colombia and South Africa which allow both de facto and same sex couple applications (IAA 2020b).

As with marital status and the age of adoptive parents, some countries of origin also have specific eligibility criteria in place that directly affected family composition – such as infertility requirements or restrictions on family size (IAA 2020b).

Hague adoption orders

Of the 15 adoptions finalised from countries where the Hague Convention was in force, 9 children entered Australia under guardianship orders and subsequently had their adoption orders finalised in Australia. Of these, 6 were from Thailand, 2 from the Philippines, and one from Hong Kong. The remaining 6 children entered Australia under a full adoption order made in their country of origin, with 4 of these adoptions being from Colombia (Table S11).

After a child is placed with their adoptive family, if a recognised full adoption order is not in place, there will be a period while the adoption order is finalised by Australian authorities. As a result, some children placed for adoption during 2020–21 might not have had their adoption finalised within that financial year.

Visa and citizenship applications

The Department of Home Affairs provide visa and citizenship application data to the Australian Institute of Health and Welfare to help inform expatriate and other intercountry adoption practices.

During 2020–21, COVID-19 caused visa processing delays due to the unavailability of key assessment services and this impacted the ability of applicants to meet key visa criteria. This includes lack of access to panel doctor facilities for visa medical checks and local in-country adoption-related services in many locations.

In 2020–21, data from the Department of Home Affairs showed that 3 adoption visas were issued for intercountry adoptees who had previously had an adoption arranged by an Australian state or territory authority (Table S6). Not all of the children who were issued with visas in 2020–21 would have had their adoption order finalised during this period. It is also possible that some of

these visas might reflect intercountry known child adoptions that are generally excluded from intercountry and finalised adoption numbers reported elsewhere in this report.

Intercountry adoptees can also enter Australia via a citizenship pathway. In 2020–21, data from the Department of Home Affairs showed that 39 applications for Australian citizenship for children adopted under full Hague Convention or bilateral arrangements were approved.

Expatriate adoptions

An expatriate adoption occurs when an Australian citizen or Australian permanent resident living abroad adopts a child through an overseas agency or government authority.

Australian adoption authorities are not responsible for expatriate adoptions, and do not assess nor approve applicants for such adoptions. To enter Australia, the child must apply for, and be granted, an adoption visa. This means that Australia’s involvement in such adoptions is limited to the Department of Home Affairs assessing whether or not the expatriate adoption meets the relevant visa requirements for entry of the child into Australia.

In 2020–21, data from the Department of Home Affairs indicated that 27 adoption visas were issued for children who were adopted under an expatriate adoption process (Table S6).

Visas for this type of adoption were issued from 15 countries. Just over 1 in 5 (22%) of these adoptions occurred in countries with which Australia had an official intercountry adoption program that was active in 2020–21. Almost three-fifths (59%) involved countries with which Australia has never had a formal adoption program (Department of Home Affairs, unpublished data).

2.3 Local adoptions

In 2020–21, 39 local adoptions were finalised, accounting for 15% of all adoptions (Figure 2.1). This represented a 19% decrease from the previous year, when 48 local adoptions were finalised (Table S17). The largest number and proportion of local adoptions finalised in 2020–21 were in Victoria (14 or 36%), followed closely by New South Wales (12 or 31%) (Table 2.5). Due to the small number of local adoptions nationally, changes from year-to-year at both the national and the state and territory level should be interpreted with caution. Refer to Section 3.1 for a discussion of long-term trends in the number of local adoptions.

Table 2.5: Local adoptions, by state and territory, 2020–21

State/territory	Number	%
New South Wales	12	30.8
Victoria	14	35.9
Queensland	7	17.9
Western Australia	4	10.3
South Australia	2	5.1
Tas, ACT and NT	–	..
Australia	39	100.0

Source: AIHW Adoptions Australia data collection.

Characteristics of adopted children

In 2020–21, almost all (95%) local adoptees were aged under 5 at the time of placement, with 26% being infants aged under 12 months (Table S2). The age profile for local adoptees was substantially different from other adoption types. No infants were adopted through known child adoption and only 2 infants (5%) were adopted through intercountry adoption in 2020–21 (see Section 3.1 for a discussion on how these characteristics have changed over time).

There were more local adoptions finalised for female (22) than male (17) adoptees in 2020–21, and 2 children were adopted as part of a sibling group (tables S2 and S12).

In 2020–21, 3 Indigenous Australian children had an adoption order finalised as part of a local adoption where the child did not have a pre-existing relationship with the adoptive parent(s). The adoptive parent(s) identified as Indigenous Australians in one of these adoptions (AIHW Adoptions Australia data collection).

Characteristics of birth mothers

The age of birth mothers of children with a finalised local adoption in 2020–21 ranged from under 20 to over 40 (Table S19), with the median age being 28 (Table S18). This was younger than the median age of all mothers giving birth in Australia, which was 31.4 years (ABS 2019). Most (97%) birth mothers with a finalised local adoption were not married to the child's birth father at the time of birth (Table S20).

Characteristics of adoptive families

Adoptive parents involved in finalised local adoptions in 2020–21 were more likely to be married (82%) than in a de facto relationship (18%) (AIHW Adoptions Australia data collection).

Local adoptive parents were generally older than the birth mothers of adoptees, with all but one (99%) local adoptive parents being aged 30 and over at the time of placement (Table S16). Of local adoptive mothers, 16% were aged over 45, compared with 27% of local adoptive fathers. Factors that influence the characteristics of adoptive families in local adoptions are discussed in Box 2.3.

Box 2.3: What influences the characteristics of adoptive families in local adoptions?

Although eligibility criteria set by local adoption authorities in Australia are generally less restrictive than those set by Australia's partner countries for intercountry adoption, it is likely that criteria for local adoption have still influenced the characteristics of adoptive parents.

Factors that might influence the age and relationship status of adoptive parent(s) in local adoptions include adoption specifications on the length of time couples needed to have been in a married or de facto relationship, an increasing tendency for couples to postpone having children, and entering into marriage later in life (Mills et al. 2011).

Further, while married and de facto couples (including same-sex couples) were eligible to become adoptive parents in all states and territories in Australia in 2020–21, additional restrictions still applied for single people wanting to adopt.

The circumstances under which single people could apply to adopt varied for each state and territory, but most accepted such applicants only under special circumstances, such as an adoption of a child with special needs where the single applicant has special skills needed to parent the child (for example, expertise in working with children with a disability, or nursing).

Of local adoptees with a finalised adoption order in 2020–21, almost 3 in 5 (59%) were adopted into families with no other children. A further 26% were adopted into families with other adopted children only (excluding adoptions for New South Wales, for which these data were not available) (Table S31).

Administration of local adoptions

Just over 3 in 4 (77%) local adoptions finalised in 2020–21 were arranged by a relevant state or territory authority, with the remainder (23%) arranged by a non-government organisation (Table S22).

Legislation governing local adoptions in states and territories require that, in most instances, consent for adoption be received from both parents. 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.

For more than half (56%) of local adoptions finalised in 2020–21, consent for the adoption was given by the mother only. For a further 36%, both parents provided consent for the adoption. In one case, consent of both parents was either dispensed with or not required (Table 2.6).

Table 2.6: Local adoptions, by type of consent, 2020–21

Type of consent given	Number	%
From mother only ^(a)	22	56.4
From father only ^(b)	2	5.1
From both parents	14	35.9
Both parents' consent dispensed/not required	1	2.6
Total	39	100.0

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

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

Source: AIHW Adoptions Australia data collection.

Agreements made at the time of adoption showed that the majority (92%) of local adoptions finalised in 2020–21 could be considered 'open' – that is, all parties agreed to allow a degree of contact or information exchange to occur between families (Table S32). Further information on open adoptions is provided in Box 2.4.

Open adoption arrangements have consistently been the most common form of agreement (generally more than 80% of local adoptions finalised in each year) since the collection of this information began in 1998–99 (AIHW Adoptions Australia data collection; Table S21).

Box 2.4: The nature of adoption has moved from closed to open adoptions

In an open adoption, the identity of all parties is known, and contact between the birth family and the adoptee, either directly or indirectly, is continued throughout the adoptee's life (Monahan & Hyatt 2018).

Most jurisdictions require that ongoing contact arrangements be addressed as a necessary requirement of the adoption plan – either as an enforceable part of the adoption order or as part of a formal post-adoption contact arrangement. In South Australia, Tasmania and the Northern Territory agreed ongoing contact arrangements are not enforceable (Monahan & Hyatt 2018). Contact and adoptive plans are generally negotiated before the adoption, and aim to include the views of the adoptive and birth families. In known child adoptions, for which contact data are not collected, effort is made to include the child's perspective on the openness of the adoption (Luu et al. 2019).

In 2020, some jurisdictions, such as New South Wales and the Australian Capital Territory, made legislative amendments to provide for an Integrated Birth Certificate (IBC) to adopted persons. An IBC can include information about an adopted person's parents and siblings at birth, as well as their parents and siblings after adoption.

These changes were introduced to better manage identity, identification and recognition of family for adopted persons, and enhances modern open adoption practice.

2.4 Known child adoptions

In 2020–21, 183 known child adoptions were finalised – a decrease of 27% from the previous year (Table S23). Despite this decrease, known child adoption was the largest category of adoption in 2020–21, accounting for 69% of all finalised adoptions. As with every year over the past 2 decades, the majority (67%) of known child adoptions occurred in New South Wales (Table 2.7). A 39% decrease in known child adoptions in New South Wales between 2019–20 and 2020–21 contributed to the national decline in these types of adoptions (Table S23).

