



**Australian Government**  
**Australian Institute of  
Health and Welfare**



# **Adoptions Australia**

## **2016-17**



**AIHW**





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Health and Welfare**

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# **Adoptions Australia**

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# Contents

- Acknowledgments.....iv**
- Abbreviations .....v**
- Symbols .....v**
- Summary.....vi**
- 1 Introduction .....1**
  - 1.1 Adoptions in Australia .....1
  - 1.2 Recent developments .....2
  - 1.3 Data sources and processes .....3
  - 1.4 Report structure .....3
- 2 Adoption in Australia .....4**
  - 2.1 Categories of adoption.....4
  - 2.2 Adoption legislation and processes.....4
- 3 Adoptions in Australia during 2016–17.....12**
  - 3.1 Adoptions in 2016–17 .....13
  - 3.2 Intercountry adoptions .....15
  - 3.3 Local adoptions .....23
  - 3.4 Known child adoptions.....28
  - 3.5 Access to information .....30
- 4 Trends in adoptions in Australia.....35**
  - 4.1 Trends in categories of adoptions .....37
  - 4.2 Adoption of Aboriginal and Torres Strait Islander children.....47
  - 4.3 Alternatives to adoption .....48
- Glossary.....50**
- References.....55**
- List of tables .....59**
- List of figures .....60**
- Related publications .....61**

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- Department of Family and Community Services, New South Wales
- Department of Health and Human Services, Victoria
- Department of Communities, Child Safety and Disability Services, Queensland
- Department for Child Protection and Family Support, Western Australia
- Department for Child Protection, South Australia
- Department of Health and Human Services, Tasmania
- Community Services Directorate, Australian Capital Territory
- Territory Families, Northern Territory.

The Australian Institute of Health and Welfare is a statistical agency; enquiries from people wishing to adopt or find out more about the adoption process in Australia should be directed to the above departments in their relevant state or territory, or to Intercountry Adoption Australia <[www.intercountryadoption.gov.au/](http://www.intercountryadoption.gov.au/)>.

# Abbreviations

ACT	Australian Capital Territory
AGD	Australian Government Attorney-General's Department
AIHW	Australian Institute of Health and Welfare
DIBP	Department of Immigration and Border Protection
DQS	Data quality statement
DSS	Department of Social Services
IAA	Intercountry Adoption Australia
NSW	New South Wales
NT	Northern Territory
Qld	Queensland
SA	South Australia
Tas	Tasmania
Vic	Victoria
WA	Western Australia

# Symbols

—	nil or rounded to zero
..	not applicable
n.a.	not available
<	less than

# Summary

## **Adoption numbers increased**

In 2016–17, 315 adoptions were recorded as finalised. This is an increase of 13% from 2015–16 when there were 278 adoptions—the lowest number on record. This rise in finalised adoptions occurred against a backdrop of a 60% decline in Australia over the past 25 years.

## **Known child adoptions made up almost two-thirds of all adoptions**

While other types of adoption have declined, ‘known child’ adoptions—where the child is already known to the adoptive parent(s)—have increased over the past decade, from 100 in 2007–08 to 204 in 2016–17. These adoptions comprised 65% of all finalised adoptions in 2016–17, with adoptions by carers, such as foster parents, the most common (70%). The increase in known child adoptions is largely the result of a policy change in New South Wales which has resulted in a higher number of adoptions from care.

## **Local and intercountry adoptees were younger than known child adoptees**

Adoption of Australian children not known to their adoptive parents are called ‘local’ adoptions. In 2016–17, 42 local adoptions were finalised, representing 13% of all adoptions. A further 69 adoptions of children from countries other than Australia, referred to as ‘intercountry’ adoptions, were also finalised. All local adoptees, and 74% of intercountry adoptees, were aged under 5. The majority of known child adoptees (80%) were aged 5 and over.

## **Intercountry processing times fell**

For intercountry adoption, the median length of time from when an adoptive parent became an official client of an Australian state or territory department responsible for adoption, to when a child was placed for adoption had been increasing since 2007–08 (when data were first reported). It peaked at 5 years and 4 months in 2014–15 but then fell in 2015–16 and 2016–17. The median time was 2 years and 9 months in 2016–17.

The median length of time from when applicants became official clients of the department to when a child was placed with them varied considerably across countries. For example, it was just under 2 years for Hong Kong but over 6 years for Thailand.

