



FIN values children, families, community and culture

*FIN assists parents, grandparents and significant others
involved in the Child Safety system*

Family Inclusion Network Queensland (Townsville) Inc.

www.fin-qldtsv.org

3rd October 2016

**Submission to the Health, Communities, Disability Services and Domestic and Family Violence
Prevention Parliamentary Committee, Queensland**

Re The Adoption and Other Legislation Amendment Bill 2016

The Family Inclusion Network Queensland (Townsville) Inc. [FIN Townsville] exists to support families and children when Child Safety becomes involved in their lives. We have close familiarity with the loss and grief which is experienced by parents, grandparents and wider family (Aboriginal, Torres Strait Islander, and non-Indigenous Australians) when they lose their children into state care, and additionally we are familiar with the complex, life-long trauma following adoption of their children.

With this knowledge, FIN Townsville is opposed to adoption as it has existed in the 20th century. Ideally, FIN Townsville supports an innovative alternative which is far better suited to the values and norms of 21st century Australia – *Child First Stewardship*^{1.2.3.}

FIN Townsville is well aware that a few children may never be able to grow up in the care of their own family and need love, safety and stability in an alternative home which, all being well, can become their second “family for life” in addition to, and not totally replacing, their original (genetic) family.

While FIN Townsville would prefer that adoption, entailing the legal obliteration of a child’s original birth certificate, be replaced by *Child First Stewardship*, we recognise that this may be a lengthy process of social change and, in the interim, FIN Townsville would like to support some of the measures proposed in the Adoption and Other Legislation Amendment Bill which currently is before the Queensland Parliament.

In particular, FIN Townsville supports:

- 1) The replacement of s 215 (Child’s name) with the proposed new s 215. FIN Townsville endorses adherence to The United Nations Convention on the Rights of the Child (article 8.1) and considers that the circumstances in which a child’s name can be changed in a final Adoption Order should be VERY exceptional
- 2) The removal of the offence, and associated penalty, currently in s 272, relating to a breach of a Contact Statement

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- 3) The expansion of the definition of relative proposed for s 249 is, in the view of FIN Townsville, very important for non-Indigenous as well as Aboriginal and Torres Strait Islander relatives. Grandparents suffer greatly when their grandchildren are adopted.
- 4) The provision of a right for an adopted person to access information related to their biological father even where that information cannot be confirmed (S 250). In FIN Townsville's view this is consistent with the calls for access to biological information from those affected not only by adoption but also by donated genetic material (including ova, sperm, embryos), or surrogacy, etc.
- 5) The provision of discretion to the chief executive to consider that, in exceptional circumstances, consent to access information is not required. FIN Townsville is of the view that this discretion should also apply to adopted young people under the age of 18 years. FIN Townsville is aware that the outcomes for adoption are not nearly so good as claimed by its protagonists and that *even when placed under 2 years of age, less than half of those adopted from care were 'thriving' in adolescence and older.*⁴ A second research study found some very worrying behaviour in adopted young people in adolescence.⁵ Where adoptees as young people are so troubled by identity issues that they are heading towards mental ill health, self-harm, or anti-social behaviour, then the requirement for the consent of an adoptive parent to a request for information from an adopted young person should be waived. Additionally, supportive counselling should be offered to all affected by this decision.
- 6) The removal (in s 170 – 172) of any doubt that face-to-face contact between a child and their birth parents can occur during an interim Adoption Order and the provisions in the new s 169A. FIN Townsville is in favour of adoption plans being drawn up in ALL adoptions and strongly supports Open Adoption as the norm in all but very exceptional circumstances. To this end FIN Townsville would recommend the introduction of post adoption support services as per the model recommended by eminent UK researchers Neil, Beek and Ward (2014).⁴

In conclusion, FIN Townsville is strongly opposed to Closed Adoption. Open Adoption is the least harmful form of adoption. It is in tune with modern social norms in Australia in its respect for the child's right to know their origins and identity. It does, however, fall short of desirable as it continues the issue of fraudulent Birth Certificates.¹

This submission has been written by Dr Ros Thorpe, President Family Inclusion Network Queensland (Townsville) Inc. and endorsed by the FIN Townsville committee.



1. *The Australian Stewardship Not Adoption Awareness Support Group* (2015). (<https://www.facebook.com/AustralianStewardships/?fref=nf> accessed on 03/01/2016).
2. Wilkinson M (2015) <https://www.facebook.com/Sunrise/posts/10152569026980887> accessed on 02/10/2016
3. Hammersley W (2016) <https://www.facebook.com/ForcedAdoptionAustralia/posts/1086313574757411> accessed on 01/10/2016
4. Neil E., Beek M. and Ward E. (2014). *Contact after adoption. A longitudinal study of adopted young people and their adoptive parents and birth relatives*. London: BAAF.
5. Selwyn Julie, Wijidasa Dinithi, and Meakings Sarah (2014) *Beyond the adoption Order: Challenges, Interventions and Disruptions*. London: Research Report. Department for Education.