Table 2.7: Known child adoptions, by state and territory, 2020–21

State/territory	Number ^(a)	%
NSW	122	66.7
Vic	1	0.5
Qld	7	3.8
WA	34	18.6
SA	12	6.6
Tas, ACT and NT	7	3.8
Australia	183	100.0

(a) Number of adoptions includes 48 adoptees aged 18 or over at the date the adoption order was granted (see Table S2).

Source: AIHW Adoptions Australia data collection.

Over half (55%) of the known child adoptions finalised in 2020–21 were by carers (such as foster parents) – down slightly from 69% in 2019–20 (tables 2.8 and S25). Almost all (96%) of the known child adoptions by carers (96 of 100) occurred in New South Wales, as was also the case for 2019–20 (169 of 171) (AIHW 2021a). This reflects the state's policies that promote adoption as a means of achieving stability for children under the long-term care of state child protective services, when family restoration is not considered appropriate.

Table 2.8: Known child adoptions, by relationship of adoptive parent(s), 2020–21

Relationship of the adoptive parent(s)	Number ^(a)	%
Carer	100	54.6
Step-parent	77	42.1
Relative	4	2.2
Other ^(b)	2	1.1
Total	183	100.0

(a) Includes 48 adoptees aged 18 and over at the date the adoption order was granted (see Table S2).

(b) Includes commissioning (surrogate) parent(s), regardless of whether or not the commissioning parent(s) was a relative.

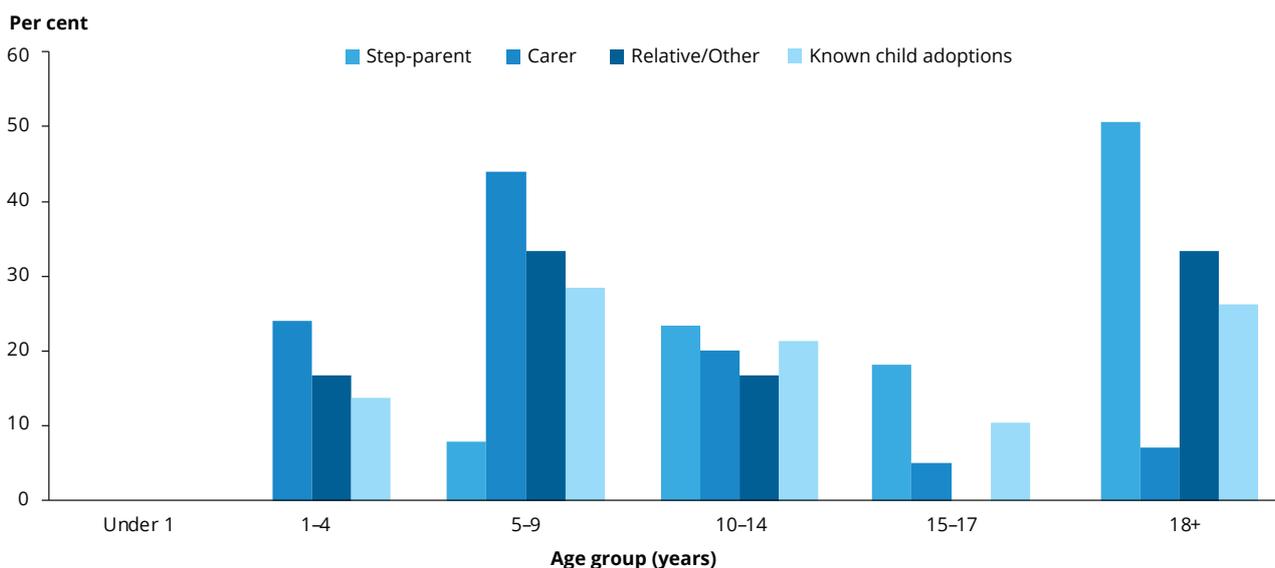
Source: AIHW Adoptions Australia data collection.

Characteristics of adopted children

Australian children in known child adoptions were generally older than children in local or intercountry adoptions. In 2020–21, 106 of the 183 (58%) known child adoptees were aged 10 and over at the date the adoption order was granted, with 48 adoptees aged 18 and over. In comparison, no children in local adoptions and only 2 children in intercountry adoptions were aged over 10. Children aged under 5 made up 14% of known child adoptions, compared with 95% of local adoptions, and 71% of intercountry adoptions (Table S2).

Due to the longer time involved in forming step-families, the proportion of adoptions by step parents (42% of known child adoptions finalised in 2020–21) influences the proportion of older age children seen in the known child adoption category. Of the known child adoptions finalised in 2020–21, 92% of the children in step-parent adoptions were aged 10 and over, compared with 32% of children in carer adoptions (Figure 2.5; Table S24).

Figure 2.5: Known child adoptions, by age group of child and type of adoption, 2020–21



Source: Table S24.

More females (103 or 56%) than males (80) were the subjects of finalised known child adoptions in 2020–21. This proportion increases to 75% female for those aged 18 years and over. Amongst those aged under 10, over half (53%) were male (Table S2). In 2020–21, 2 Indigenous Australian children had adoption orders finalised as part of a known child adoption. The adoptive parents in both of these adoptions identified as non-Indigenous Australians (AIHW Adoptions Australia data collection).

Data on sibling adoptions were collected only for carer (known child) adoptions in 2020–21. These data show that, of the 100 carer (known child) adoptions, half (50) of the adoptees were adopted as part of 24 sibling groups (Table S12).

Characteristics of adoptive families in carer (known child) adoptions

The marital status of adoptive parents in carer (known child) adoptions differed from that of intercountry and local adoptions. However, the majority of adoptive parents involved in carer adoptions were in a registered marriage (72%) – although this was a lower proportion than those involved in local adoptions (82%) and intercountry adoptions (93%).

While there were no local adoptions and only one intercountry adoption by a single person in 2020–21, 14% of carer (known child) adoptions were by single parents (Table 2.9).

Table 2.9: Carer (known child) adoptions, by marital status of the adoptive parent(s), 2020–21

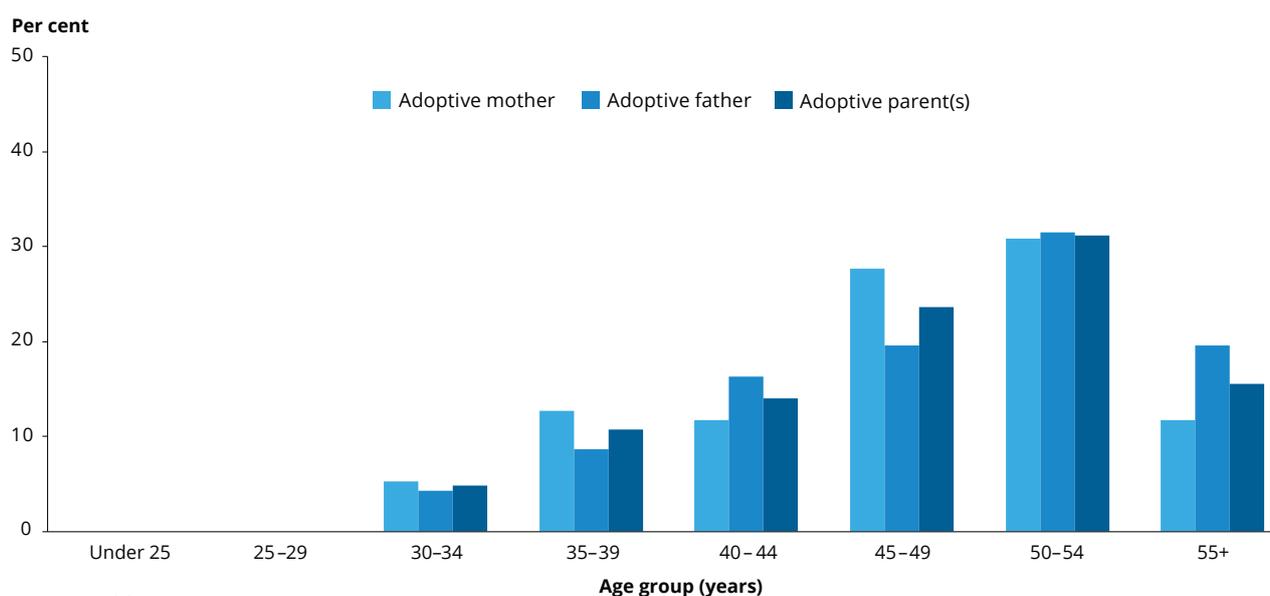
Marital status of the adoptive parent(s)	Number	%
Registered married couple	72	72.0
De facto couple	14	14.0
Single person ^(a)	14	14.0
Total	100	100.0

(a) Might include widowed parents.

Source: AIHW Adoptions Australia data collection.

Carers who adopted a child in their care tended to be older than adoptive parents in intercountry or local adoptions, with almost half (47%) of adoptive parents involved in carer (known child) adoptions aged 50 and over, compared with around 1 in 12 (8%) for intercountry adoptions, and 1 in 20 for local adoptions (5%) (Figure 2.6; Table S16).

Figure 2.6: Carer (known child) adoptions, by age group of adoptive parent(s), 2020–21



Source: Table S16.

Administration of carer (known child) adoptions

State and territory legislation governing carer (known child) adoption requires that consent for adoption be received either from both birth parents or from any person who has parental responsibility for the child (which can include the Minister’s delegate if the child is under the parental responsibility of the Minister), or that the court makes an order dispensing with consent. Dispensation of consent is usually provided where the parent(s) cannot be found, where the parent(s) are unable to give consent themselves, or in some instances where there is a history of abuse that has led to the child being removed from their care for an extended period.