## **Intercountry adoptions—100% were from Asian countries**

In 2016–17, 100% of finalised intercountry adoptions were for adoptees from Asian countries. The most common countries of origin were Taiwan, comprising 35% of intercountry adoptions, followed by the Philippines (26%), South Korea (20%) and Thailand (14%).

The main country of origin for intercountry adoptions has changed over time. Between 2006–07 and 2010–11, the main country of origin was either China or the Philippines; since then it has varied between Taiwan and the Philippines.

## **Few Indigenous children are adopted each year**

In 2016–17, only 4 Indigenous children had adoption orders finalised in Australia, with 125 Indigenous children adopted over the past 25 years.

# 1 Introduction

## 1.1 Adoptions in Australia

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). 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. In relation to the adoptive parents, the legal rights of the adopted child become the same as they would be if the child had been born to the adoptive parent(s). A new birth certificate may be issued for the child recording the name(s) of the adoptive parent(s) as the legal parent(s) and, if given, the new name of the child.

Patterns of adoption have been changing within Australia over the past few decades. These changing patterns are due to a complex interplay of factors, including, among others, contraception and legalised abortion, the availability of financial support for unwed mothers, a reduction in stigma around children born outside marriage, the end of forced adoption practices, the increasing labour force participation of women, and reproductive innovations (Carmichael 2014; Constantinidis & Cook 2012; Kenny et al. 2012; Mills et al. 2011). When combined with parents postponing having children, and the consequent reduction in fertility rates, these factors have led to fewer children being in need of adoption at the same time as more families are seeking to adopt (Ertman 2015; Schmidt et al. 2012). The extent to which adoption and long-term legal orders that transfer parental responsibility have been used by jurisdictions to meet the needs of children in out-of-home care has also resulted in changes in adoption patterns (see sections 1.2 and 4.3).

Patterns of intercountry adoption have also changed. International conventions, such as the Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption (Hague Convention) and the United Nations Convention on the Rights of the Child, along with social trends and changing social attitudes, support children remaining either with their families or within their country of origin. This has reduced the number of children, and particularly infants, in need of intercountry adoption. While there is variation across countries, in general, older children, sibling groups and those with special needs represent a growing proportion of the children for whom intercountry adoption is still utilised as an option for creating permanent care arrangements (Mignot 2015).

Another key change has been in the level of secrecy surrounding an adoption, both in relation to the process itself and between parties to an adoption. The secrecy associated with past adoptions of Australian children has largely given way to a system focused on the needs of the child and characterised by the open exchange of information. Contributing to this is the recognition that adoptive parents openly discussing adoption-related issues with an adopted child is beneficial for the child's adjustment (Brodzinsky 2006; Child Welfare Information Gateway 2013; Passmore et al. 2009; Siegel & Livingston Smith 2012). Access to the adopted child by parties to an adoption (referred to in this report as an 'open' adoption) is facilitated in all states and territories, although the degree to which this occurs varies across the jurisdictions (see Appendix A:A.2).

## 1.2 Recent developments

### Carer adoptions

A relatively recent change to the pattern of adoption in Australia can be seen among known child adoptions, where the rate of carer adoption has been increasing. This reflects the desire to provide permanency of placement for children in out-of-home or foster care environments (Munro & Manful 2011).

Since 2012–13, known child adoptions have made up a growing proportion of all adoptions in Australia (see Section 3.4). Various legislative changes within jurisdictions, associated with adoption by carers, underpin this growth. For example, on 1 April 2014, following extensive consultation with the public and the child protection sector, the New South Wales Parliament enacted the *Child Protection Legislation Amendment Act 2014*. The amendments improve the process of adopting children and young people in out-of-home care for whom reunification is either not possible or not in the best interests of the child. New South Wales has 2 pathways to adoption for a child or young person in out-of-home care:

- the authorised carer pathway, where a person who is currently a carer is authorised to adopt the child or young person in their care, where this child is under the parental responsibility of the Minister to 18 years of age
- the dually authorised carer pathway, where a person is authorised both as a foster carer generally (that is, not necessarily as the carer of a specific child), and as a prospective adoptive parent(s) (AIHW 2016a).

Amendments to the *Adoption Act 1994* in Western Australia (effective late 2012) reintroduced relative adoption as a legislative option to secure long-term permanent care for children, and strengthened the carer adoption process. Under the amendments, adoptions of children and young people in out-of-home care may occur where carers or relatives meet eligibility requirements and have cared for the child for at least 2 years (previously 3 years), and the court is satisfied that the child's adoption would be preferable to certain orders, such as a protection order (special guardianship).

