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Number 14

Adoptions Australia 1994-95

**Graham Angus
and
Louise Golley**



AUSTRALIAN INSTITUTE OF
HEALTH & WELFARE

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CHILD WELFARE SERIES

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**Graham Angus
and
Louise Golley**

Australian Institute of Health and Welfare
Canberra

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Preface

This report was prepared by Graham Angus and Louise Golley of the Australian Institute of Health and Welfare. It is the Institute's fifth report on adoptions and the fourteenth in its Child Welfare Series.

Tables in this publication showing statistics only for the whole of Australia are available for individual States and Territories on request.

Symbols used

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

– nil or rounded to zero

.. not applicable

n.a. not available.

Summary

The following are among the main findings of the report:

- In the year 1994–95, there were 855 adoptions in Australia—91 more than the previous year. Part of this difference was because data on privately arranged adoptions by step-parents in New South Wales were previously not included. Without these adoptions the increase from 1993–94 to 1994–95 would be 6%.
- The majority of adoptions (535 or 63%) were by non-relatives; adoptions by step-parents accounted for 313 (37%) and adoptions by other relatives seven (1%) of the total number of adoptions.
- The majority (73%) of children adopted by relatives were aged between five and 14 years, whereas 45% of children adopted by non-relatives were aged under one year, and a further 37% aged between one and four years.
- Of children adopted by non-relatives, 42% were born overseas. There were almost equal numbers of boys and girls (110 and 114 respectively) in the group of overseas-born adoptees.
- The number of overseas-born children adopted peaked at 420 in 1989–90, but fell by 46% to 1992–93 and has remained virtually unchanged since then.
- The majority (82%) of adoptions of Australian-born children by non-relatives involved an ex-nuptial child.
- There were 243 ex-nuptial Australian-born children adopted by non-relatives in 1994–95, a decrease of 11% since the previous year, and a decrease of 54% from 1988–89.
- There were 99 more adoptions by step-parents in 1994–95 than in 1993–94. This difference was mainly accounted for by an increase of 43 adoptions by step-parents in Western Australia, and the inclusion of 48 privately arranged adoptions by step-parents in New South Wales.
- Seven of the 12 Aboriginal or Torres Strait Islander children adopted were placed with Aboriginal or Torres Strait Islander people.
- In 1994–95, 6,252 applications were made for information about past adoptions in Australia.

1 Introduction

This publication presents adoption statistics provided by State and Territory welfare departments for the period 1 July 1994 to 30 June 1995. These statistics cover all finalised adoptions notified to State and Territory welfare departments and all children legally available for adoption at 30 June 1995.

Children are often placed with a family several months before an adoption order is made. It should be noted that this report shows the number of adoption orders **finalised** during 1994–95, with the exception of Table 3, which shows **placements** of overseas-born children with non-relatives during the year, and Table 21, which shows children legally available for adoption. Placement data were provided by the Health and Community Services Ministerial Council Secretariat.

The data provided by State and Territory departments were collated according to the definitions and explanatory notes set out in 'Adoptions Australia: data collection: standards, tables and counting rules', dated July 1995 and agreed to by the States, the Territories and the Australian Institute of Health and Welfare. The definitions used are shown in Section 6, 'Explanation of terms'. Data for years before 1985–86 are from the Australian Bureau of Statistics publication *Adoptions, Australia* (catalogue number 4406.0). Data for the years 1987–88 to 1989–90 are from the WELSTAT publication *Adoptions: national data collection*.

It should be borne in mind that adoption policies and practices vary between jurisdictions in Australia, and have changed in recent years. In Victoria, for instance, there is increasing use of permanent care orders, which place a child with a family and grant rights and responsibilities to the parties which are similar to those of adoption. In 1994–95, 135 permanent care orders were issued in Victoria, but data about these orders are not included in this statistical collection.

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

2 Adoptions in Australia

Introduction

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

The dominant feature of adoption in Australia in recent decades has been the decline in the number of adoptions of Australian-born children, resulting from an increase in the retention of children by single mothers:

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

The number of overseas-born children adopted in Australia has remained stable in the last three years, following declines in the previous three years due to the development of domestic adoption programs and changing attitudes within the source countries. The United Nations Convention on the Rights of the Child recommends inter-country adoption only if a child cannot be placed in a foster or adoptive family or cared for in any suitable manner in his or her country of origin (United Nations General Assembly 1989).

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

Adoptions by relatives

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

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

In Western Australia, adoptions by relatives other than step-parents are known as carer adoptions and can only occur when the child has been in the care of the relative for at least three years. In all other States and Territories, legislative provisions allow for adoptions by relatives other than step-parents only in exceptional circumstances, that is, when a guardianship or custody order would not adequately provide for the welfare and interests of the adoptee.

In Queensland, South Australia, Tasmania, the Australian Capital Territory and the Northern Territory, adoptions by relatives can be arranged only through the authorised department.

In New South Wales, Victoria and Western Australia, adoptions by relatives can be arranged by other means.

In New South Wales, an application may be made by a step-parent to the Supreme Court for formal adoption of a step-child. When such an application is made, the Department of

Community Services appoints a social worker to prepare a written assessment of the case, which is submitted with the application to the court for determination. Data on such adoptions during 1994–95 have been included in this statistical collection for the first time.

In Victoria, a solicitor may prepare an application for formal adoption by a step-parent or other relative. The application must be notified to either the Department of Health and Community Services or an approved non-government adoption agency for preparation of an assessment report of the prospective parents. This report is submitted with the application to the County Court (or occasionally the Supreme Court).

In Western Australia, adoptions by step-parents can be arranged privately and processed through solicitors, although the Department for Family and Children's Services must be notified and must provide a report to the Family Court.

Adoptions by non-relatives

A child is legally available for adoption by non-relatives if all the necessary consents to his or her adoption have been obtained or dispensed with. In recent years, just over 40% of all adoptions by non-relatives have been of children from overseas.

A couple wishing to adopt a child must satisfy the department or agency concerned that they will be suitable parents. Generally, only married couples are allowed to adopt unrelated children, although de facto couples are eligible in New South Wales, South Australia and the Australian Capital Territory. In New South Wales, applications from single people are also accepted. Other factors considered in the assessment of potential parents are their age, health, fertility, reasons for wanting to adopt, and the stability of their relationship. Section 3 summarises the adoption process for non-relatives.

In Queensland, the Australian Capital Territory and the Northern Territory, all adoptions by non-relatives must be arranged through the authorised department. In South Australia, although adoptions by non-relatives can be arranged only through the authorised department, allocation and placement of overseas-born children can be arranged through a non-government agency. In this report, such adoptions are classified as being arranged by a non-government organisation.

In New South Wales, Victoria, and Tasmania, adoptions by non-relatives may be arranged by either the authorised department or an approved adoption agency. In Western Australia, most adoptions by non-relatives are arranged through the Department for Family and Children's Services, although a small number are arranged privately.

Inter-country adoptions

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

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

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

Adoptions of Aboriginal and Torres Strait Islander children

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

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

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

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

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

- (a) it appears to the Director that such a prospective adopter or prospective adopters is not or are not available, or cannot reasonably be expected to become available promptly; or
- (b) in the Director's opinion, the welfare and interests of the child would not be best served by doing so.

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

Wherever possible it will be the Government's intention to support the placement of children in their own ethnic group; however, recognising that this may not always be possible, and may sometimes conflict with the stated views of relinquishing parents, this legislation seeks to provide greater flexibility for practitioners to place children with the best possible family that is available. The Bill ensures that the widest range of options is available for children. When placing children with ethnic or Aboriginal backgrounds, the guiding principle will always be placement based on the best interest of the child. (Western Australian Parliament 1993, p. 8377)

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

Although not recognised in legislation, the adoption policies of the Department of Community and Health Services in Tasmania recognise the cultural differences of Aboriginal and Torres Strait Islander peoples.

Access to information

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

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

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

lodged it. In some States and Territories, vetoes have a limited life, so new applications need to be lodged for them to continue.

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

In Western Australia, access to identifying information does not require an interview with an approved counsellor. However, an interview is required if a person wishes to lodge an information veto.

New South Wales

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

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

Victoria

In Victoria, an adopted person aged 18 years or older may apply for a copy of his or her original birth certificate and file information. An adopted person under the age of 18 years requires his or her adoptive parents' agreement before information can be given, and the written consent of the birth parent(s) is required before identifying information can be given.

Birth parents and birth relatives may obtain non-identifying information from records about the adopted person. Identifying information can be given with the written consent of the adopted person if he or she is 18 years of age or over, or of the adoptive parents if the adopted person is under 18 years of age.

Adult children of adopted persons have the same rights to information as the adopted person, providing the adopted person is first informed in writing or, where the adopted person is deceased, a copy of the death certificate is provided.

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

Queensland

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

Western Australia

In Western Australia, birth parents, adoptive parents and adopted persons over 18 years of age may obtain non-identifying information about the adoption from departmental records.

Under the *Adoption Act 1994*, where the adoption occurred before 1 January 1995, an adopted person aged 18 years or over, birth parents and adoptive parents can have access to birth records and adoption court records (i.e. identifying information) provided there is no information veto lodged by an adoption party (i.e. birth parents, adoptive parents or adoptee over 18 years). Less restrictive access to identifying information applies for adopted people, adoptive parents and birth parents where the adoption occurred after 1 January 1995. Additionally, adoptive relatives and birth relatives can also access birth records under certain circumstances for adoptions occurring after 1 January 1995.

Prior to 1 January 1995, only birth parents could veto the release of identifying information to the adopted person. Under current arrangements, adopted people, adoptive parents and birth parents can lodge information vetoes. Contact vetoes can be lodged by these categories of people plus adoptive relatives and birth relatives.

Eligible parties may lodge an information veto and a contact veto at the same time. Vetoes can be lodged for a lifetime or a specified period, and can be cancelled or altered at any time.

South Australia

In South Australia, adopted people aged 18 years or over can have access to information contained in their original birth certificate, as well as details (if known) such as occupation, date of birth, physical attributes and the personal interests of their natural parents.