For more than three-quarters (76%) of carer (known child) adoptions finalised in 2020–21, consent of both parents for the adoption was dispensed or not required (Table 2.10).

While not reported in the Adoptions Australia data collection, it is a requirement in all jurisdictions that a child be consulted if they are aged 12 and over, and their consent obtained before an adoption order is made. The court may dispense with the child’s consent if the adoption is believed to be in their best interests (Monahan & Hyatt 2018).

Table 2.10: Carer (known child) adoptions, by type of consent, 2020–21

Type of consent given	Number	%
From mother only ^(a)	11	11.3
From father only ^(b)	9	9.3
From both parents	3	3.1
Both parents’ consent dispensed/not required	74	76.3
Total^(c)	100	100.0

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

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

(c) ‘Total’ includes 3 carer (known child) adoptions where the type of consent was unknown.

Note: Percentages exclude instances where the type of consent was unknown.

Source: AIHW Adoptions Australia data collection.

2.5 Access to information

In 2020–21, all states and territories had legislation that granted certain information rights to adopted people aged 18 and over, and to their adoptive and birth families. The extent of these rights, and of the protection of the privacy of parties to the adoption, varied among the jurisdictions (see Appendix A, Section A2).

Information applications

All states and territories had adoption information services, or information and contact registers (or other similar systems) in place in 2020–21, but the requirements for accessing information about a past adoption differed for each jurisdiction (see Appendix A, Section A3).

Depending on the legislation of the relevant jurisdiction, parties to an adoption could apply for access to identifying or non-identifying information. Identifying information includes details of the person about whom the information is being sought, such as the original birth certificate or the amended birth certificate. Non-identifying information can include the age of birth parent(s), and place of birth.

In 2020–21:

- there were 2,186 information applications made, with 89% of these for identifying information (Table 2.11)
- almost three-quarters (70%) of identifying information applications were made by adoptees, and 13% by a child of the adoptee
- 36% of non-identifying information applications were made by adoptees, and 45% by other birth relative(s)
- most (84%) adult adoptees seeking information were aged 45 and over (Table 2.12)
- more female adoptees (55%) lodged information applications than male adoptees (45%) (Table 2.12).
- there were 43 applications for information lodged where the adoptee was known to be Aboriginal or Torres Strait Islander (AIHW Adoptions Australia data collection).

Table 2.11: Information applications lodged, by person lodging application and information type, 2020–21

Person lodging the application	Number	%
Identifying information		
Adoptee	1,366	70.2
Adoptive mother	2	0.1
Adoptive father	7	0.4
Birth mother	116	6.0
Birth father	35	1.8
Other birth relative(s)	148	7.6
Other adoptive relative(s)	15	0.8
Child of adoptee	253	13.0
Unknown	5	0.3
Total	1,947	100.0
Non-identifying information		
Adoptee	85	35.6
Adoptive mother	2	0.8
Adoptive father	3	1.3
Birth mother	9	3.8
Birth father	4	1.7
Other birth relative(s)	108	45.2
Other adoptive relative(s)	1	0.4
Child of adoptee	27	11.3
Unknown	—	..
Total	239	100.0

Notes:

1. Data predominantly relate to applicants who were party to a domestic adoption. Very few applicants were party to an intercountry adoption.
2. Percentages may not sum to 100, due to rounding.

Source: AIHW Adoptions Australia data collection.

Table 2.12: Adult adoptees who lodged information applications, by age group and sex, 2020–21

Age group (years)	Males	Females	Persons ^(a)	%
18–19	5	1	6	0.4
20–24	3	13	16	1.2
25–34	19	34	53	3.9
35–44	54	87	141	10.4
45+	525	610	1,136	84.0
Total	606	745	1,369	100.0
%	44.8	55.1	100.0	100.0

(a) 'Includes 17 persons of unknown sex.

Notes

1. Percentages may not sum to 100, due to rounding.
2. Percentages exclude those of unknown age and/or sex.

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. This occurs through the lodgement of a veto. In 2020–21, there were 2 types of vetoes possible in some jurisdictions in Australia:

1. **Identifying information vetoes** are used when a party to an adoption requested that identifying information was not to be released to any other party to the adoption.
2. **Contact vetoes** are used to create a legal requirement for a person receiving identifying information not to contact the other party. A contact veto can be lodged even if information about an adoption is never requested.

The person who lodged a contact or information veto can lift the veto.

Access to each veto type varied across states and territories. In some states and territories, vetoes are valid only for adoptions that occurred before a particular date, or last only a set amount of time before needing to be renewed. Following the repeal of the contact veto scheme in Victoria in 2015, no contact statements remained in force in that state by 2020–21. No vetoes were lodged in Victoria, Western Australia, South Australia, the Northern Territory or the Australian Capital Territory during 2020–21. See Appendix A, Section A3 for more information on how these vetoes operate in each jurisdiction.

Overall, 12 contact vetoes were lodged in 2020–21, a slight increase from the 9 lodged in 2019–20 (Table 2.13; AIHW 2021a). In 2020–21 no identifying information vetoes were lodged.

At 30 June 2021, 8,382 contact and identifying information vetoes were in place – a slight decline from the 8,484 in place as at 30 June 2020 (Table 2.13; AIHW 2021a). Applications for information were likely affected by restrictions put in place by governments to manage the COVID-19 pandemic. This affects the comparability of these data with data prior to 2019–20.

Table 2.13: Vetoes lodged during 2020–21 or in place as at 30 June 2021, by the person who lodged the veto

Measure	Adoptee	Adoptive mother	Adoptive father	Birth mother	Birth father	Other birth relative	Other adoptive relative	Total ^(a)
Contact vetoes								
Vetoes lodged during the year	7	—	—	4	—	1	—	12
%	58.3	..	..	33.3	..	8.3	..	100.0
Vetoes in place at 30 June	4,369	219	190	3,177	81	9	4	8,052
%	54.3	2.7	2.4	39.5	1.0	0.1	..	100.0
Identifying information vetoes								
Vetoes lodged during the year	—	—	—	—	—	—	—	—
%
Vetoes in place at 30 June	186	14	11	110	7	—	—	330
%	56.7	4.3	3.4	33.5	2.1	..	..	100.0
Total								
Vetoes lodged during the year	7	—	—	4	—	1	—	12
%	58.3	..	..	33.3	..	8.3	..	100.0
Vetoes in place at 30 June	4,555	233	201	3,287	88	9	4	8,382
%	54.4	2.8	2.4	39.2	1.1	0.1	..	100.0

(a) 'Total' includes 3 contact vetoes and 2 non-identifying information vetoes where the relationship of the person lodging the veto to the adoptee was unknown as at 30 June 2021.

Notes

1. Percentages may not sum to 100, due to rounding.
2. Percentages exclude instances where the relationship of the person lodging the veto to the adoptee was unknown.

Source: AIHW Adoptions Australia data collection.

The majority of contact vetoes lodged in 2020–21 were lodged by the adoptee (58%), followed by the birth mother (33%). Of those contact vetoes in place as at 30 June 2021, 54% were lodged by the adoptee, and 39% by the birth mother.

Of those identifying information vetoes in place as at 30 June 2021, 57% were lodged by the adoptee, and 34% by the birth mother.

In 2020–21, as in previous years, the number of applications for information (2,186) far exceeded the number of vetoes lodged against contact or the release of identifying information (12) (Table S26).

3 Adoption trends in Australia

Key findings:

- Adoption numbers declined by 63% over the past 25 years – from 709 in 1996–97 to 264 in 2020–21.
- The 264 adoptions finalised in 2020–21 are the lowest number on record.
- Over the past 20 years the number of known child adoptions have fluctuated, however, over the long term there has been an increase of 14% from 160 in 2001–02 to 183 in 2020–21.
- Overall, intercountry adoptions have declined from 269 in 1996–97 to 42 in 2020–21, with some fluctuations.
- Taiwan has been the main country of origin for intercountry adoptions over the past decade.
- The median processing time for an intercountry adoption was 3 years and 4 months in 2020–21 – the first time it had exceeded 3 years since 2015–16.
- Of the 124 Indigenous Australian children adopted over the past 25 years, 39% involved adoptive parents who identified as Indigenous Australians.

Due to the small number of annual adoptions and the multiple years that can be involved in an adoption process, trend analyses over extended periods (such as those included in this chapter) can provide more robust and meaningful insights than analyses of change over shorter periods.

The total number of finalised adoptions in Australia has fallen over the past 25 years – a 63% decline from 1996–97, and a 23% decline over the past decade (Figure 3.1; Table S1).

In 2020–21, 264 finalised adoptions were recorded, a decline of 21% from the previous year and the lowest number on record. The fall in the overall number of adoptions from 1995–96 to 2003–04 was primarily driven by the falling number of domestic adoptions of Australian children (comprising local and known child adoptions) (Figure 3.1).