Australian jurisdictions differ in the extent to which they use adoption as a measure to improve permanency and stability for children in out-of-home care. Some jurisdictions have focused instead on improving stability and permanency for these children through long-term care and protection orders that transfer guardianship and custody of a child, often until the child turns 18, to a third party (see Section 4.3). For example, Victoria introduced permanent care orders that grant permanent parental responsibility to the exclusion of all others to a third party in 1992.

### Governance and support for Intercountry Adoption

Intercountry Adoption Australia (IAA), established by the Australian Government, has been in operation since 18 May 2015. IAA is operated by the Australian Government's Department of Social Services (DSS). It provides information and advice to individuals and families involved in intercountry adoption, including families considering adopting, families who have adopted and adoptees themselves. Part of the role of IAA is to connect parties involved in an adoption with pre- and post-adoption services and resources. IAA consists of:

- a free 1800 information line operated by qualified social workers who provide general support, help with immigration, citizenship and passport processes, and referrals to support services

- a national website, <[www.intercountryadoption.gov.au](http://www.intercountryadoption.gov.au)>, which provides an overview of the intercountry adoption process, current information on partner countries, things to consider when adopting, access to state or territory government information, and links to support services (IAA 2017a).

State and territory Central Authorities remain responsible for adoption legislation, and consequently manage adoption applications and assess the eligibility and suitability of those seeking to adopt children from overseas.

The Attorney-General's Department (AGD) is the Australian Central Authority for intercountry adoption. AGD 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). AGD also historically managed Australia's intercountry adoption country programs. However, from January 2017, responsibility for managing and establishing the country programs transferred to DSS. For further information, see 'Chapter 2.2 Adoption legislation and processes'.

## 1.3 Data sources and processes

The Australian Institute of Health and Welfare (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 adoptions, according to definitions and technical specifications agreed by the jurisdictions and the AIHW. Data on adoption visas issued in 2016–17, including for the children adopted by expatriate Australians, are provided by the Department of Immigration and Border Protection (DIBP). Commencing in 2016–17 the format of the data provided by DIBP changed and the information presented in this report may vary from previous editions. Definitional material can be found in the Glossary.

It should also be noted that, due to the size of the target population of this collection, some analyses contain small counts. These data have been cleared for release by the state and territory departments responsible for adoption and, in some instances, reflect data that are publicly available elsewhere at the same level of disaggregation.

Further information on the data contained in this collection can be found in the Data Quality Statement (DQS) available through the AIHW website <<http://meteor.aihw.gov.au/content/index.phtml/itemId/687176>>.

## 1.4 Report structure

This report has 4 chapters:

- Chapter 1—an introduction to adoption
- Chapter 2—an overview of adoption processes in Australia
- Chapter 3—detailed data on adoption in 2016–17
- Chapter 4—trends in adoption in Australia, including alternatives to adoption.

Additional information including detailed statistical tables, and appendix documents containing summaries of state and territory adoption legislation and a list of the countries party to the Hague Convention, can be downloaded from the AIHW website at <<https://www.aihw.gov.au/reports/adoptions/adoptions-australia-2016-17/related-material>>.

## 2 Adoption in Australia

The words used to describe the parents of children placed for adoption carry sensitivities for all parties to an adoption. Both birth and adoptive parents can appropriately be referred to as 'parents'. In this report, 'mother', 'father' or 'parent' are used to describe the child's biological parents.

'Adoptive mother', 'adoptive father' or 'adoptive parent' are used to describe the parents who adopted the child. In a minority of cases, 'birth mother', 'birth father' or 'birth parent(s)' have been used for clarity. The children who have been the subject of an adoption order are referred to as 'adopted children' or 'adoptees'.

### 2.1 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 (Section 2.2), but generally have had no previous contact or relationship with the adoptive parent(s).
- **Local adoptions** are adoptions of children born or permanently residing in Australia before the adoption who are legally able to be placed for adoption, but generally have had no previous contact or relationship with the adoptive parent(s).
- **Known child adoptions** are adoptions of children born or permanently residing in Australia before the adoption, who have a pre-existing relationship with the adoptive parent(s), and are generally not able to be adopted by anyone other than the adoptive parent(s). Known child adoptions include adoptions by step-parents, other relatives and carers.

Note: Adoptions by Australian citizens or permanent residents living abroad for 12 months or more that occur through an overseas agency or government authority are excluded from the number of intercountry adoptions. 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. Data on these adoptions that are available through visa applications are reported in Section 3.2.