Adopted people are also entitled to know the names of any biological siblings who were adopted. Once the adopted person reaches 18 years of age, the birth parents can have access to the adoptive name of their relinquished child and the names of the adoptive parents. Both adopted persons and birth parents can veto the release of identifying information, thus making contact more difficult, although a specific contact veto is not available. The veto provision is effective only for adoptions that occurred before the State's *Adoption Act 1988* came into force.

Tasmania

In Tasmania, an adopted person aged 18 years or over may apply for access to his or her pre-adoption birth record and information from the adoption record. An adopted person aged less than 18 years may apply for this information with the permission of his or her adoptive parents, but may not be given identifying information without the written consent of the birth parents. Birth parents and birth relatives may obtain non-identifying information from the adoption record and may be given identifying information only with the written consent of the adopted person or, if under 18 years, the adoptive parents.

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

Australian Capital Territory

Under the Australian Capital Territory's *Adoption Act 1993*, an adopted person aged 18 years or more, birth parents, adoptive parents and birth relatives may apply for identifying information in relation to the adoption. Identifying information consists of a copy of, or extract from, an entry in a register of births relating to the adopted child, or information from which a birth parent, birth relative or adopted child may be identified (excluding the address of a place of residence).

The Act provides for an unqualified right to information, but also gives the adopted person aged over 17 years 6 months, an adoptive parent, birth parent, adult birth relatives,

adoptive relatives and adult children or other descendants of the adopted person the right to lodge a contact veto. On the lodgement of such a veto it becomes an offence for the information recipient to attempt to make contact with the person who imposed the contact veto. Where information is requested and a contact veto is in force, no information is given unless the person requesting information has attended a counselling service and has signed a declaration that he or she will not attempt contact in any form.

The Act also makes provision for greater accountability in obtaining consents to adoptions, augments the rights of the birth parents and promotes a more open system of adoption.

Prior to the *Adoption Act 1993*, no provision for adoption information existed. However, as the Act is retrospective, information is now available for adoptions that occurred under the old Act.

Northern Territory

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

3 The process of adoption by non-relatives

Each State and Territory has its own legislation relating to adoption, so the process may vary between the States and Territories and may also differ between agencies within a particular State or Territory. In addition to variations in the requirements of State and Territory legislation in Australia, the process of adoption of an overseas-born child may also vary according to the requirements of different source countries. The main steps involved in the adoption by non-relatives of Australian-born and overseas-born children are shown in Figure 1.

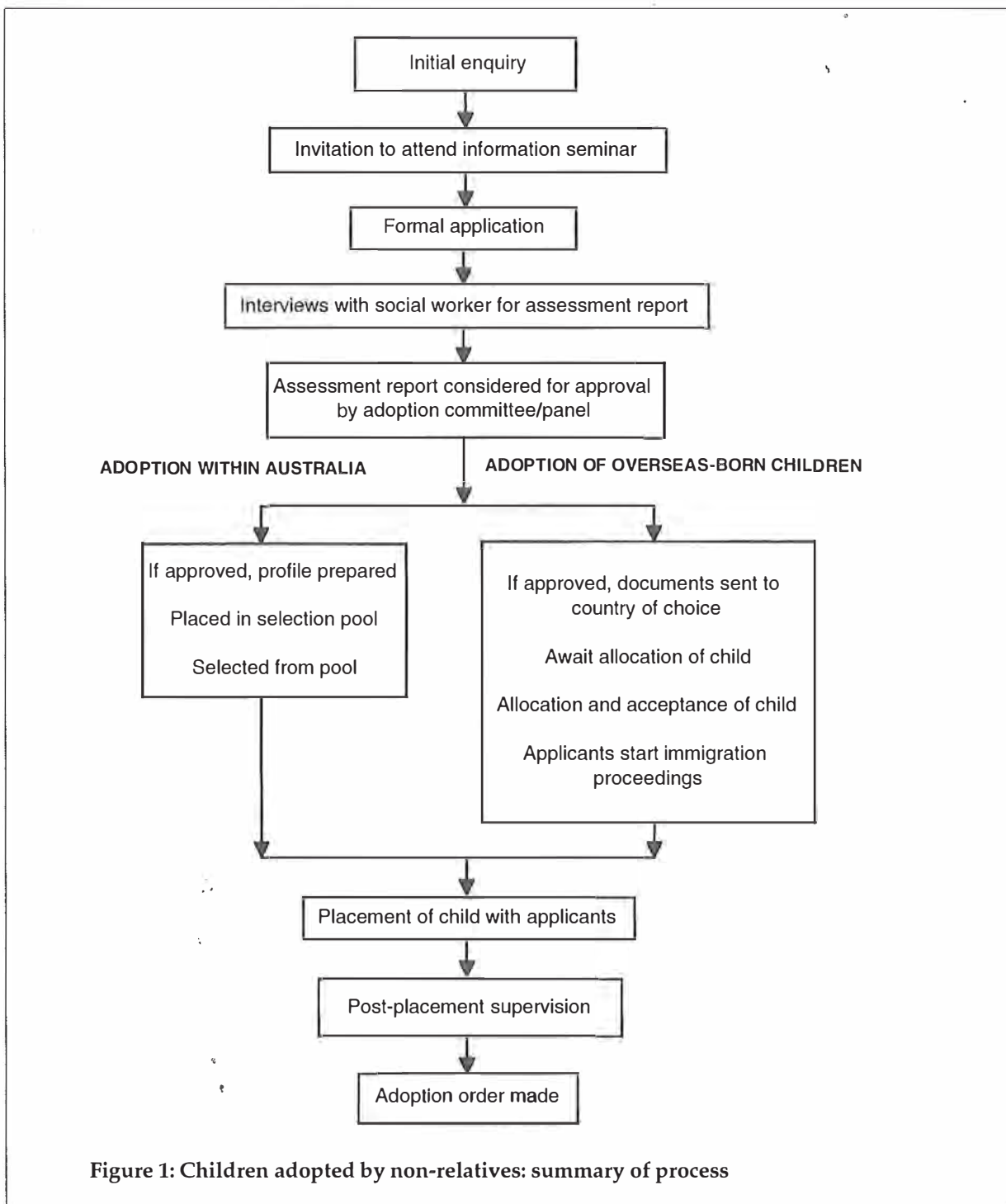
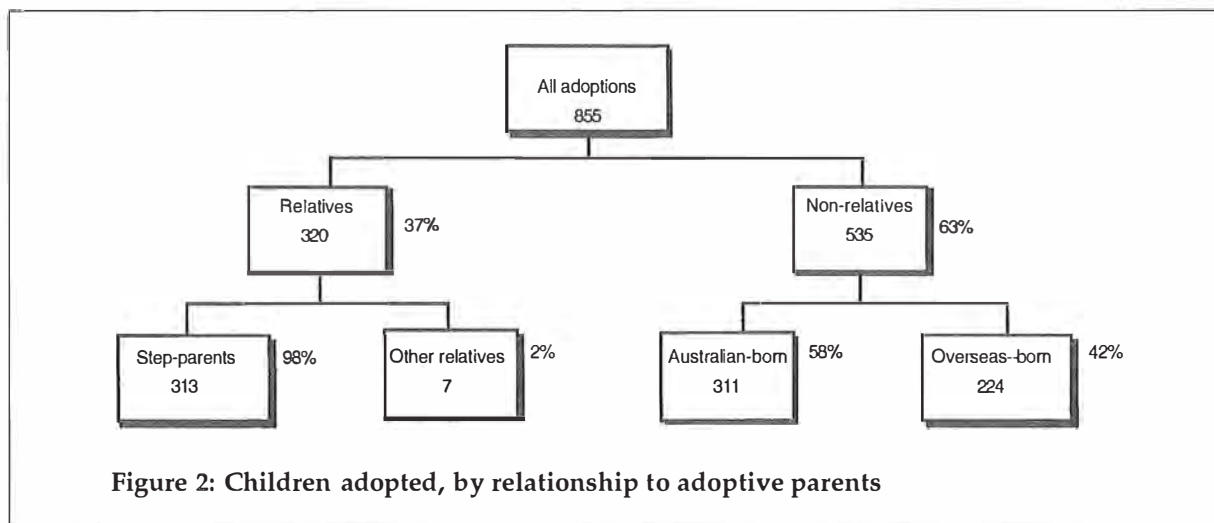


Figure 1: Children adopted by non-relatives: summary of process

4 Adoptions 1994–95

All adoptions

In the year 1994–95, there were 855 adoptions in Australia. Of these, 535 (63%) were adoptions by non-relatives, 313 (37%) were adoptions by step-parents, and seven (1%) were adoptions by other relatives (Table 1; Figure 2). The total number of adoptions was 91 higher than the previous year. Part of this difference was due to the inclusion in this statistical collection of data on privately arranged adoptions by step-parents in New South Wales (48 in 1994–95). If these adoptions are not included in the total, the increase in the number of adoptions from the previous year was 6% (Table 16).



State and Territory welfare departments arranged all adoptions in Queensland, the Australian Capital Territory and the Northern Territory. Both non-government organisations and State welfare departments arranged adoptions by non-relatives in New South Wales, Victoria, South Australia and Tasmania. Adoptions were arranged by other means only in New South Wales, Victoria and Western Australia, and these were mainly adoptions by step-parents (Table 4; see also 'Adoptions by relatives', page 3).

Table 1: Children adopted: arranging body by relationship of adoptive parents, 1994–95

Arranging body	Relatives		Total	Non-relatives	Total
	Parents	Other relatives			
State/Territory welfare department	166	4	170	420	590
Non-government organisation	–	–	–	112	112
Other	147	3	150	3	153
Total	313	7	320	535	855

A smaller proportion of adoptions were arranged through State and Territory welfare departments (69%) in 1994–95 than in the previous year (80%). There was no change in the proportion of adoptions arranged by non-government organisations (13% in each year), while the proportion of adoptions arranged by other means was higher (18% compared to 7%). These changes were partly due to the inclusion of additional data from New South Wales (Table 17).