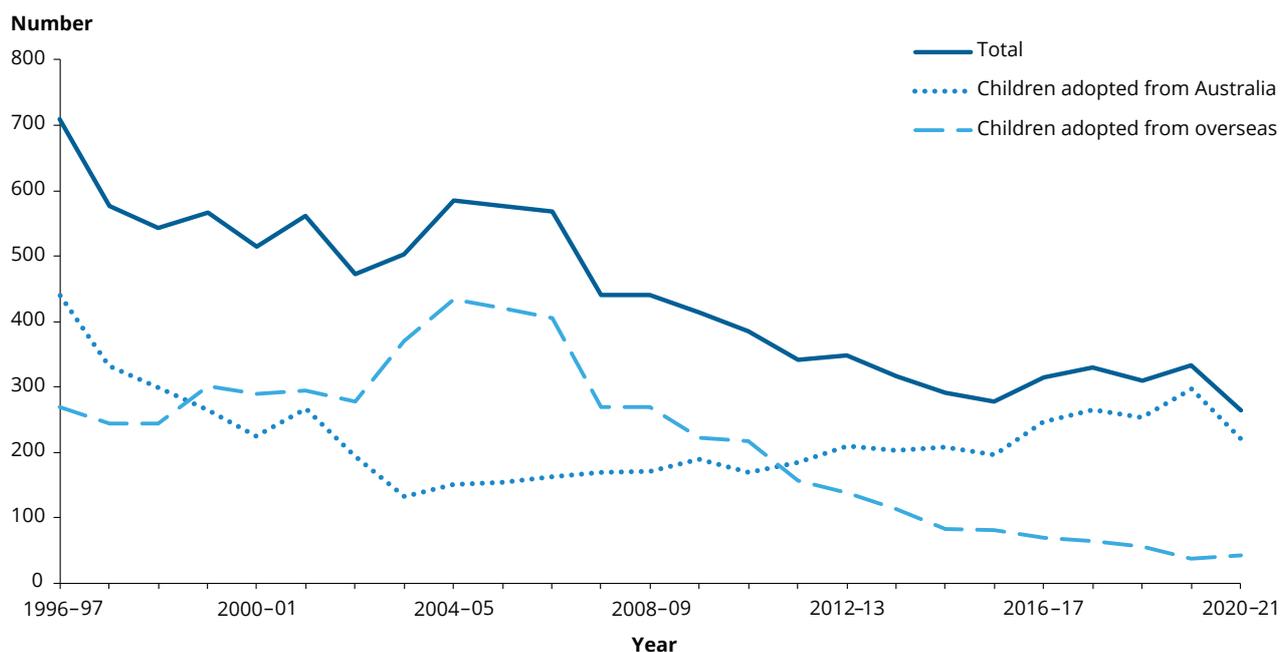
In 2020–21, there were 222 domestic adoptions of Australian children, a decline of 25% from the previous year and the lowest number recorded in the past 5 years (Table S27).

Over the same period, the number of intercountry adoptions has fluctuated, increasing between 1996–97 and 2004–05, before declining each year between 2005–06 and 2019–20 and remaining relatively stable in 2020–21.

Between 2001–02 and 2010–11, more intercountry adoptions were finalised each year than domestic adoptions of Australian children. Since 2011–12 in Australia there have been more children adopted through a domestic adoption process than through intercountry adoption (Figure 3.1; Table S27).

Travel restrictions associated with government responses to COVID-19 and the noted impact of the pandemic on visa applications likely contributed to the low number of intercountry adoptions finalised during 2019–20 and 2020–21, and it is possible that some adoptions that would have otherwise been finalised during the year will appear in national data for subsequent years. However, even without the effects of COVID-19, intercountry adoption numbers were showing an overall pattern of decline.

Figure 3.1: Adoptions, by child's origin, 1996–97 to 2020–21



Source: Table S27.

3.1 Trends in categories of adoption

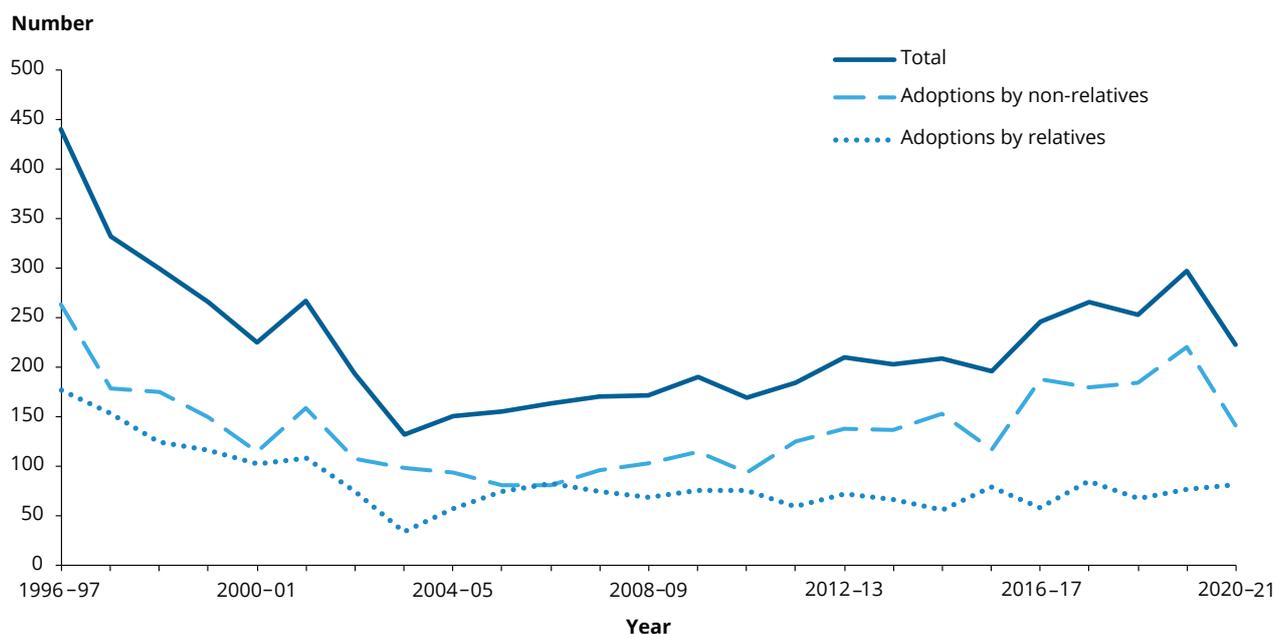
Adoptions of Australian children

Although changes to the adoption categories in 1998–99 limit the amount of trend data available for local and known child adoptions, it is possible to report on long-term trends in domestic adoptions of Australian children using categories of relative and non-relative adoptions.

Adoptions by relatives comprise mainly step-parent adoptions, with a small number of adoptions by other relatives (such as grandparents, aunts and uncles), relative/kinship carers and commissioning (surrogate) parents also occurring each year. The number of Australian children adopted by relatives fell between 1996–97 and 2003–04, and has fluctuated since (Table S28).

Over the same period, the number of adoptions by non-relatives (which includes known carers such as foster parents) generally remained higher than adoptions by relatives (Figure 3.2; Table S28). Further information on domestic adoption trends are outlined in Box 3.1.

Figure 3.2: Adoptions of Australian children, by relationship to adoptive parent(s), 1996–97 to 2020–21



Note: 'Relatives' comprise step-parents, other relatives (such as grandparents, aunts and uncles), relative/kinship carers and commissioning (surrogate) parents. 'Non-relatives' comprise carer (known child) adoptions and other non-relatives.

Source: Table S28.

Box 3.1: What influences trends in domestic adoptions?

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

Legislative changes introduced by state and territory departments over the past 25 years that have supported a greater use of alternative legal orders also contribute to the decline. These orders, such as permanent care orders in Victoria that were introduced in 1992, transfer sole parental responsibility for a child to a person other than the parent (in most cases, to relatives or carers with whom the child is currently living), often replacing the need for adoption (see Appendix A, Section A1).

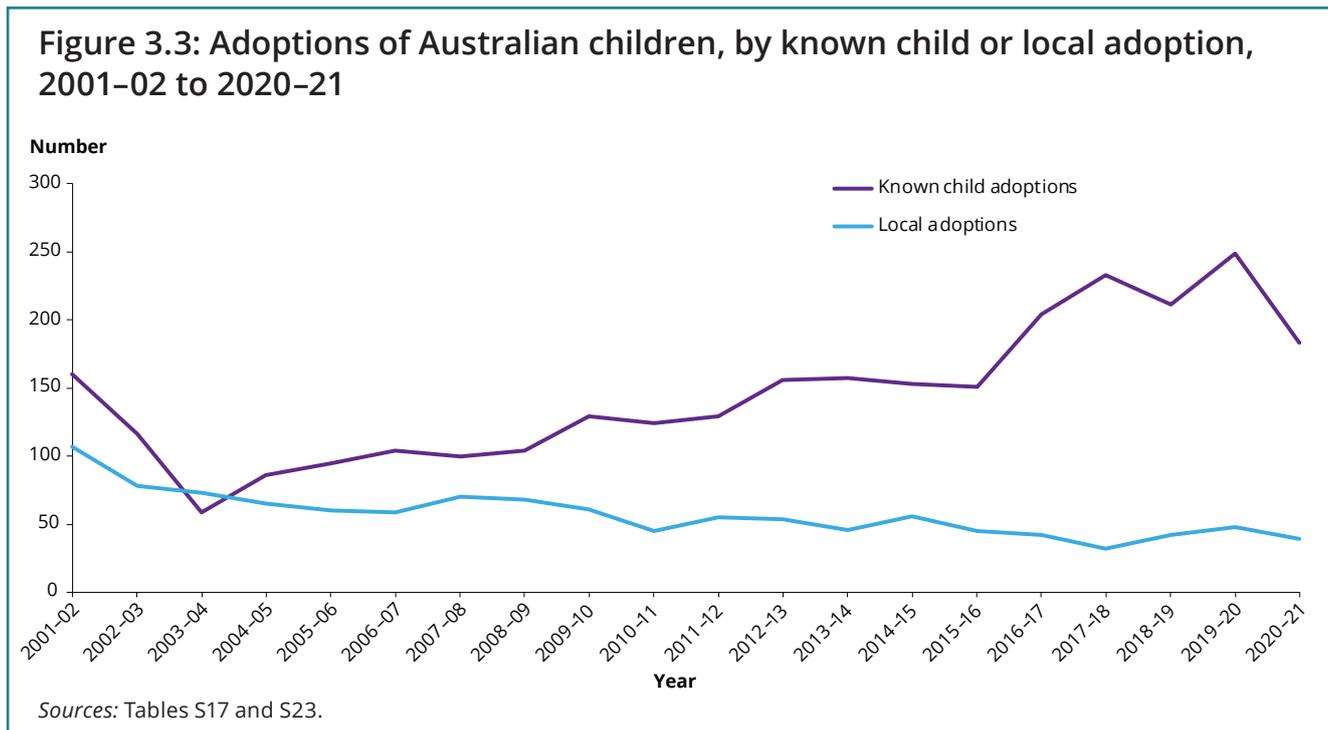
Similarly, in Western Australia, protection orders (special guardianship) provide for parental responsibility to an individual, or 2 individuals jointly, for a child until the child turns 18. Data on long term orders used in Australia are presented in Section 3.3.