### 2.2 Adoption legislation and processes

A child can legally be adopted if all the necessary consents to the child's adoption have been obtained or dispensed with (dispensation refers to the legal process in which a court declares that the consent of a parent is not required for an adoption order to be granted). People wishing to adopt a child must satisfy the government department or agency concerned that they will be suitable parents. Factors that may be considered in assessing the suitability of potential parents include their parenting capacity, age, health, reasons for wanting to adopt, marital status and the stability of their relationship. Eligibility requirements to adopt a child vary between jurisdictions (see Appendix A:A1), as do eligibility requirements set by countries of origin for intercountry adoptions (IAA 2017b).

## Intercountry adoptions

### Legislation and responsibilities

The adoption process for intercountry children is strictly controlled:

- by each state and territory under the relevant state legislation
- by the Australian Government under the
  - *Immigration (Guardianship of Children) Act 1946*
  - *Migration Act 1958*
  - *Family Law Act 1975*
  - Migration Regulations 1994
  - Family Law (Hague Convention on Intercountry Adoption) Regulations 1998
  - Family Law (Bilateral Arrangements—Intercountry Adoption) Regulations 1998
  - *Australian Citizenship Act 2007*
- in accordance with the principles of the Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption (Hague Convention) and the United Nations Convention on the Rights of the Child.

The Hague Convention entered into force for Australia in December 1998. The Hague Convention establishes:

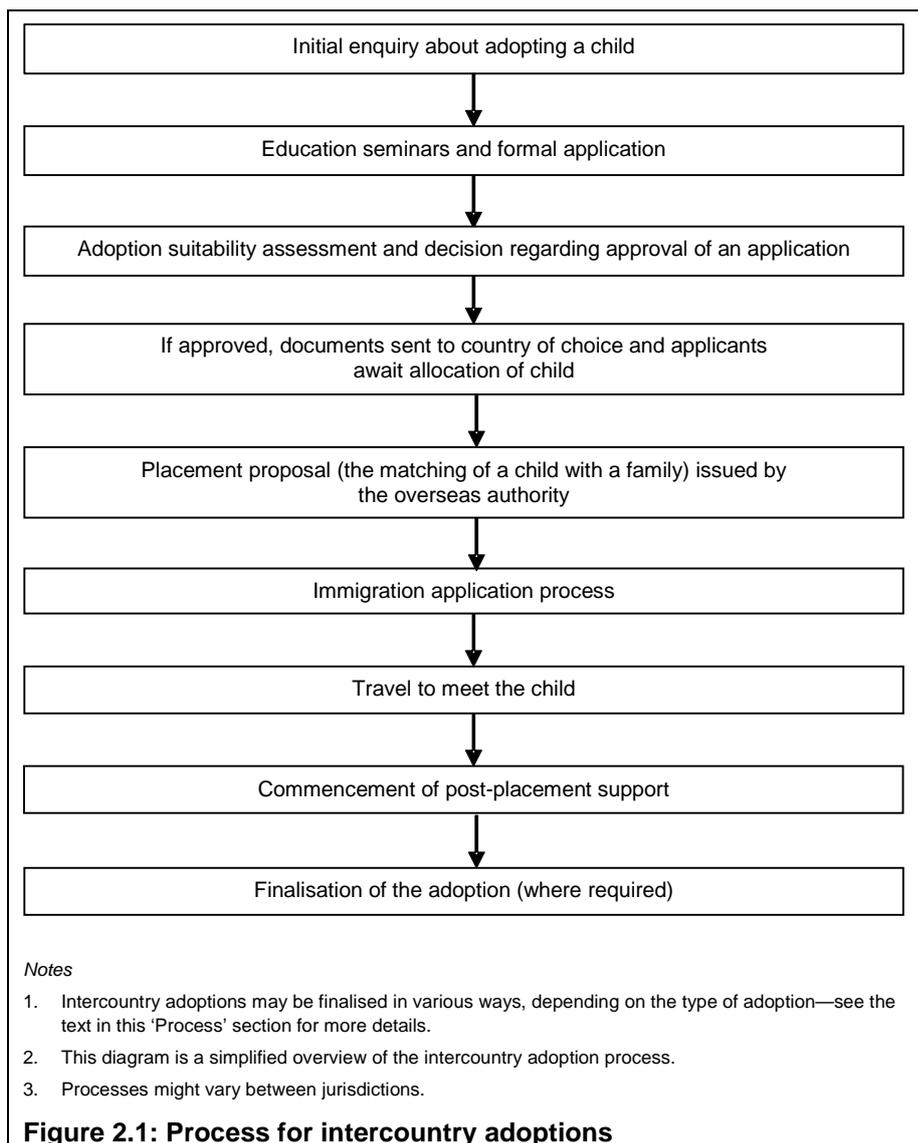
- standards and procedures between countries, including legally binding standards and safeguards
- a system of supervision to ensure that these standards and procedures are observed
- channels of communication between authorities in countries of origin and receiving countries for children being adopted
- principles that focus on the need for intercountry adoptions to occur only where it is in the best interests of the child and with respect for their fundamental rights, and to prevent the abduction, sale, or trafficking of children.