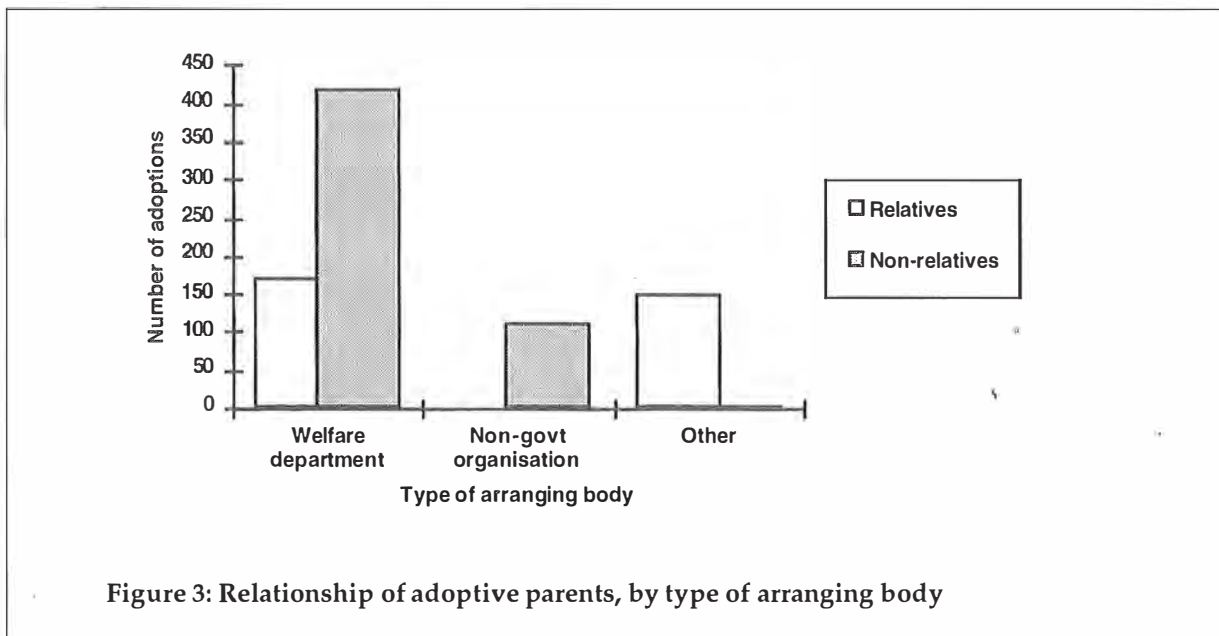


Figure 3: Relationship of adoptive parents, by type of arranging body

Generally, children adopted by relatives were older than those adopted by non-relatives. Only one of the children adopted by relatives was aged under one year, compared with 45% of children adopted by non-relatives. The majority (73%) of children adopted by relatives were aged between five and 14 years, whereas only 17% of children adopted by non-relatives were in this age group (Figure 4; Table 5).

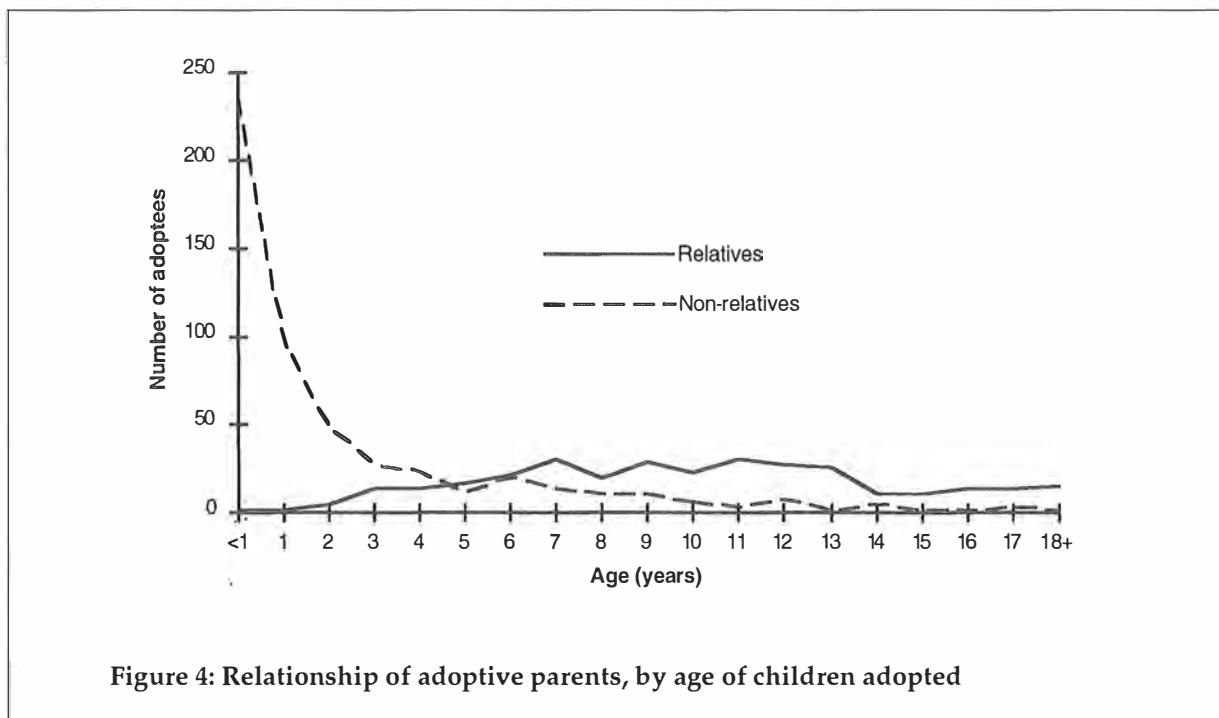


Figure 4: Relationship of adoptive parents, by age of children adopted

Adoptions by relatives

Of the 855 adoptions in Australia in 1994–95, 320 (37%) were adoptions by relatives. All except 24 of these adoptions by relatives were in New South Wales, Queensland, Western Australia and South Australia (Table 16).

Almost all children adopted by relatives were adopted by step-parents (313 out of 320). Western Australia and South Australia were the only States and Territories with adoptions by relatives other than step-parents during 1994–95 (Table 4).

A larger number of children adopted by step-parents were recorded in 1994–95 than in 1993–94 (313 compared to 212). This difference was mainly accounted for by an increase of 43 adoptions by step-parents in Western Australia, and the inclusion of data on privately arranged adoptions by step-parents in New South Wales (Table 4).

Fifty-three per cent of adoptions by relatives were arranged through State and Territory welfare departments, no adoptions were arranged by non-government organisations, and 47% were arranged by other means (Table 1).

Adoptions by non-relatives

Of the 535 children adopted by non-relatives in 1994–95, 311 (58%) were born in Australia and 224 (42%) were born overseas (Figure 5; Table 10). The numbers of Australian-born and overseas-born children adopted by non-relatives were almost the same as in 1993–94, when 536 children were adopted, with 314 born in Australia and 222 born overseas (Table 18).

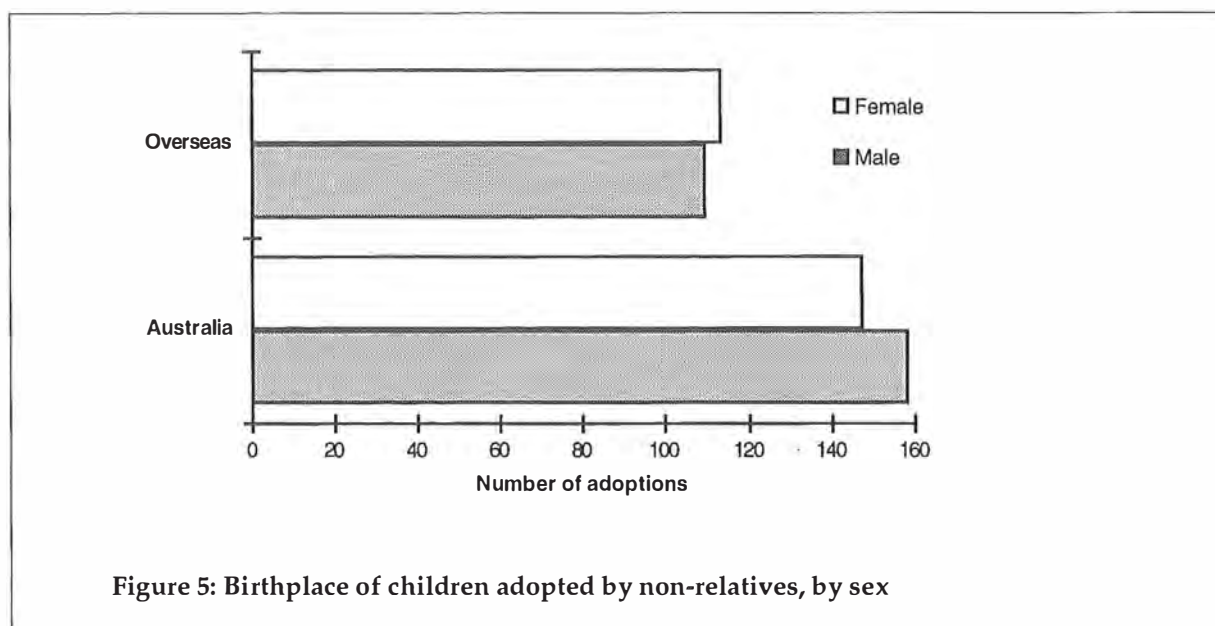


Figure 5: Birthplace of children adopted by non-relatives, by sex

Australian-born adoptees

The sex distribution of this group of Australian-born children adopted by non-relatives (159 boys and 148 girls) was somewhat more even than in the previous year (170 boys and 144 girls) (Figure 5, Table 9).