A notable recent legislative change that has influenced trends in adoptions of Australian children are the amendments in New South Wales that established a new hierarchy for child permanency planning. These amendments placed adoption as the highest preference (except in the case of an Aboriginal or Torres Strait Islander child or young person) when reunification with parent(s), or guardianship with family, kin or other suitable person is not practical or in the best interests of the child. The resulting increase in known child adoptions by carers is largely responsible for the upward trends observed not only in adoptions by non-relatives, but also in the overall numbers of finalised adoptions in Australia. The implementation of this policy saw a higher number of known child adoptions in 2019–20 as resources focused on securing permanency for children who had been waiting several years for the finalisation of adoption casework. This was followed by a decrease in the number of known child adoptions in 2020–21 as these processes stabilised.

From 2001–02 onwards, adoptions of Australian children can be explored using the known child and local adoption categories. Over the 20-year period from 2001–02 to 2020–21, the number of local adoptions gradually fell from 107 to 39, with some fluctuations.

In contrast, the number of known child adoptions has increased over this 20-year period. Following a decrease between 2000–01 and 2003–04, the number of known child adoptions has increased from 59 in 2003–04 to a high-point of 249 in 2019–20. In 2020–21, 183 known child adoptions were finalised, representing a 27% decrease from the previous reporting year (Figure 3.3). This was due in part to the decline of these adoptions in New South Wales (see Box 3.1).

Further data on known child adoptions trends, including a breakdown by the types of carers (step-parent, relative and other carers) are provided in Table S25.



Adoptions of children born overseas

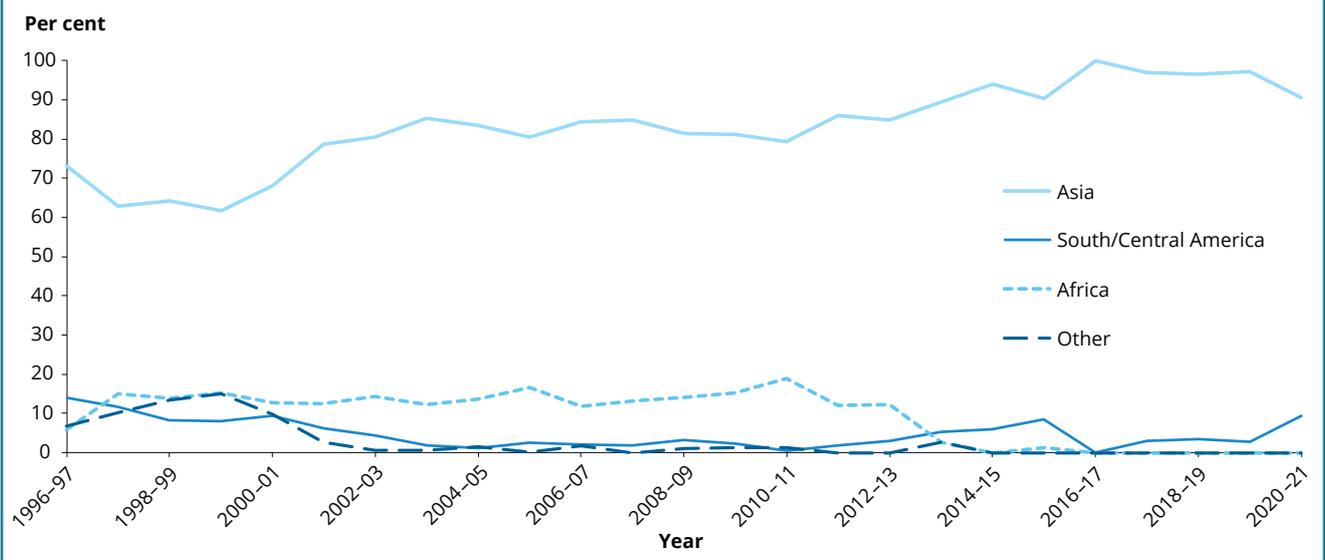
Country of origin

The proportion that each country of origin contributes to the overall number of finalised intercountry adoptions has varied from year-to-year and over the longer term, with the main country of origin changing over time. However, over the past 25 years Asia has consistently accounted for the majority of intercountry adoptions in Australia, with 90% of those finalised in 2020–21 being from Asian countries.

The proportions of children adopted from Africa and South or Central America have changed over time. Since 2016–17, no adoptions from Africa have been finalised. This is a marked change from a decade earlier when 12% of finalised intercountry adoptions in 2011–12 came from African nations (Figure 3.4; Table S7). This is directly attributable to the closure of the Ethiopia adoption program in 2012 with no further adoptions being finalised through Australian authorities after 2013–14 (AIHW Adoptions Australia data collection).

The proportion of children adopted from South or Central American countries declined from the mid-1990s – from 14% of all intercountry adoptions in 1996–97 to less than 1% in 2010–11 (Figure 3.4; Table S7). The proportion subsequently increased, up to 9% in 2015–16, due to the adoption of children from Colombia and Chile, and has fluctuated since. There has been a combined total of just 9 adoptions from South or Central American countries over the past 5 years.

Figure 3.4: Intercountry adoptions, by child's region of origin, 1996-97 to 2020-21



Note: 'Other' comprises Europe, North America, and Oceania (excluding Australia).

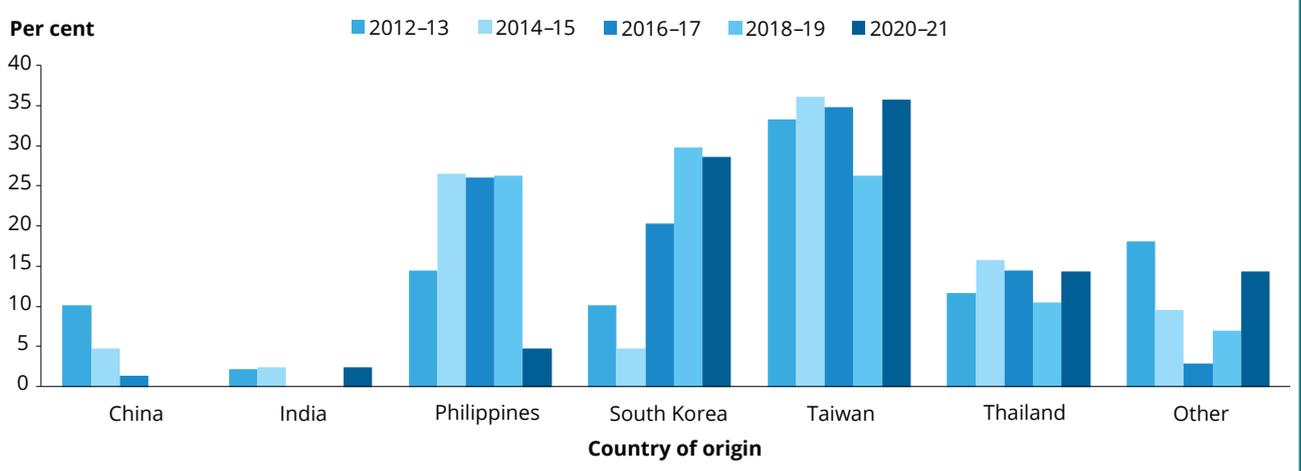
Source: Table S7.

The majority of intercountry adoptions over the past 10 years have been from Taiwan; however, the proportion it accounts for each year has varied over this period – from 19% in 2011-12 to a peak of 43% in 2019-20. Between 2011-12 and 2020-21, the main country of origin for intercountry adoptions has varied between the Philippines, South Korea and Taiwan. The proportion of adoptions from China declined substantially in that time, from 15% in 2011-12 to no adoptions in 2017-18, and none since (Table S8).

Since 2014-15, annual proportions declined for the Philippines (from 27% in 2014-15 to 5% of all intercountry adoptions in 2020-21). In 2018, the Philippines Government advised Australia that intercountry adoptions were on hold pending Australia's agreement to new arrangements for some aspects of the adoption process (IAA 2020b).

The proportion from South Korea has generally increased over the past decade, from a low of 5% in 2014-15 to 30% in 2018-19 (Table S8; Figure 3.5).