A list of countries that were party to the Hague Convention during 2016–17 can be downloaded as part of the supplementary material available on the AIHW website for this report (see Appendix B).

The AGD—the Australian Central Authority for the Hague Convention in Australia—is responsible for enabling the performance of Australia’s responsibilities under the Hague Convention. In accordance with their responsibilities for intercountry adoption, each state and territory has also established a Central Authority under the Hague Convention. In 2016, the AGD had primary responsibility for establishing and managing Australia’s intercountry adoption arrangements; however, from January 2017 these responsibilities were transferred to DSS. The responsibility for processing adoption applications and assessing and approving prospective adoptive parents resides with state and territory governments.

### Process

Although each state and territory has its own legislation for intercountry adoption, the general process is similar across the jurisdictions (Figure 2.1). The AGD, DSS and states and territories work cooperatively to ensure that all of Australia’s adoption programs meet the standards of the Hague Convention, regardless of whether partner countries are signatories.



In addition to requirements set by Australian state and territory adoption authorities, each country of origin also sets out requirements for prospective adoptive parents wishing to adopt a child from that country. These requirements vary between countries and include, but are not limited to, the age of parents, marital status, current family structure and nationality or ethnic background. Fees associated with intercountry adoption vary depending on the Australian state or territory and the country of origin of the child, are subject to change and are affected by various factors. Details on country programs, including eligibility and fees, are available from the IAA website (IAA 2017b).

Waiting periods between when a partner country receives an application and when applicants are matched with a child are influenced by several factors outside the control of Australian authorities. These include the number and characteristics of children in need of intercountry adoption, the number of applications received and the resources available to the overseas authority. Waiting times for intercountry adoptions vary between countries. Families can often wait 3 to 5 years from the time they apply to the overseas country to when they are matched with a child (see 'Processing times for children placed during 2016–17' in Section 3.2 and 'Processing times' in Section 4.1).

An intercountry adoption may be finalised in various ways. In some cases, a full adoption order can be made in the child's country of origin. This order is automatically recognised in Australia if the country is a party to the Hague Convention and has issued an adoption compliance certificate. Under changes to the Family Law (Bilateral Arrangements-Intercountry Adoption) Regulations 1998 made in 2014, full adoption orders made in Taiwan and South Korea (countries with which Australia has bilateral arrangements) are also automatically recognised in Australia, if the relevant state or territory authority has agreed that the adoption could proceed.

Alternatively, some children, whose adoptions are not recognised automatically under Australian family law, enter Australia under the care of a prospective adoptive parent (see 'Administration of Hague adoptions' and 'Visa and citizenship data' in Section 3.2). In this case, the federal Minister for Immigration and Border Protection becomes the legal guardian of the child when they arrive in Australia under the *Immigration (Guardianship of Children) Act 1946*. This guardianship is usually delegated to the relevant state or territory central adoption authority. The Minister's delegated guardianship remains valid until the child turns 18, leaves Australia permanently, becomes an Australian citizen or, as happens in most cases, the adoption order is finalised by an Australian authority.

### **Australia's intercountry adoption programs**

In mid-2017, Australia had active intercountry adoption programs with 13 countries: Bulgaria, Chile, China, Colombia, Hong Kong, Latvia, the Philippines, Poland, South Africa, South Korea, Sri Lanka, Taiwan and Thailand.

Not all of the countries with which Australia has an adoption program are parties to the Hague Convention. These countries are referred to as 'non-Hague' countries within this report (see Glossary for definitions of the adoption categories). Regardless of whether the convention is in force in a country, adoption programs are established only with countries where Australia can be satisfied that the principles of the Hague Convention are being met. In this context, bilateral arrangements exist with South Korea and Taiwan, which have not currently ratified the Hague Convention (South Korea signed the Hague Convention in May 2013, but had not finished implementing all requirements by the end of 2016–17) (see Appendix B).