Of the 298 Australian-born children adopted by non-relatives in 1994–95 (for whom nuptiality details are known), 243 (82%) were born ex-nuptially (Table 12).

In almost a quarter of cases of Australian-born children adopted by non-relatives, age of the birth mother and/or nuptiality was unknown. For cases where data were available, birth mothers of adopted children born ex-nuptially were generally much younger than birth mothers of adopted children born nuptially. Sixty-eight per cent of birth mothers of adopted children born ex-nuptially were aged under 25 years, compared with 26% of birth mothers of adopted children born nuptially. The numbers of adopted children born nuptially increased according to the age of the birth mother, although the number of adopted children born ex-

nuptially was higher than the number of adopted children born nuptially for every age group of mothers (Figure 6; Table 12).

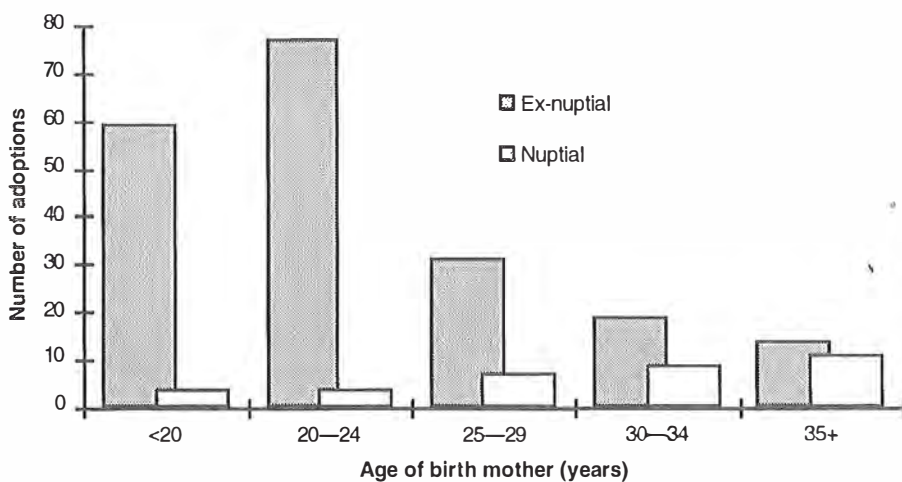


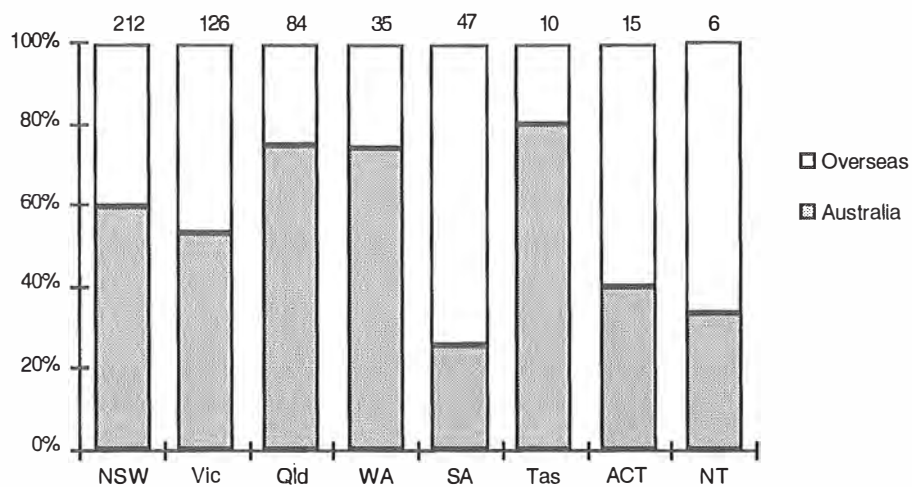
Figure 6: Nuptiality of Australian-born children adopted by non-relatives, by age of birth mother

Of the 55 Australian-born children adopted by non-relatives and born nuptially, 25 were in New South Wales, 16 in Victoria and 14 in the rest of Australia. Among Australian-born children adopted by non-relatives, there were considerable variations between the States and Territories in the proportion born nuptially. In all States and Territories, 20% or more of such children were born nuptially, except in Queensland (11%), Western Australia (4%) and the Australian Capital Territory (zero) (Table 20).

Overseas-born adoptees

In 1994–95, there were 224 overseas-born children adopted in Australia by non-relatives. There were almost equal numbers of boys (110) and girls (114) (Table 9).

Overseas-born adoptions as a proportion of all adoptions by non-relatives varied markedly between States and Territories, with overseas-born adoptions representing only 20% (2) of adoptions by non-relatives in Tasmania and 25% (21) in Queensland, but 74% (35) in South Australia (Figure 7; Table 19).



Note: The numbers above the columns show the number of adoptions by non-relatives in that State or Territory.

Figure 7: Birthplace of children adopted by non-relatives, by State/Territory

Of the overseas-born children adopted during 1994–95, 71 (32%) were born in South Korea, 29 (13%) in India, 25 (11%) in Thailand, 22 (10%) in the Philippines, 18 (8%) in Sri Lanka, 16 (7%) in Colombia, 11 (5%) in Guatemala and six (3%) in Fiji. Other source countries from which more than one adoptee originated in 1994–95 were Brazil, Chile, Poland, Taiwan, Romania and the United States of America (Figure 8; Table 9).

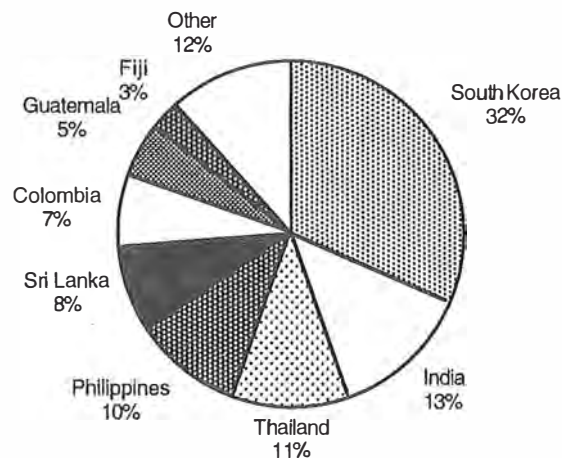


Figure 8: Country of birth of overseas-born children adopted by non-relatives

There were imbalances in the numbers of overseas-born boys and girls adopted from particular countries. Fewer boys than girls were adopted from Colombia (three and 13) and India (four and 25). More boys than girls were adopted from the Philippines (16 and six), Sri Lanka (12 and six) and Thailand (18 and seven) (Table 9).

There were also considerable differences between the States and Territories in the numbers of children adopted from the various countries. New South Wales received all but one of the 16

children adopted from Colombia, Victoria all but one of the 11 children from Guatemala, and New South Wales and Victoria all but one of the 18 children from Sri Lanka (Table 9).

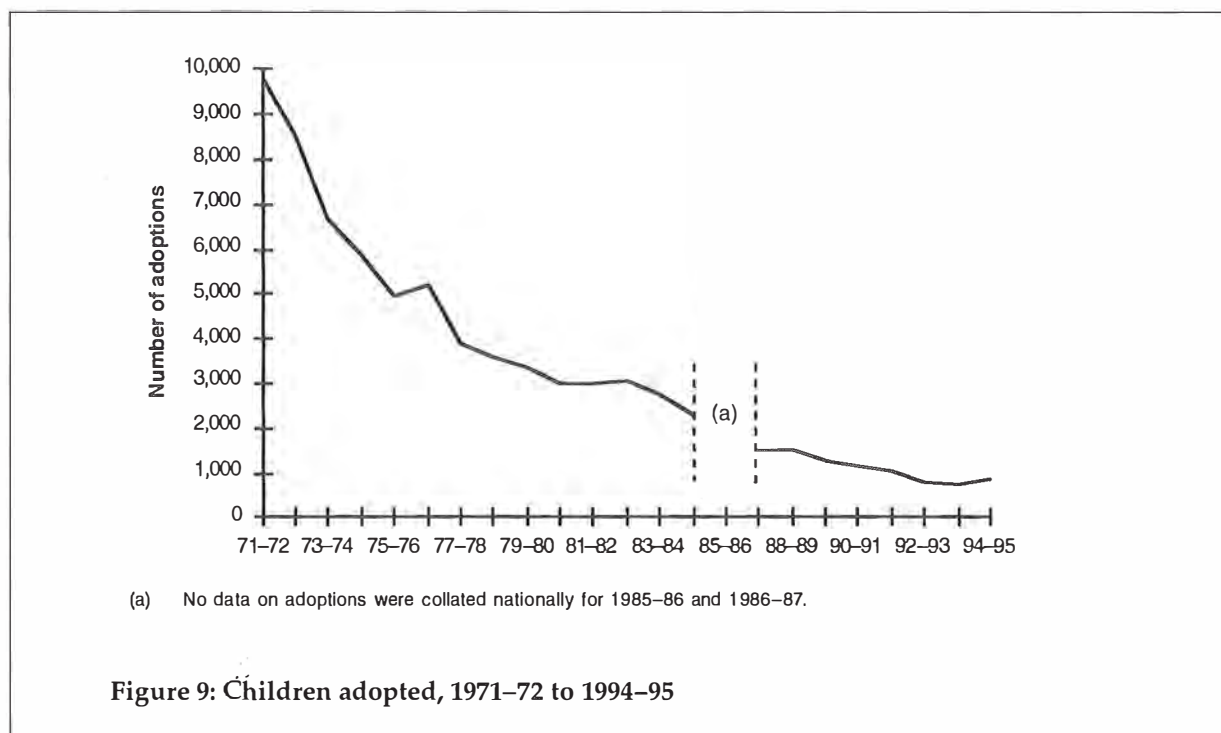
Adoptions of Aboriginal and Torres Strait Islander children

Twelve Aboriginal and Torres Strait Islander children were adopted in 1994–95: seven males and five females. Of the 12, seven were adopted by Aboriginal or Torres Strait Islander people (Table 13).