Figure 3.5: Intercountry adoptions, by child's country of origin, 2012-13 to 2020-21 (biennial)



Note: 'Other' includes Bolivia, Chile, Colombia, Ethiopia, Hong Kong, Lithuania, South Africa and Sri Lanka.

Source: Table S8.

Box 3.2: What influences trends in intercountry adoption?

The decline in intercountry adoptions is not unique to Australia – a two-thirds decline in intercountry adoptions between 2004 and 2013 was also reported among other receiving countries (Mignot 2015).

The reasons for the decline are complex and varied. As economic stability and growth improve in countries of origin, as their living standards increase, as their attitudes change about single parenthood, and as their child protection systems and social policies improve, options within country to care for children unable to live with their birth family also improve. Intercountry adoption has therefore come to be seen as a less desirable option for children who can be adequately cared for within their own country (Hilferty and Katz 2018; Mignot 2015).

In the contemporary intercountry adoption environment, those children considered to be in need of intercountry adoption generally include older children, sibling groups, and children with disabilities, developmental delays or complex medical and social backgrounds (PM&C 2014). As a result, eligibility criteria imposed by overseas countries for adopting children have become more stringent, leading to some families no longer being able to adopt or, if eligible, experiencing long waiting times (particularly if they are unable or unwilling to parent a child with potentially complex needs).

Variations in the status and eligibility requirements of intercountry programs also contribute to changes in intercountry adoption trends:

- Australia’s program with the Philippines is currently on hold.
- Australia’s program with India had also been on hold, but, after an announcement in August 2018, was reactivated on a small scale in April 2019.
- Australia’s program with Ethiopia closed on 28 June 2012 (DSS 2020b).
- In 2021, Thailand did not allocate Australia a quota for applications for Australian prospective parents. Australia is unable to submit any new applications unless they are for children with special needs.
- Taiwan have advised that from March to September 2021 the Child Welfare League Foundation will only accept applications for children aged over 48 months. The Christian Salvation Service is not accepting new applications.
- Other countries, such as Colombia, began accepting intercountry applications only for older children, sibling groups or children with special needs (with some exceptions for applicants with Colombian heritage).
- South Korea has a limited number of exit permits allocated to Australia annually for the purpose of intercountry adoption (IAA 2020b).
- China has extensive eligibility criteria and waiting times of over 9 years. Applications for China’s special needs program are only open to those living in Western Australia or Victoria (IAA 2020b).

Processing times

The median length of time from when a prospective adoptive parent became an official client of a state or territory adoption authority to when a child was placed in their care, steadily rose from 37 months (or just over 3 years) in 2007–08 to 64 months (more than 5 years) in 2014–15. The median time then fell to below 3 years between 2016–17 and 2019–20 (Table S33), and has since risen to 40 months (3 years and 4 months) for 2020–21. Several factors outside the control of Australian authorities can affect processing times (see Box 3.3).

Box 3.3: What influences processing times for intercountry adoptions?

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

A growing proportion of children in need of intercountry adoption is considered to have special needs and more complex care requirements. The process for matching such a child with an appropriate carer can be more difficult than for children with less complex backgrounds, as there are relatively few prospective adoptive parents willing and able to provide suitable care for these children.

Several of Australia's partner countries have changed their intercountry adoption programs to meet this challenge. Some countries (such as China and Chile) have established a separate process specifically for adoption of children with special needs – including adoptions of older children and sibling groups. Countries have also adapted their eligibility criteria for prospective adoptive parents. In several countries, the maximum age for applicants applying to adopt older children or those with special needs is higher than for those applying to adopt other children (for example, China and Colombia) (IAA 2020b).

Based on available data, it is difficult to determine whether the specific adoption programs for children with special needs – and the broader range of prospective adoptive parents allowed under these programs – are reducing processing times. It is possible that these factors, combined with work by Australian adoption authorities in the earlier stages of the adoption process to educate prospective adoptive parents about the needs of children in these programs, are helping to improve the matching of appropriate parents with children.

The processing time between applicants becoming official clients of departments to when an approval decision is made about their eligibility to adopt has remained largely consistent since 2007–08, at 8–12 months (10 months in 2020–21). The time from when an approval decision was made to when the file was sent overseas has varied over this period, fluctuating between 1 and 6 months (2 months in 2020–21).

Between 2007–08 and 2016–17 the time between the file being sent overseas and a child being matched was consistently the longest period in the process, taking up to 4 times longer than the next-longest stage. Since a high of 37 months in 2012–13 the median length of this stage has declined to 14 months in 2020–21 (Table S33). Despite the overall decline, the median for this stage has remained high for adoptions of children from some countries, at 35 months for Thailand and 40 months for the Philippines in 2020–21.

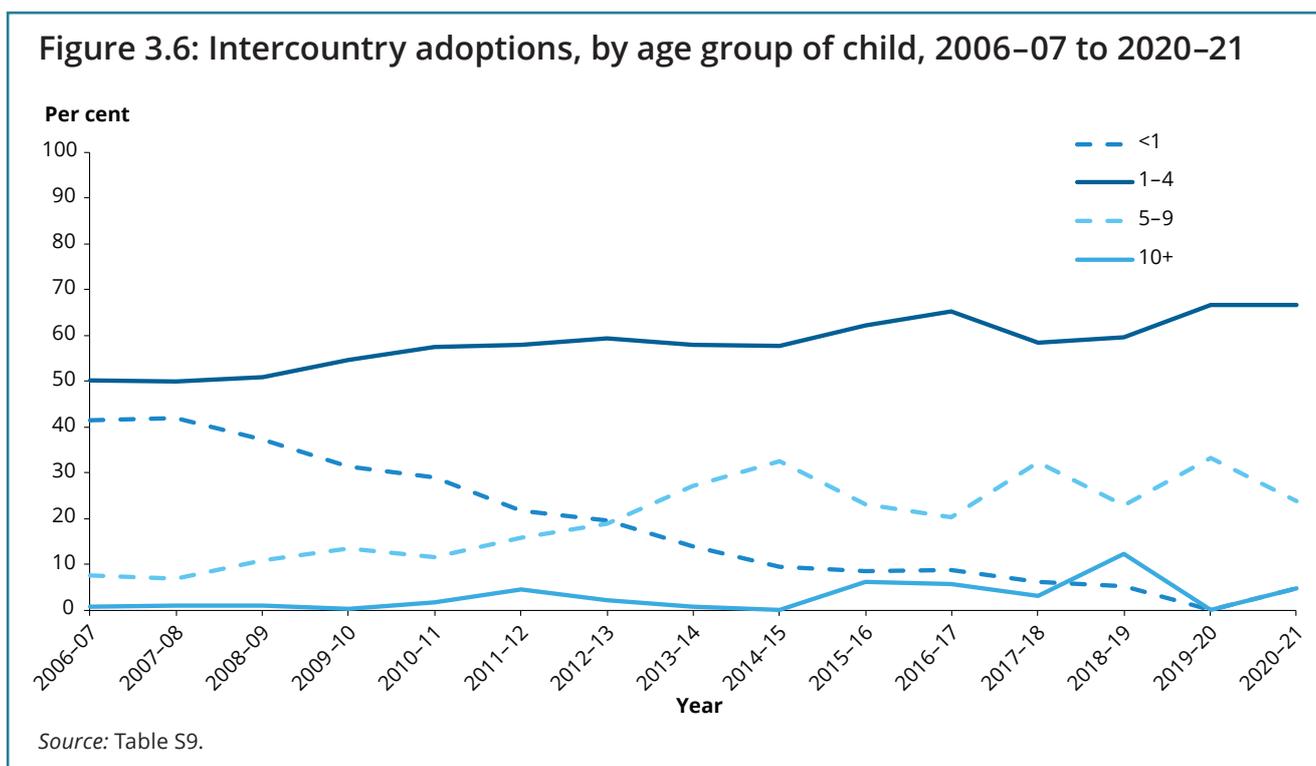
The time from when a child is matched to when the child is placed with the adoptive parent(s) steadily rose – from a median of 3 months in 2007–08 to 9 months in 2020–21 (Table S33).

Adoptions of children aged under 5

In 2020–21, the median processing time for intercountry adoptions of children aged under 5 was slightly shorter than that for children aged 5 and over (39 months and 42 months, respectively) (AIHW Adoptions Australia data collection).

The proportion of intercountry adoptees aged less than one substantially declined from 41% in 2006–07 to 5% in 2020–21, (Figure 3.6; Table S9). Several factors contributed to this trend. For example, the number of infants for whom intercountry adoption is considered appropriate can be affected by changing overseas domestic adoption practices, and the degree of acceptance of single motherhood in countries of origin. Falling fertility rates in key countries of origin, such as South Korea, are also likely to affect the number of infants needing adoption (Kenny et al. 2012; Selman 2009).

Figure 3.6: Intercountry adoptions, by age group of child, 2006–07 to 2020–21



Intercountry adoption of children with special needs

Overall, trend data show that:

- Over the past 15 years, the proportion of intercountry adoptees aged 5 years and over has risen, from 8% in 2006–07 to 29% in 2020–21 (Table S9).
- The number of children adopted as part of a sibling group has declined from 41 in 2006–07 (adopted as part of 20 sibling groups), to 6 in 2020–21 (adopted as part of 3 sibling groups) (Table S13).
- At the time the adoptees were matched with their prospective adoptive parent(s), the proportion of children assessed as having minor additional care needs was 55% for those children who entered Australia in 2019–20. This proportion has increased overtime, with 31% of children who entered Australia in 2017–18 assessed as having this level of need. In contrast, the proportion of children assessed as having moderate to substantial additional care needs declined from 34% for children who entered Australia in 2017–18 to zero for those who entered in 2019–20 (AIHW Adoptions Australia data collection).