### **Ad hoc requests**

Requests to adopt children from countries with which Australia does not have an existing intercountry adoption program are referred to as 'ad hoc requests'. The relevant state or territory Central Authority considers these on a case-by-case basis.

As a general principle, individual ad hoc requests for intercountry adoption are likely to be considered only in exceptional circumstances, as they are not consistent with Australia's management of intercountry adoption. For example, an application may be considered where prospective adoptive parents have a genuine and profound understanding of, and connection with, the culture and circumstances of an overseas country that satisfies Hague Convention standards and requirements.

The relevant state or territory authority must have accepted an ad hoc request before prospective adoptive parents can make a formal application for adoption and be assessed for suitability to adopt. If the request is accepted, applicants will be subject to the normal intercountry adoption process applicable in their relevant state or territory.

## **Private adoptions**

State and territory Central Authorities do not support adoptions arranged through a privately contracted adoption agency, or those that do not go through a government's Central Authority—known as private adoptions. Adoptions to Australia must either be approved by a state or territory Central Authority or meet Australian immigration requirements for expatriate adoption (DIBP 2016) (see 'Visa and citizenship data' in Section 3.2).

## **Local adoptions**

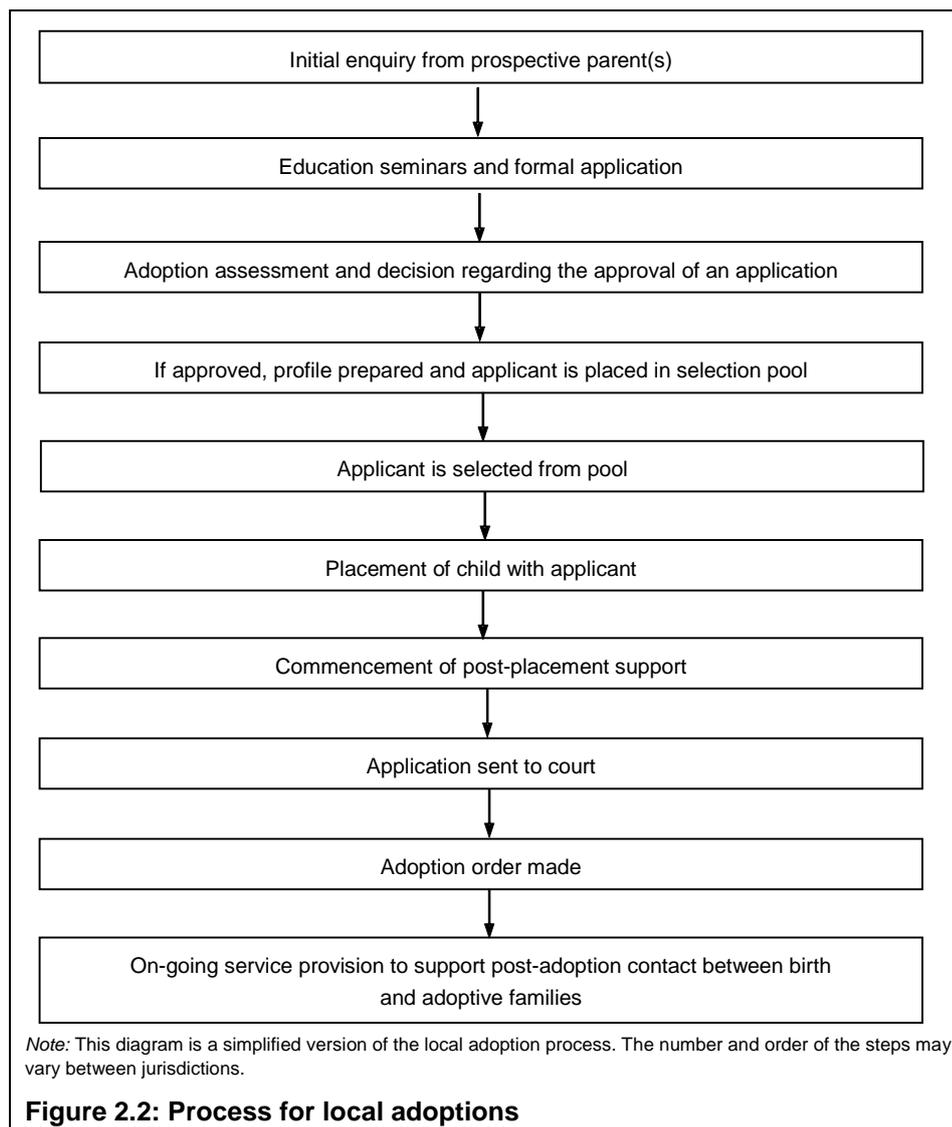
### **Legislation and responsibilities**

Each state and territory has legislation governing local adoption practices—an outline of the legislation for each jurisdiction is provided in Appendix A:A.1. The individual state or territory authority for adoption works to ensure that local adoption practices follow the regulations set out by its jurisdiction.