Changes over time

All adoptions

The number of adoptions in 1994–95 (855) was 91 more than for the previous year. The 1994–95 data include adoptions by step-parents in New South Wales, which were not included in this series between 1984–85 and 1993–94 inclusive (see note under 'Adoptions by relatives' on page 3). Without these adoptions the increase from 1993–94 to 1994–95 would be 6% which is the largest of only three annual percentage increases which have occurred since 1976–77 (Figure 9; Table 15). The number of adoptions in 1994–95 represents a decrease of 91% since the peak of 9,798 adoption orders in 1971–72.¹



Adoptions by relatives

There was an almost continuous fall in the number of adoptions by relatives from 1,637 in 1979–80 to 228 in 1993–94. The number of such adoptions was 92 higher in 1994–95 (320) than in the previous year (Table 16). This was due to a higher number of adoptions by step-

¹Note that data on adoptions by step-parents in New South Wales were not included from 1984–85 to 1993–94.

parents (313 compared to 214, see page 11), and a decrease in the number of adoptions by other relatives (from 14 to seven).

Adoptions by non-relatives

The number of adoptions by non-relatives in 1994–95 (535) was almost the same number as in each of the previous two years, following a steady decrease in each year since the high of 1,700 in 1979–80 and the recent peak of 1,000 recorded in 1988–89 (Table 16).

There was a large fall in the number of adoptions of Australian-born children throughout the 1980s, a fall only partly offset by a modest increase in adoptions of overseas-born children during that decade. The numbers of adoptions of both Australian-born and overseas-born children fell during the first three years of the 1990s, but have levelled out since then (Figure 10; Table 18).

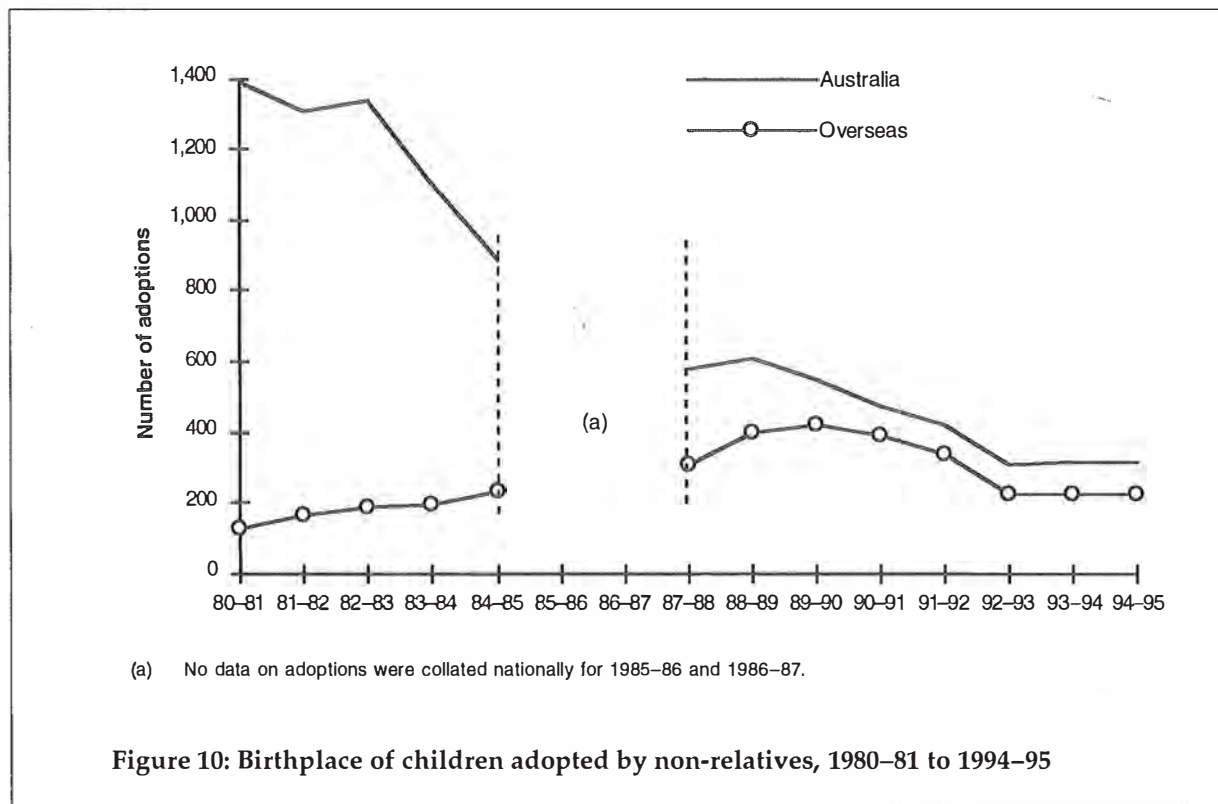


Figure 10: Birthplace of children adopted by non-relatives, 1980–81 to 1994–95

The age at which Australian-born children were being adopted by non-relatives was generally higher in 1994–95 than in previous years. In 1994–95, only 50% of Australian-born children adopted by non-relatives were aged under one year compared with 74% in 1990–91, while 32% were aged between one and four years in 1994–95 compared with only 16% in 1990–91 (Table 10).

There were 243 ex-nuptial Australian-born children adopted by non-relatives in 1994–95—slightly less than the 259 recorded in the previous year and a decrease of 54% from the recent peak in 1988–89. The percentage of adoptions involving ex-nuptial children (82%) was slightly lower than the previous year (83%) and continued the downward-trend evident since 1988–89, when the equivalent figure was 88% (Figure 11; Table 20).

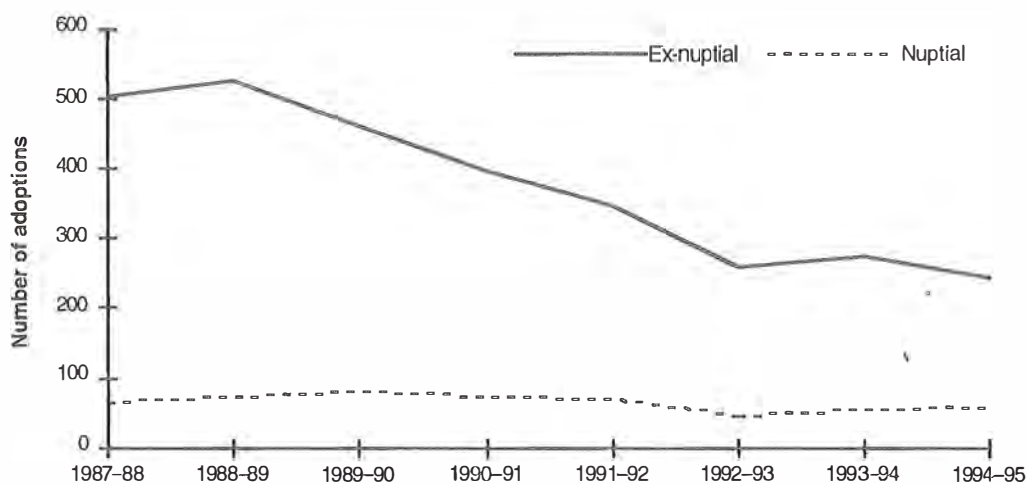


Figure 11: Nuptiality of Australian-born children adopted by non-relatives, 1987-88 to 1994-95

The age at which birth mothers relinquished ex-nuptial children for adoption is higher than in recent years, with only 30% of these mothers aged 19 years or less in 1994-95 compared with 40% in 1993-94 and 46% in 1990-91. Fifty-four percent of ex-nuptial Australian-born children were relinquished by mothers aged 20 to 29 years in 1994-95. This was an increase from 47% in the previous year and 46% in 1990-91. Seventeen percent of mothers relinquishing ex-nuptial children were aged 30 and over in 1994-95 compared with 13% in 1993-94 and only 9% in 1990-91. These figures are tentative, however, given the relatively high proportion of adoptions in 1994-95 for which age of birth mother and/or nuptiality are unknown (see page 12) (Table 12).

Overseas-born adoptees

The number of overseas-born children adopted peaked at 420 in 1989-90, but fell by 46% to 1992-93 and has remained virtually unchanged since then (Figure 10; Table 19). The almost equal numbers of boys and girls adopted from overseas continues the pattern of the previous three years but is in contrast to 1990-91, when 135 boys and 258 girls were adopted, most of this imbalance being accounted for by adoptions from South Korea, with 56 boys and 148 girls adopted from that country.

In 1994-95, 42% of children adopted by non-relatives were born overseas. While this is slightly lower than the percentage in some recent years, it contrasts sharply with the situation in 1980-81, when overseas-born adoptions represented only 8% of adoptions by non-relatives. The change in composition of the group of children adopted by non-relatives is due more to the large fall in adoptions of Australian-born children than the increase in overseas-born adoptions (Table 18).

The age at which overseas-born children were adopted by non-relatives continued to increase, with only 38% of children being adopted under one year of age and 44% aged between one and four years in 1994-95, compared with 56% and 28% respectively in 1990-91 (Table 10).

Of the total number of children adopted by non-relatives from overseas since 1987-88, most have been adopted from South Korea (1,100), Sri Lanka (274) and India (221). The number of adoptions from South Korea, while fluctuating, has fallen from 236 in 1988-89 to 71 in 1994-95. Nevertheless, more children have been adopted from South Korea than from any other overseas country each year since 1987-88.

Children legally available for adoption

At 30 June 1993, 1994 and 1995, most children legally available for adoption in Australia (excluding Victoria, for which data were not available) were either living with prospective adoptive parents (66% on average) or in foster care (29% on average). In Queensland, where children were not placed with prospective parents prior to adoption, an average of 80% of children were placed in foster care prior to adoption at these three points in time (Table 21).

Arranging body

The number of adoptions arranged through government agencies decreased from 1,909 in 1979–80 to 590 in 1994–95. Adoptions not involving government agencies, however, decreased even more dramatically over the same period, from 1,428 to 265. Consequently, the proportion of adoptions arranged by government agencies increased from 57% of adoptions in 1979–80 to 69% in 1994–95 (Table 17).