National estimate of intercountry adoptees

National data for intercountry adoption are available back to 1979–80. These data can be used to generate a national count of the number of intercountry adoptees who have been placed with adoptive families in Australia since 1979–80. From this, it is possible to derive the approximate number of intercountry adoptees who would now be aged 18 and over (Table S29).

Between 1979–80 and 2020–21, approximately 9,149 children were adopted through intercountry adoption. Of these, it is estimated that 6,269 (69%) would have been aged 18 and over by 30 June 2021. An additional 1,179 adoptees were approaching adulthood – aged 15–17 as at 30 June 2021 (AIHW Adoptions Australia data collection). Of those adoptees aged 18 and over, nearly half (49%) were aged 30 and over – including 995 adoptees of unknown age who would have been a minimum of 30 years of age.

3.2 Adoptions 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 the child is unable to live with their family (Tilbury 2013), as long as it is in the best interests of the child. All states and territories have adopted the placement principle in policy and practice (see Box 3.4).

States and territories also have additional provisions in adoption legislation or regulations that help to determine whether an adoption should be considered over other arrangements, such as the use of an alternative legal order. These provisions acknowledge that formal adoption is not part of Indigenous culture, and that the adoption of an Indigenous child should occur only when there is no other appropriate alternative for the child (Department of Communities and Justice 2021).

Box 3.4: What is the Aboriginal and Torres Strait Islander Child Placement Principle?

The placement element of the Principle sets a hierarchy of preferred options for caregivers of Aboriginal and Torres Strait Islander children who are unable to live with their family. The hierarchy is designed to ensure that the highest possible level of connection to family, community, culture and country is maintained for an Indigenous child.

The hierarchy of placements is as follows:

- with Indigenous or non-Indigenous relatives or extended family members (kin)
- with Indigenous members of the child's community
- with Indigenous family-based carers.

These 3 options are preferred placement types. If these are not available, as a last resort, the child may be placed in:

- another care arrangement (such as with a non-Indigenous carer or in a residential setting).

If the child is not living with their relatives or kin (that is, level one in the hierarchy), the placement must be within close geographic proximity to the child's family (SNAICC 2018).

Limited national data on the application of the placement and connection elements of the Principle are available for 5 nationally agreed indicators (AIHW 2021b).

The number of Indigenous Australian children who are adopted each year is typically small. In 2020–21, 5 Indigenous children had adoption orders finalised in Australia – the lowest since 2016–17.

Of these children, one was adopted by Indigenous Australians, and 4 by non-Indigenous Australians. Of those adopted by non-Indigenous Australians, 2 were adopted through known child adoptions, where the adoptee had a pre-existing relationship with the adoptive parent(s) and was generally not able to be adopted by anyone other than the adoptive parent(s) (AIHW Adoptions Australia data collection).

The small number of adoptions of Indigenous children each year make it difficult to identify trends. Since 1996–97, 124 Indigenous children have been adopted, with 39% adopted by Indigenous Australians, and 61% adopted by other Australians (Table 3.1).

Table 3.1: Indigenous children adopted, by Indigenous status of adoptive parent(s), 1996–97 to 2020–21

Year	Indigenous Australian parent(s)	Other Australian parent(s)	Total
1996–97 to 2000–01	13	7	20
2001–02 to 2005–06	6	12	18
2006–07 to 2010–11	15	4	19
2011–12 to 2015–16	6	19	25
2016–17 to 2020–21	8	34	42
Total	48	76	124
%	38.7	61.3	100.0

Notes

1. Adoptive parents are included in the 'Indigenous Australian' category when at least one 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. The Indigenous status of children and adoptive parent(s) is not always available for adult adoptees.
3. Adoptions by 'Other Australians' can include known child adoptions by step-parents, other relatives, and carers who are not Indigenous but who have a pre-existing relationship with the adoptee that enables the adoption to occur.

Source: AIHW Adoptions Australia data collection.

Since 1996–97, around 3 in 5 (58%) of all adopted Indigenous children were adopted through known child adoptions. The remaining 42% of children were adopted through local adoptions where they did not have a previous relationship with the adoptive parents (Table 3.2). More than half (56%) of local adoptions and 26% of known child adoptions of Indigenous children over this period involved at least one adoptive parent who identified as Indigenous.

Table 3.2: Indigenous children adopted, by Indigenous status of adoptive parent(s) and type of adoption, 1996–97 to 2020–21

Year	Known child adoption			Local adoption		
	Indigenous Australian parent(s)	Other Australian parent(s)	Total	Indigenous Australian parent(s)	Other Australian parent(s)	Total
1996–97 to 2000–01	4	1	5	9	6	15
2001–02 to 2005–06	3	5	8	3	7	10
2006–07 to 2010–11	5	3	8	10	1	11
2011–12 to 2015–16	4	16	20	2	3	5
2016–17 to 2020–21	3	28	31	5	6	11
Total	19	53	72	29	23	52
% of adoption type	26.4	73.6	100.0	55.8	44.2	100.0
% of all Indigenous adoptions	15.3	42.7	58.1	23.4	18.5	41.9

Notes

1. Adoptive parents are included in the 'Indigenous Australian' category when at least one 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. The Indigenous status of children and adoptive parent(s) is not always available for adult adoptees.
3. Known child adoptions by 'Other Australians' can include adoptions by step-parents, other relatives, and carers who are not Indigenous but who have a pre-existing relationship with the adoptee that enables the adoption to occur.

Source: AIHW Adoptions Australia data collection.

3.3 Alternatives to local and known child adoptions

The importance of achieving permanency and stability for children and young people in out-of-home care is widely recognised, and has been reflected in jurisdictional changes in policy and legislation across Australia (AIHW 2016).

These changes have focused on early planning for permanency, including decisions about the appropriateness of reunification or alternative long-term care arrangements. Alternative arrangements include carer (known child) adoption and care and protection orders that transfer guardianship and custody to carers (Box 3.5).

Data on care and protection orders (including third-party parental responsibility orders) are sourced from the AIHW Child Protection National Minimum Data Set.

Box 3.5: What are third-party parental responsibility orders?

Third-party parental responsibility orders transfer all duties, powers, responsibilities and authority to which parents are entitled by law to a nominated person(s) whom the court considers appropriate. The nominated person might be an individual, such as a relative, or an officer of the state or territory department. Finalised third-party parental responsibility orders can be long term or short term.

The granting of a third-party parental responsibility 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 with the birth family. Third-party parental responsibility 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.

Unlike adoption, permanent care orders do not lead to the issuing of a new birth certificate for a child; they have an expiry date (generally when the child turns 18) and, in some instances, allow carers to access financial assistance from the government to help with caring expenses.

Between 2012–13 and 2016–17, the total number of third-party parental responsibility orders issued in Australia rose by 54%, from 1,058 to 1,627 (Table 3.3). The largest increases occurred in New South Wales (137% increase from 377 to 892) and Victoria (81% increase from 267 to 482).

The 1,403 orders issued in 2019–20 represented a fall of 16% from the peak of 1,661 orders issued in 2015–16, with a drop in the number of orders issued apparent in every state except Western Australian and South Australia.

Table 3.3: Third-party parental responsibility orders issued, by state and territory, 2013–14 to 2019–20

Year	NSW	Vic	Qld	WA	SA	Tas ^(a)	ACT	NT	Total
2012–13	377	267 ^(b)	213	97	27	60	17	..	1,058
2013–14	381	302	195	71	31	40	12	..	1,032
2014–15	n.a.	290	263	84	14	22	12	..	685 ^(c)
2015–16	764	507	222	101	18	27	22	..	1,661
2016–17	892	482	88	115	21	19	10	..	1,627
2017–18	n.a.	429	106	137	50	15	7	..	744 ^(d)
2018–19	656	441	112	74	47	20	14	..	1,364
2019–20	655	364	196 ^(e)	103	56	15	14	..	1,403

(a) Data for Tasmania might not be comparable year to year, due to issues with the recording of order status.

(b) Data for Victoria in 2012–13 are from the Adoptions Australia data collection; other data in the table are from the Child Protection Australia data collection.

(c) Data for New South Wales were not available for 2014–15, so that year is not comparable with other years included in this table.

(d) New South Wales implemented a new client management system in 2017–18, and provided limited data. Data from 2017–18 is not comparable with other years included in this table, and has been excluded.

(e) Queensland third-party parental responsibility orders data include 36 permanent care orders issued during the year.

Note: Before 2013–14, third-party parental responsibility orders were reported as finalised guardianship or custody orders for Victoria.

Source: AIHW Child protection Australia data collection 2013–14 to 2019–20.

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- Department of Justice and Community Safety, Victoria
- Department of Children, Youth Justice and Multicultural Affairs, Queensland
- Department of Communities, Child Protection and Family Support, Western Australia
- Department for Child Protection, South Australia
- Department of Communities Tasmania, Tasmania
- Community Services Directorate, Australian Capital Territory
- Department of Territory Families, Housing and Communities, 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 departments in their relevant state or territory, or to Intercountry Adoption Australia at www.intercountryadoption.gov.au.