For local adoptions, in most cases, the responsible state or territory department will be the guardian of a child for whom general consents for adoption have been signed. For some approved non-government adoption agencies, the agency's principal officer will be the guardian. The guardianship of a child remains in force until the adoption order is made, or consents for adoption are revoked, or until some other specified event occurs (such as when a suitable and willing relative is able to care for the child).

### **Process**

Figure 2.2 shows the process involved in placing local children with prospective adoptive parent(s), although the precise order of the steps might vary slightly between jurisdictions.



## Known child adoptions

### Legislation and responsibilities

Known child adoptions are administered and/or recorded by the department responsible for adoption in each state and territory.

The majority of known child adoptions are by step-parents adopting their partner's children, or by long-term carers, such as foster parents, of children placed in their care. The aim of this type of adoption is to provide the child with a clear legal position, status and stability within the family arrangement. In some circumstances, the adoption may be finalised after the adoptee is legally considered an adult. The role of the department varies between jurisdictions when administering adult adoptions (see Appendix A:A.1). As a result, not all such adoptions are captured in this report.

Adoptions by relatives other than step-parents are less common. This is because most states and territories have policies that promote the use of parental responsibility orders rather than adoption when a child is to be permanently cared for by another relative, such as permanent care and guardianship/custody orders. Adoptions by relatives are generally discouraged, as

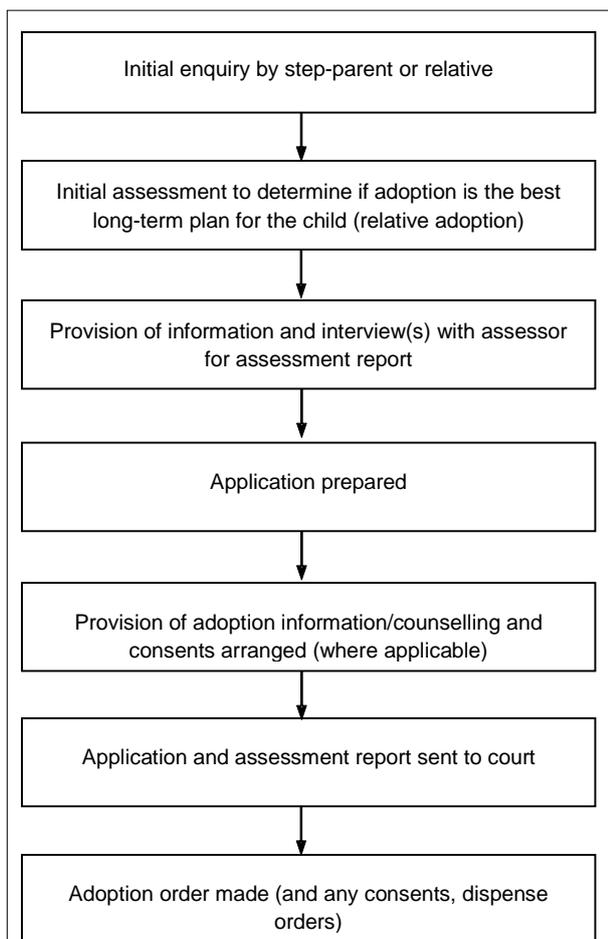
they might confuse and distort biological relationships. For example, if a child was adopted by their grandmother, the child's parent would legally become the child's sibling. In exceptional circumstances—that is, when a parental responsibility order would not adequately provide for the welfare of the child—legislation in most states and territories does allow carers or relatives other than step-parents to adopt a child.

In the case of Indigenous children, jurisdictions have additional legislation or regulations that help determine whether an adoption should be considered over other arrangements, such as the use of an alternative legal order.

Known child adoptions by people who are not carers or relatives, such as by commissioning (surrogate) parents, are uncommon in Australia. These adoptions are captured in this report under the 'Other' category in known child adoptions.