Access to information

In 1994–95, 6,252 applications were made for adoption information, the majority being lodged by adopted people. This represents a small increase over the previous year (6,135). In 1994–95, 163 contact vetoes were lodged—slightly fewer than the 185 lodged during 1993–94. There were 405 identifying information vetoes lodged during 1994–95—more than double the number lodged during the previous year. South Australia accounted for the bulk of the increase, having 278 vetoes lodged, up from 45 during the previous year. During 1994–95, 579 lodgements for contact and information vetoes were made in Western Australia (see footnote to Table 2).

The majority of identifying vetoes were lodged by adopted people (Table 2).

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

Table 2: Information applications and contact or identifying information vetoes lodged, 1994–95

	NSW	Vic	Qld	WA (a)	SA	Tas	ACT	NT	Aust
Applications for information									
Adopted person	n.a.	990	771	511	381	152	30	61	n.a.
Adoptive parents	(b)	22	1	66	(c)	2	3	–	n.a.
Birth parents	n.a.	235	288	307	119	39	30	20	n.a.
Other birth relative	(b)	158	32	71	42	18	4	3	328
Total	1,896 (d)	1,405	1,092	955	542	211	67	84	6,252
Contact vetoes lodged									
Adopted person	55	(e)	13	22	(f)	(g)	2	(h)	n.a.
Adoptive parents	(b)	(e)	(i)	17	(f)	(g)	2	(h)	n.a.
Birth parents	29	(e)	7	14	(f)	(g)	–	(h)	n.a.
Other birth relative	(b)	(e)	(i)	2	(f)	(g)	–	(h)	2
Total	84	(e)	20	55 (a)	(f)	(g)	4	(h)	163
Identifying information vetoes lodged									
Adopted person	(j)	(e)	74	20	197	(g)	(j)	6	297
Adoptive parents	(j)	(e)	(i)	16	–	(g)	(j)	(k)	16
Birth parents	(j)	(e)	20	7	81	(g)	(j)	–	108
Other birth relative	(j)	(e)	(i)	–	–	(g)	(j)	(k)	–
Total	(j)	(e)	94	43 (a)	278	(g)	(j)	6	421

- (a) Western Australia operates a system where lodgements can be made for contact and information vetoes at the same time. During 1994–95, 579 contact and information vetoes were lodged (220 by adopted persons, 246 by adoptive parents and 113 by birth parents), in addition to the contact vetoes and identifying vetoes detailed above.
- (b) In New South Wales, only adopted persons and birth parents may apply for information or lodge a contact veto.
- (c) Under South Australian legislation, adoptive parents may not apply for identifying information.
- (d) Applications by adopted persons and birth parents were not recorded separately.
- (e) No veto system operates in Victoria: the relevant Act does not provide for the release of identifying information.
- (f) In South Australia, only identifying information vetoes can be lodged.
- (g) Tasmania does not have a veto system.
- (h) In the Northern Territory, both contact and information are vetoed in the same veto lodgement.
- (i) In Queensland, only adopted persons and birth parents can lodge contact or identifying vetoes.
- (j) In New South Wales and the Australian Capital Territory, the release of identifying information cannot be vetoed.
- (k) In the Northern Territory, only the adopted person and the birth parents are able to lodge vetoes.

Placements of overseas-born children

As noted, children are often placed with a family before an adoption order is finalised. This is particularly the case when the adoption involves an overseas-born child, who may be placed with the prospective adoptive parents a year or more before an adoption order is made.

While the adoption orders for some children placed for adoption in a particular year would be finalised during that year, others would not be finalised until later—usually in the following year. During 1994–95, 257 overseas-born children were placed with non-relatives in Australia, slightly more than the 224 adoptions finalised during the year (Table 3).

Of the overseas-born children placed in Australia, 30% were born in South Korea, 11% in India and Colombia, 10% in the Philippines and 7% in Thailand. In terms of the country of origin, the composition of the group of overseas-born children placed in Australia was similar to that of the group of overseas-born children for whom adoption orders were finalised. However, there were somewhat more placements than orders finalised for children adopted from Colombia (28 and 16), while the reverse was the case for children from Thailand (19 and 25) and Sri Lanka (9 and 18) (Table 3; Table 9).

Table 3: Placement of overseas-born children with non-relatives: country of birth by State/Territory, 1994–95

Country of birth	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Australia
Bolivia	4	–	–	–	–	–	–	–	4
Brazil	2	1	3	–	–	–	–	–	6
Chile	2	3	–	–	–	–	–	–	5
China	2	–	–	–	1	–	–	–	3
Colombia	27	–	–	–	–	–	1	–	28
Ethiopia	–	1	3	–	5	–	–	–	9
Fiji	2	3	3	–	–	1	–	–	9
Guatemala	–	10	–	–	–	–	–	–	10
Hong Kong	–	–	–	5	–	1	–	–	6
India	6	12	2	4	2	–	2	–	28
Lebanon	1	–	–	–	–	–	–	–	1
Macedonia	2	–	–	–	–	–	–	–	2
Papua New Guinea	–	–	–	–	1	–	–	–	1
Philippines	1	7	6	1	8	3	1	–	27
Poland	–	4	–	–	–	–	–	–	4
Romania	–	3	–	–	–	–	–	–	3
Sri Lanka	3	4	2	–	–	–	–	–	9
South Korea	15	9	16	14	11	6	5	2	78
Taiwan	3	–	1	1	–	–	–	–	5
Thailand	7	1	3	1	7	–	–	–	19
Total	77	58	39	26	35	11	9	2	257

Source: Health and Community Services Ministerial Council Secretariat.

5 Detailed tables

Table 4: Children adopted: relationship to adoptive parents and arranging body by State/Territory, 1994–95

Relationship/ Arranging body	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Australia
Step-parents									
Government	–	9	95	–	57	2	3	–	166
Non-government	–	–	–	–	–	–	–	–	–
Other	48	10	–	89	–	–	–	–	147
Total	48	19	95	89	57	2	3	–	313
Other relatives									
Government	–	–	–	–	4	–	–	–	4
Non-government	–	–	–	–	–	–	–	–	–
Other	–	–	–	3	–	–	–	–	3
Total	–	–	–	3	4	–	–	–	7
Non-relatives									
Government	178	88	84	32	12	5	15	6	420
Non-government	34	38	–	–	35	5	–	–	112
Other	–	–	–	3	–	–	–	–	3
Total	212	126	84	35	47	10	15	6	535
Total									
Government	178	97	179	32	73	7	18	6	590
Non-government	34	38	–	–	35	5	–	–	112
Other	48	10	–	95	–	–	–	–	153
Total	260	145	179	127	108	12	18	6	855

Table 5: Children adopted: age by relationship to adoptive parents and sex, 1994–95

Age (years)	Adopted by relatives (a)			Adopted by non-relatives (b)			Total		
	Males	Females	Persons	Males	Females	Persons	Males	Females	Persons
Under 1 year	–	1	1	125	108	236	125	109	237
1–4 years	14	20	34	97	97	195	111	117	229
5–9 years	56	59	115	33	35	68	89	94	183
10–14 years	46	70	116	8	14	22	54	84	138
15 years and over	24	28	52	4	5	9	28	33	61
Unknown	1	1	2	2	3	5	3	4	7
Total	141	179	320	269	262	535	410	441	855

(a) All except two males and five females were adopted by step-parents; two aged 1–4 years, three 5–9 years, one aged 10–14 years and one aged 15 years and over.

(b) Includes four children in New South Wales for whom sex is unknown (three aged under 1 year, one aged 1–4 years).

Table 6: Children adopted by relatives: sex by State/Territory, 1994–95

	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Australia
Males	16	14	43	39	26	1	2	–	141
Females	32	5	52	53	35	1	1	–	179
Persons	48	19	95	92	61	2	3	–	320

Table 7: Children adopted by relatives: age by State/Territory, 1994–95

Age (years)	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Australia
Less than 1 year	1	–	–	–	–	–	–	–	1
1–4 years	8	2	7	13	3	–	1	–	34
5–9 years	15	9	34	39	17	–	1	–	115
10–14 years	13	5	38	25	33	1	1	–	116
15 years and over	11	1	16	15	8	1	–	–	52
Unknown	–	2	–	–	–	–	–	–	2
Total	48	19	95	92	61	2	3	–	320

Table 8: Children adopted by non-relatives: age by State/Territory, 1994–95

Age (years)	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Australia
Less than 1 year	134	25	45	2	6	8	12	4	236
1–4	34	69	29	32	28	–	1	2	195
5–9	28	22	7	–	8	1	2	–	68
10–14	13	5	–	–	4	–	–	–	22
15 and over	3	1	3	–	1	1	–	–	9
Unknown	–	4	–	1	–	–	–	–	5
Total	212	126	84	35	47	10	15	6	535

Table 9: Children adopted by non-relatives: country of birth by State/Territory and sex, 1994–95

Country of birth	NSW		Vic		Qld		WA		SA		Tas		ACT		NT		Australia ^(a)		
	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	P
Australia	64	59	33	34	34	29	13	13	8	4	4	4	2	4	1	1	159	148	311
Overseas																			
Colombia	3	12	–	–	–	–	–	–	–	–	–	–	–	1	–	–	3	13	16
Fiji	2	–	–	3	–	–	–	–	–	1	–	–	–	–	–	–	2	4	6
Guatemala	–	–	5	5	–	1	–	–	–	–	–	–	–	–	–	–	5	6	11
India	1	9	1	10	–	2	–	2	–	2	–	–	2	–	–	–	4	25	29
South Korea	10	13	9	2	3	8	1	5	9	2	2	–	2	3	1	1	37	34	71
Philippines	–	2	6	1	2	–	1	–	7	2	–	–	–	1	–	–	16	6	22
Sri Lanka	7	6	4	–	1	–	–	–	–	–	–	–	–	–	–	–	12	6	18
Thailand	5	4	1	–	1	1	–	–	9	2	–	–	–	–	2	–	18	7	25
Other overseas	5	6	7	5	1	1	–	–	–	1	–	–	–	–	–	–	13	13	26
<i>Total overseas</i>	<i>33</i>	<i>52</i>	<i>33</i>	<i>26</i>	<i>8</i>	<i>13</i>	<i>2</i>	<i>7</i>	<i>25</i>	<i>10</i>	<i>2</i>	<i>–</i>	<i>4</i>	<i>5</i>	<i>3</i>	<i>1</i>	<i>110</i>	<i>114</i>	<i>224</i>
Total	97	111	66	60	42	42	15	20	33	14	6	4	6	9	4	2	269	262	535

M=males F=females P=persons.