Abbreviations

ACT	Australian Capital Territory
AIHW	Australian Institute of Health and Welfare
DSS	Department of Social Services
Hague Convention	Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption
IBC	Integrated Birth Certificate
NSW	New South Wales
NT	Northern Territory
Qld	Queensland
SA	South Australia
Tas	Tasmania
Vic	Victoria
WA	Western Australia

Symbols

—	zero
..	not applicable
n.a.	not available
n.p.	not publishable because of small numbers, confidentiality or other concerns about the quality of the data
<	less than

Glossary

Aboriginal or Torres Strait Islander person: A person of Aboriginal or Torres Strait Islander descent who identifies as an Aboriginal or Torres Strait Islander.

adoptee: The children and adults who have been the subject of an adoption order. Also known as adopted children and adopted persons.

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 authority: An agency authorised under adoption legislation to decide on the placement of an adoptive child. In Australia, adoptions can be arranged by state and territory departments responsible for adoption, or by an authorised non-government agency. There are 2 categories of authorities: **government arranging body** and **non-government arranging body**.

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. This is a document issued by competent authorities in the overseas country where the child was adopted that affirms that the adoption is made in compliance with Article 23 of the **Hague Convention** or the equivalent laws of the sending country 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**, the age when the **adoption order** for the child was granted. For **local adoptions** and **intercountry adoptions**, 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 who is applying to adopt a child. 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 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.

bilateral adoption: An **intercountry adoption** from a country with which Australia had an active intercountry adoption program arrangement, but which had not ratified or acceded to the **Hague Convention**. This type of adoption is made under the Family Law (Bilateral Arrangements – Intercountry Adoption) Regulations 1998.

carer (known child) 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 with specific obligations under the **Hague Convention**; all countries that are party to this convention on **intercountry adoption** must have such a body. The Australian Central Authority is the Australian Government Department of Social Services. 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 also the country of birth of a child.

de facto relationship (prospective/adoptive parents): An arrangement where 2 prospective/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, and before the adoption is legally finalised. This results in the child's return to (or entry into) foster care or placement with new **adoptive parent(s)**.

dissolution: An adoption process in which the legal relationship between the **adoptive parent(s)** and adoptive child is severed, either voluntarily or involuntarily, after the adoption is legally finalised. This results in the child's return to (or entry into) foster care or placement with new adoptive parent(s).

expatriate adoption: An adoption that occurs when an Australian citizen or permanent resident living abroad adopts a child through a national or domestic adoption system of another country. Australian adoption authorities are not responsible for expatriate adoptions, and do not assess nor 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 an adoption is finalised depends on the process used in the country of origin and the procedures of the state or territory department 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 birth 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 places children in the custody of the state or territory minister, or department responsible for child protection, or non-government agency. This order usually makes the child protection department responsible for the daily care and requirements of the child, while the parent retains legal guardianship. Custody alone does not necessarily bestow any responsibility for the long-term welfare of the child. This might vary with each individual jurisdiction's guardianship and custody orders.

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

Hague adoption: An **intercountry adoption** where the adoptive child's **country of origin** has ratified or acceded to the **Hague Convention**, the file of the applicant(s) was sent after the Hague Convention entered into force in that country (see Appendix B) and where an adoption compliance certificate was issued.

Hague Convention (intercountry adoption): A convention – specifically, the Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption – that establishes standards and procedures for adoptions between countries. The Hague Convention aims to ensure intercountry adoptions are in the best interests of the child and guards against illegal, irregular, premature or ill-prepared adoptions abroad. It came into force in Australia on 1 December 1998.

Indigenous Australian: A person of Aboriginal or Torres Strait Islander descent who identifies as an Aboriginal or Torres Strait Islander. Where a person's Indigenous status is unknown, that person's Indigenous status may be reported as either 'unknown' or, where they are included with non-Indigenous Australians, 'Other Australian'.

intercountry adoption: An adoption of a child/children from countries other than Australia with which Australia has an official adoption program 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 **bilateral adoption**. 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**.

known child adoption: An adoption of a child/children who were born or permanently living 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**.

local adoption: An adoption of a child/children born or permanently living 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 one of the following categories: **registered marriage, de facto relationship** and **single**.

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**.

matched: The point at which a child's file has been matched with, presented to, and accepted by, prospective adoptive parent(s) as part of the intercountry adoption process.

minor additional care needs (special needs): Children who generally require a level of personal, emotional and physical care that is consistent with what would be expected for their age group. On most occasions, the resources and supports for the child and their family are comparable to those expected for a family with an average, non-adopted child of similar age in the general population, but the child's adoption history results in short-term or irregular periods where additional resources and supports are required for the child and/or their family.

moderate to substantial additional care needs (special needs): Children who regularly require a level of personal, emotional and/or physical care that is beyond what would be expected for their age group. On a regular and frequent basis, the resources and supports for the child and their family are greater than those expected for a family with an average, non-adopted child of similar age in the general population. Areas of additional need might include, but are not limited to:

- children (beyond usual age expectations) requiring assistance with dressing, bathing, toileting, feeding, mobility
- regular physical therapy
- regular medication for a diagnosed condition that requires skill and training to administer, or is needed to allow significantly improved day-to-day functioning
- medical need for special dietary restrictions
- frequent hospital or specialist appointments
- ongoing high support special education programs.

no additional care needs (special needs): Children who regularly require a level of personal, emotional and physical care that is consistent with what would be expected for their age group. On a day-to-day basis, the resources and supports for the child and their family are essentially the same as would be expected for a family with an average, non-adopted child of similar age in the general population.

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 from a country with which Australia did not have an active intercountry adoption program, and where the **Hague Convention** had not entered into force 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 had a current **intercountry adoption** program at the time the file of the applicant(s) was sent.

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, for **local adoptions**, the child is taken into the care of the prospective adoptive parent(s), and for **intercountry adoptions**, the child enters Australia) during the reporting period, regardless of the status of their **adoption order**.

prospective adoptive parent(s): A person who has applied or intends to apply to adopt a child through a relevant authority. This also includes current carers of children who are undergoing proceedings to adopt a foster child, and **step-parents** who intend to adopt their partner's child.

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 nor living in a **de facto relationship** (might include widowed parents).

special needs: Special needs in the Australian adoption context is defined as the level of resources or support services required by the **adoptee** and/or their adoptive family to foster healthy development and wellbeing, to support positive family functioning, and to prevent adoption **disruption**. Special needs are looked at through a continuum of level of need that is broken down into the following categories: **no additional care needs**, **minor additional care needs** and **moderate to substantial additional care needs**.

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

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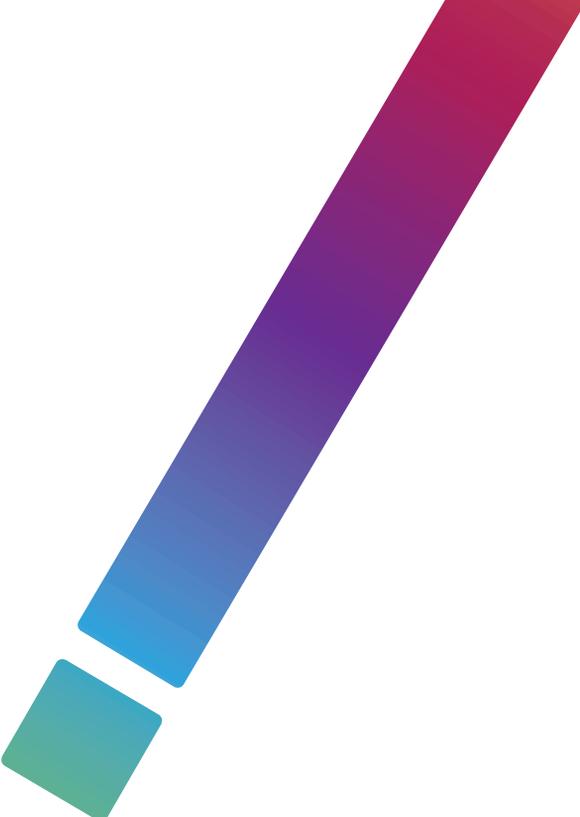
Related publications

This report, Adoptions Australia 2020–21, 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: <http://www.aihw.gov.au/reports-statistics/health-welfare-services/adoptions/reports>.

Additionally, a snapshot of the main findings for the current year, fact sheets, supplementary data tables, and interactive data displays can be found at <https://www.aihw.gov.au/reports-data/health-welfare-services/adoptions/overview>

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

- AIHW 2021. Australia's youth: in brief. Cat. no. CWS 80. Canberra: AIHW.
- AIHW 2021. Income support receipt for young people transitioning from out-of-home care. Cat. no. CWS 82. Canberra: AIHW.
- AIHW 2020. The Aboriginal and Torres Strait Islander Child Placement Principle Indicators 2018–19: measuring progress. Cat. no. CWS 77. Canberra: AIHW.
- Australia's children—in brief. Cat. no. CWS 72. Canberra: AIHW.
- AIHW 2021. Australia's welfare 2021: in brief. Cat. no. AUS 237. Canberra: AIHW.
- AIHW 2021. Child protection in the time of COVID-19. Cat. no. CWS 76. Canberra: AIHW.
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- AIHW 2016. Vulnerable young people: interactions across homelessness, youth justice and child protection—1 July 2011 to 30 June 2015. Cat. no. HOU 279. Canberra: AIHW.



Adoptions Australia 2020–21, the 31st report in the series, covers the latest data on adoptions of Australian children and children from overseas, and highlights important trends in the number of adoptions dating back to 1996–97. Data cover characteristics of adopted children, their parents and adoptive families, as well as applications and vetoes for contact and information exchange.

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