

Submission to
Legal Affairs and Community Safety Committee
Child Protection and Other Amendments Bill 2020

By

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Introduction

Jigsaw groups were established in Australia and New Zealand in 1976 and Jigsaw Queensland was incorporated in Queensland in 1988. We have assisted thousands of Queenslanders affected by adoption. Jigsaw Queensland services include:

- Emotional support by phone or email
- Monthly support group meetings for mothers, adoptees and an open group for all those affected by adoption.
- Providing Information to assist with individuals with their own search or conducting searches and outreach to family members on their behalf.
- Referral to professionals and other agencies
- Forced Adoption Support Services

Over the years Jigsaw Queensland has worked closely with people affected by adoption and have been consistent advocates of change in adoption policy and practices.

Submission

1. Jigsaw Queensland welcomes the proposed amendments that outline the Queensland Government's commitment to permanency for children in care and that clarify and prioritise the available child placement options.
2. We support the elaboration of preferred permanency orders in the amendments and the placing of adoption as a second to last option for

children in need of permanent care for children from non-Aboriginal and Torres Strait Islander backgrounds.

3. We believe that these amendments and the others proposed are consistent the relevant legislative principles applicable to child protection, including that consideration of the safety, wellbeing and best interests of the child, both through childhood and for the rest of the child's life, are paramount and that the first preference for achieving permanency is for the child to be cared for by the child's family and that the second preferable option is for the child to be cared for under the guardianship of a person who is a member of the child's family, other than a parent of the child, or another suitable person, and that this could include a permanent care order.
4. While supporting these amendments, we also believe that further reforms to current adoption policy and practice are needed.
5. In light of the widely-acknowledged shortcomings in past adoption policy and practice, as highlighted in the Senate Community Affairs References Committee report on the *Commonwealth Contribution to Former Forced Adoption Policies and Practices* and the subsequent state and federal apologies for these past practices, we note that there has been unfinished business in adoption policy reform that needs to be kept in mind when seeing adoption as a third preference in child protection decision-making.
6. It is possible that prioritising the options available to decision-makers through these amendments will only achieve long term positive outcomes if front-line workers fully understand the historic short-comings of past adoption policy and practice and have confidence that these shortcomings have been addressed through current policy and practice.
7. In our experience, the wider community also does not fully understand how, in the best interest of the children, permanency and adoption practices have needed to change. We believe the Deputy State Coroner's comments may have reflected some of that misunderstanding.
8. With respect to adoption as an option in child protection, Jigsaw Queensland is of the view that enlightened policy that takes into account the past and is responsive to the present should be moving towards simple adoption rather than plenary adoption.
9. If adoption is to be a genuine option to meet the permanency needs of children in care then it must take into account current realities. In most cases, such an option will no longer involve placing children at or near birth with alternative carers. Instead, permanency orders or adoption orders will apply to

children who are already embedded in family relationships. To deny the existence of those relationships or to legally sever them forever, as is the case with plenary adoption, is rarely, we believe, in the child's long-term best interests. Simple adoption allows a child to be recognised as legally related to two families, with the parental responsibilities to eighteen years of age clearly acknowledged. We believe this to be a potentially better arrangement than so-called open adoption which, while an improvement on past practices, still involves permanent severing of the legal relationship between a child and the original parents, siblings, grandparents and other relatives.

10. Jigsaw Queensland has long held the belief that the quality of relationships between members of original and adoptive family members lies beyond the reach of legislation and should be addressed through providing relevant support services to individuals and families.
11. In summary, Jigsaw Queensland supports the proposed amendments and looks forward to further reforms of adoption policy and practice in Queensland.

Trevor L Jordan. PhD
President
31 July 2020