(a) The 'Persons' column includes four Australian-born children of unknown sex adopted in New South Wales.

Table 10: Children adopted by non-relatives: country of birth by age, 1994–95

Country of birth	Age (years)					Total
	Under 1	1–4	5–9	10–14	15 and over	
Australia	152	97	33	15	9	311 (a)
Overseas						
Colombia	9	2	5	–	–	16
Fiji	1	4	1	–	–	6
Guatemala	1	5	5	–	–	11
India	8	10	11	–	–	29
Philippines	1	16	5	–	–	22
Sri Lanka	14	4	–	–	–	18
South Korea	40	29	1	1	–	71
Thailand	–	16	4	5	–	25
Other overseas	10	12	3	1	–	26
<i>Total overseas</i>	<i>84</i>	<i>98</i>	<i>35</i>	<i>7</i>	<i>–</i>	<i>224</i>
Total	236	195	68	22	9	535 (a)

(a) Includes five adoptions for which the ages of children are unknown.

Table 11: Australian-born children adopted by non-relatives: nuptiality by State/Territory, 1994–95

	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Australia
Nuptial	25	16	7	1	3	2	–	1	55
Ex-nuptial	97	43	56	25	9	6	6	1	243
Total (a)	127	67	63	26	12	8	6	2	311

(a) Includes five adoptions in New South Wales and eight in Victoria for which nuptiality is unknown.

Table 12: Australian-born children adopted by non-relatives: age of birth mother by nuptiality and sex of adopted child, 1994–95

Age of birth mother	Nuptial			Ex-Nuptial			Total (a)		
	Males	Females	Persons	Males	Females	Persons	Males	Females	Persons
13 years and under	–	–	–	–	–	–	–	–	–
14 years	–	–	–	1	–	1	1	–	1
15 years	–	–	–	1	1	2	1	1	2
16 years	–	–	–	5	4	9	5	4	9
17 years	–	–	–	6	3	9	6	3	9
18 years	–	1	1	11	9	20	11	10	21
19 years	2	1	3	10	8	18	12	9	21
20–24 years	1	3	4	44	33	77	45	36	81
25–29 years	2	5	7	16	15	31	18	20	38
30–34 years	5	4	9	7	12	19	13	16	29
35–39 years	2	5	7	5	5	10	8	10	18
40 years and over	1	3	4	2	2	4	3	5	8
Unknown	8	12	20	25	18	43	36	34	70
Total (b)	21	34	55	133	110	243	159	148	311

(a) Includes nine adoptions for which nuptiality is unknown (one in New South Wales of unknown age, eight in Victoria: one where mother aged 30–34, one aged 35–39 and six of unknown age).

(b) Total includes four New South Wales adoptions for which details unknown.

Table 13: Children adopted: Aboriginality and sex of adopted child by relationship and Aboriginality of adoptive parents, 1994–95

Aboriginality/sex of adopted child	Adopted by relatives		Adopted by non-relatives		Total		Total
	ATSI	Other	ATSI	Other	ATSI	Other	
ATSI							
Males	–	–	3	4	3	4	7
Females	–	–	4	1	4	1	5
Children	–	–	7	5	7	5	12
Other							
Males	–	141	1	261	1	402	403
Females	–	179	–	257	–	436	436
Children (a)	–	320	1	522	1	842	843
Total							
Males	–	141	4	265	4	402	410
Females	–	179	4	258	4	436	441
Children (a)	–	320	8	527	8	842	855

ATSI = Aboriginal or Torres Strait Islander.

(a) Includes four children of unknown sex adopted by 'Other non-relatives' in New South Wales.

Table 14: Children adopted: relationship of adoptive parents to, and Aboriginality of, adopted child by State/Territory, 1994–95

Relationship/Aboriginality of adopted person	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Australia
Relatives									
ATSI	–	–	–	–	–	–	–	–	–
Other	48	19	95	92	61	2	3	–	320
Non-relatives									
ATSI	7	–	4	1	–	–	–	–	12
Other (a)	205	126	80	34	47	10	15	6	523
Total									
ATSI	7	–	4	1	–	–	–	–	12
Other (a)	253	145	175	126	108	12	18	6	843
Total	260	145	179	127	108	12	18	6	855

ATSI = Aboriginal or Torres Strait Islander.

(a) Includes four children of unknown sex adopted by 'Other non-relatives' in New South Wales.

Table 15: Children adopted: number of adoptions by State/Territory, 1971–72 to 1994–95

Year	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Australia
1971–72	4,539	1,768	1,774	457	776	303	127	54	9,798
1972–73	3,315	1,765	1,678	717	649	268	121	29	8,542
1973–74	1,936	1,557	1,458	783	558	268	120	25	6,705
1974–75	1,799	1,168	1,394	528	551	243	123	33	5,839
1975–76	1,449	1,032	1,112	531	549	211	87	19	4,990
1976–77	1,770	908	1,014	497	658	185	82	74	5,188
1977–78	1,068	951	660	417	506	164	55	46	3,867
1978–79	1,020	956	563	380	415	173	56	40	3,603
1979–80	853	914	450	387	475	148	86	25	3,337
1980–81	794	711	454	305	505	140	74	35	3,018
1981–82	855	753	467	261	396	119	81	39	2,971
1982–83	926	692	555	270	424	117	59	29	3,072
1983–84	698	686	517	250	438	87	51	43	2,770
1984–85	623	631	331	293	222	97	74	23	2,294
1985–86	(a)	(a)	359	(a)	(a)	(a)	(a)	(a)	(a)
1986–87	(a)	(a)	268	(a)	(a)	(a)	(a)	(a)	(a)
1987–88	280 (b)	114	306	191	416	120	36	28	1,491
1988–89	335 (b)	288	353	147	221	85	47	25	1,501
1989–90	360 (b)	212	278	128	174	71	50	21	1,294
1990–91	329 (b)	258	210	136	103	61	25	20	1,142
1991–92	310 (b)	185	232	120	112	58	23	12	1,052
1992–93	209 (b)	101	222	87	111	23	20	10	783
1993–94	188 (b)	112	206	85	106	37	21	9	764
1994–95	260	145	179	127	108	12	18	6	855

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

(b) Data on adoptions by step-parents for New South Wales were not included from 1987–88 to 1993–94.

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

Table 16: Children adopted: relationship to adoptive parents by State/Territory, 1987–88 to 1994–95

Year/Relationship of adoptive parents	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust
1987–88									
Relative (a)	4	5	131	89	301	57	10	8	605
Non-relative	276	109	175	102	115	63	26	20	886
Total	280	114	306	191	416	120	36	28	1,491
1988–89									
Relative (a)	2	112	146	60	131	20	19	10	500
Non-relative	332	176	207	87	90	65	28	15	1,000
Total	335 (b)	288	353	147	221	85	47	25	1,501
1989–90									
Relative (a)	n.a.	27	120	81	59	22	11	7	327
Non-relative	360	185	158	47	115	49	39	14	967
Total	360	212	278	128	174	71	50	21	1,294
1990–91									
Relative (a)	9	26	95	80	36	20	2	9	277
Non-relative	320	232	115	56	67	41	23	11	865
Total	329	258	210	136	103	61	25	20	1,142
1991–92									
Relative (a)	13	27	109	77	33	29	2	5	295
Non-relative	296	158	123	43	79	29	21	7	756
Total	310 (b)	185	232	120	112	58	23	12	1,052
1992–93									
Relative (a)	4	21	124	55	37	–	6	3	250
Non-relative	205	80	98	32	74	23	14	7	533
Total	209	101	222	87	111	23	20	10	783
1993–94									
Relative (a)	1	10	103	50	50	6	3	5	228
Non-relative	187	102	103	35	56	31	18	4	536
Total	188	112	206	85	106	37	21	9	764
1994–95									
Relative	48	19	95	92	61	2	3	–	320
Non-relative	212	126	84	35	47	10	15	6	535
Total	260	145	179	127	108	12	18	6	855

(a) Data on adoptions by step-parents for New South Wales were not included from 1987–88 to 1993–94.

(b) Includes one adoption for which relationship to adoptive parents is unknown.

Note: Figures relating to 1979–80 to 1984–85 are shown in previous issues. No data on adoptions were collated nationally for 1985–86 and 1986–87.

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

Table 17: Children adopted: arranging body, 1979–80 to 1994–95

Year	Government	Non-government	Other	Total
1979–80	1,909	528	900	3,337
1980–81	1,802	446	770	3,018
1981–82	1,670	430	871	2,971
1982–83	1,827	435	810	3,072
1983–84	1,567	449	754	2,770
1984–85	1,270	369	655	2,294
1985–86 and 1986–87	(a)	(a)	(a)	(a)
1987–88 (b)	1,246	243	2	1,491
1988–89 (b)	1,118	240	143	1,501
1989–90 (b)	1,114	117	63	1,294
1990–91 (b)	955	132	55	1,142
1991–92 (b)	839	145	68	1,052
1992–93 (b)	635	95	53	783
1993–94 (b)	613	101	50	764
1994–95	590	112	153	855

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

(b) Data on adoptions by step-parents for New South Wales were not included from 1987–88 to 1993–94.

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

Table 18: Children adopted by non-relatives: birthplace, 1979–80 to 1994–95

Year	Australia	Overseas	Unknown	Total
1979–80	1,094	66	540	1,700
1980–81	1,388	127	19	1,534
1981–82	1,311	162	4	1,477
1982–83	1,336	188	–	1,524
1983–84	1,108	197	13	1,318
1984–85	888	235	14	1,137
1985–86 and 1986–87	(a)	(a)	(a)	(a)
1987–88	578	308	–	886 (b)
1988–89	606	394	–	1,000
1989–90	547	420	–	967
1990–91	472	393	–	865
1991–92	418	338	–	756
1992–93	306	227	–	533
1993–94	314	222	–	536
1994–95	311	224	–	535

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

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

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

Table 19: Children adopted by non-relatives: birthplace by State/Territory, 1987–88 to 1994–95

Year/ Birthplace	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Australia
1987–88									
Australia	171	109	153	65	32	29	11	8	578
Overseas	105	n.a.	22	37	83	34	15	12	308 (a)
Total	276	109	175	102	115	63	26	20	886
1988–89									
Australia	184	145	159	51	26	24	11	6	606
Overseas	148	31	48	36	64	41	17	9	394
Total	332	176	207	87	90	65	28	15	1,000
1989–90									
Australia	144	135	128	27	74	26	7	6	547
Overseas	216	50	30	20	41	23	32	8	420
Total	360	185	158	47	115	49	39	14	967
1990–91									
Australia	158	127	90	34	24	25	7	7	472
Overseas	162	105	25	22	43	16	16	4	393
Total	320	232	115	56	67	41	23	11	865
1991–92									
Australia	151	91	96	19	29	16	11	5	418
Overseas	145	67	27	24	50	13	10	2	338
Total	296	158	123	43	79	29	21	7	756
1992–93									
Australia	110	43	79	18	34	14	5	3	306
Overseas	95	37	19	14	40	9	9	4	227
Total	205	80	98	32	74	23	14	7	533
1993–94									
Australia	98	72	77	19	22	17	8	1	314
Overseas	89	30	26	16	34	14	10	3	222
Total	187	102	103	35	56	31	18	4	536
1994–95									
Australia	127	67	63	26	12	8	6	2	311
Overseas	85	59	21	9	35	2	9	4	224
Total	212	126	84	35	47	10	15	6	535

(a) Excludes Victoria, for which data were not available.
 Source: Adoptions: national data collection, WELSTAT, 1987–88 to 1989–90.

Table 20: Australian-born children adopted by non-relatives: nuptiality by State/Territory, 1987–88 to 1994–95

Year/Nuptiality	NSW (a)	Vic	Qld (b)	WA	SA	Tas	ACT	NT	Australia
1987–88									
Nuptial	22	8	24	8	2	1	–	–	65
Ex-nuptial	139	101	129	57	30	28	11	8	503
Total	171	109	153	65	32	29	11	8	578
1988–89									
Nuptial	18	7	30	8	6	3	–	1	73
Ex-nuptial	162	138	128	43	20	21	11	5	528
Total	184	145	159	51	26	24	11	6	606
1989–90									
Nuptial	16	6	11	7	37	2	1	–	80
Ex-nuptial	126	129	113	20	37	24	6	6	461
Total	144	135	128	27	74	26	7	6	547
1990–91									
Nuptial	20	24	12	9	3	3	–	1	72
Ex-nuptial	137	103	78	25	21	22	7	4	397
Total(c)	158	127	90	34	24	25	7	7	472
1991–92									
Nuptial	37	–	21	5	2	2	–	–	67
Ex-nuptial	113	91	73	14	27	14	11	5	348
Total	151	91	96	19	29	16	11	5	418
1992–93									
Nuptial	16	5	9	2	11	1	1	–	45
Ex-nuptial	92	38	70	16	23	13	4	3	259
Total	110	43	79	18	34	14	5	3	306
1993–94									
Nuptial	18	15	10	3	6	1	–	–	53
Ex-nuptial	78	57	67	16	16	16	8	1	259
Total	98	72	77	35	22	17	8	1	330
1994–95									
Nuptial	25	16	7	1	3	2	–	1	55
Ex-nuptial	97	43	56	25	9	6	6	1	243
Total (d)	127	67	63	26	12	8	6	2	311

(a) Includes adoptions for which nuptiality was unknown: 10 in 1987–88, four in 1988–89, two in 1989–90, one in 1990–91, one in 1991–92, two in 1992–93 and five in 1994–95.

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

(c) Includes two adoptions in the Northern Territory for which nuptiality was unknown.

(d) Includes eight adoptions in Victoria for which nuptiality was unknown.

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

Table 21: Children legally available for adoption by non-relatives: location of child by State/Territory, 1993, 1994, 1995

	NSW	Qld	WA	SA	Tas	ACT	NT
At 30 June 1993							
Prospective adoptive parents	135	–	39	–	29	11	10
Foster care	12	50	17	–	2	1	–
Hospital/nursing home	1	3	1	–	–	–	–
Other	–	20	–	–	–	–	–
Total	148	73	57	–	31	12	10
At 30 June 1994							
Prospective adoptive parents	107	–	31	49	4	–	1
Foster care	49	54	8	–	1	1	1
Hospital/nursing home	–	1	–	–	–	–	–
Other	1	7	–	–	–	–	–
Total	157	62	39	49	5	1	2
At 30 June 1995							
Prospective adoptive parents	60	–	67	47	3	2	5
Foster care	14	45	6	–	–	1	–
Hospital/nursing home	–	–	–	–	–	–	–
Other	–	8	2	–	–	–	–
Total	74	53	75	47	3	3	5

Notes:

1. For definition of 'Children legally available for adoption by non-relatives', see Section 6.
2. Data for Victoria were not available.

6 Explanation of terms

Adoption

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

Adoption order

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

Adoptive parent

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

Adult

An adult is a person aged 18 or more years.

Age of child

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

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

Age of birth mother

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

Child

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

Child legally available for adoption by non-relatives

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

Children whose adoption has been deferred or who are already living with their prospective adoptive parents are included in this category. Children brought to Australia from overseas

are included only if they are legally available for adoption under Australian legislation. Orphan children under the guardianship of a State or Territory welfare department are included only if an adoption consent was signed by at least one of the child's parents or if active steps are being taken to find adoptive parents for the child.

Guardianship

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

Location of child

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

Living with prospective adoptive parents

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

Foster care

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

Hospital or nursing home

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

Other

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

Nuptiality of adopted child

Nuptial

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

Ex-nuptial

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

Relative

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

Parent

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

Other relative

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

Non-relative

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

Arranging body

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

Government

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

State and Territory welfare departments

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

Non-government agency

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

The following non-government agencies were licensed to arrange adoptions in 1994–95:

New South Wales

- Centacare Adoption Services
- Anglican Adoption Agency
- Barnardo's Australia

Victoria

- Copelen Street Family Services
- Western Family Services
- Gippsland Family Services
- Catholic Family Welfare Bureau
- Jewish Welfare Society
- LDS Social Services

South Australia

- Australians Aiding Children Adoption Agency

Tasmania

- Catholic Private Adoption Agency

Other arrangements

Some adoptions by relatives, predominantly step-parents, are arranged by other than the department responsible for community services or a non-government agency. For instance, arrangements may be made between the parties to the adoption and an application then made to the court (as in New South Wales and Victoria) or the legal aspects may be processed by a solicitor (as for step-parents in Western Australia). Further details are given in Section 2 under 'Adoptions by relatives'.

7 References

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Boss P 1992. Adoption Australia: a comparative study of Australian adoption legislation and policy. Notting Hill: National Children's Bureau of Australia.

Stonehouse B 1992. Adoption law in Australia. Melbourne: Australian Institute of Family Studies (Australian Family Briefings No. 1).

United Nations General Assembly 1989. The Convention on the Rights of the Child.

Western Australia Parliament 1993. Hansard. 30 November 1993.

Wilkinson K & Angus G 1993. Adoptions Australia 1990-91. Canberra: Australian Institute of Health and Welfare (Child Welfare Series No. 1).

8 Related legislation

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

Commonwealth

Immigration (Guardianship of Children) Act 1946

Marriage Act 1961

New South Wales

Adoption of Children Regulation 1995

Adoption Information Act 1990

Adoption Information Regulations 1991

Victoria

Adoption Act 1984

Adoption Regulations 1987

Adoption (Amendment) Act 1991

Queensland

Adoption of Children Act 1964

Adoption of Children Regulations 1988

Western Australia

To 31 December 1994:

Adoption of Children Act 1896

Adoption of Children Regulations 1986

Adoptions Bill 1993

From 1 January 1995:

Adoption Act 1994

Adoption Regulation 1995

South Australia

Adoption Act 1988

Tasmania

Adoption Act 1988

Adoptions Regulations 1992

Australian Capital Territory

Adoption Act 1993

Northern Territory

Adoption of Children Act 1964

Adoption of Children Act 1994

9 Related publications

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

Child welfare series

Number 1: *Adoptions Australia, 1990–91*

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

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

Number 4: *Adoptions Australia, 1991–92*

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

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

Number 7: *Adoptions Australia, 1992–93*

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

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

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

Number 11: *Adoptions Australia, 1993–94*

Number 12: *Children under care and protection orders Australia, 1993–94*

Number 13: *Child abuse and neglect Australia, 1993–94*

Other publications

Australia's welfare 1993: services and assistance

Australia's welfare 1995: services and assistance

Adoption is essentially the process of finding parents for children. Once an adoption order is granted, the adopted child becomes the child of the adoptive parents, as if he or she had been born to them. Each State and Territory in Australia has responsibility for all aspects of adoption within its jurisdiction.

This report by the Australian Institute of Health and Welfare presents adoption statistics provided by State and Territory welfare departments for the period 1 July 1994 to 30 June 1995. These statistics cover all finalised adoptions notified to State and Territory welfare departments, and all children legally available for adoption at 30 June 1995. The number and characteristics of children adopted are shown, including statistics by age, sex, country of birth and relationship to adoptive parents.