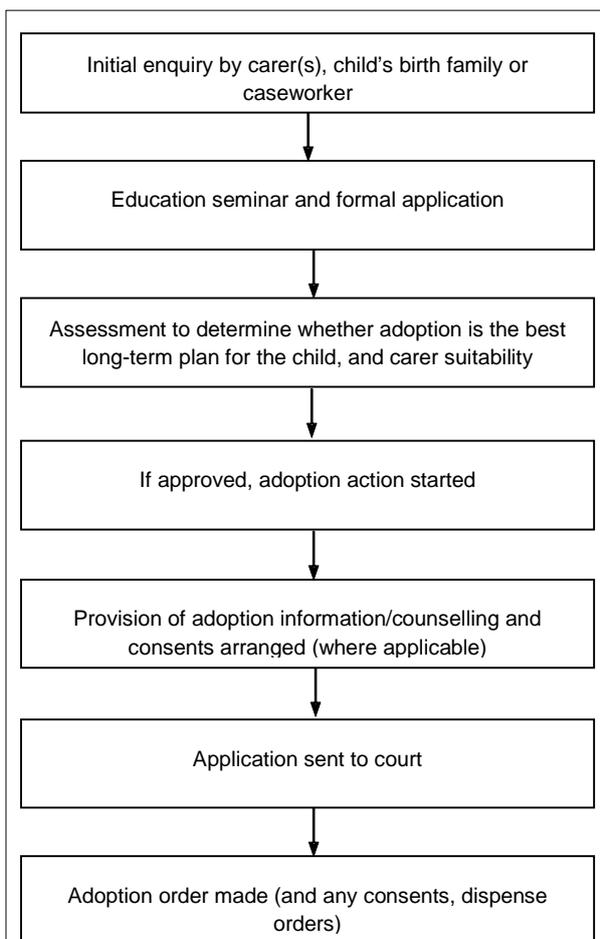
## **Process**

Each state and territory has its own process for the adoption of known children. The most common types of known child adoptions are step-parent adoptions and carer adoptions. Figure 2.3a broadly shows the process for adoptions by step-parents and other relatives (intrafamilial adoptions). In some jurisdictions, the department responsible for adoption has limited involvement in this process, with prospective parents responsible for preparing and lodging their own applications directly with the court. Figure 2.3b shows the general process for adoptions by carers, such as foster parents, although some of the additional complexities associated with adoptions by carers are not shown. In both cases, the precise order of the steps might vary slightly between jurisdictions.



*Note:* This diagram is a simplified overview of the step-parent or relative adoption process. The number and order of the steps may vary between jurisdictions.

**Figure 2.3a: Process for step-parent and relative known child adoptions**



*Note:* This diagram is a simplified overview of the carer known child adoption process (principally foster parent adoptions). The number and order of the steps may vary between jurisdictions.

**Figure 2.3b: Process for carer known child adoptions**

### 3 Adoptions in Australia during 2016–17

Key findings:

- There were 315 adoptions in Australia in 2016–17.
- Of all finalised adoptions, 22% were intercountry and 78% were of Australian children (65% known child and 13% local adoptions).
- More known child adoptions were by carers (143) than step-parents (57).
- All local adoptees, and a large percentage of intercountry adoptees (74%), were under 5 years old. Most known child adoptees were 5 and over (80%).
- The average waiting time for families adopting from overseas was 33 months in 2016–17 compared with 41 months in 2015–16.
- In local adoptions, 49% of adoptive parents were over 40 years old. For intercountry adoptions, 74% of adoptive parents were over 40.

This chapter provides an in-depth analysis of intercountry, local and known child adoptions in Australia in 2016–17. Given the small numbers involved, there can be volatility in the data observed from year to year. Due to this, changes identified over short periods (such as a single year) reported in this chapter should be interpreted with caution.

Chapter 4 focuses on trends over longer periods, which can provide a more reliable picture of change in small populations. More information about the implications of the small size of the adoptions population can be found in the DQS for this collection at <http://meteor.aihw.gov.au/content/index.phtml/itemId/687176>.

#### Motivations and expectations around adoption

People have many reasons for adopting, and these can influence the type of adoption that prospective adoptive parents choose over alternative options (including fostering). It has been argued that intercountry adoption, in particular, began as a humanitarian response to children in disasters but has become an accepted way of forming a family in many western countries (Fronek & Cuthbert 2012; Young 2012b). In addition to humanitarian or altruistic motives, the desire to be a parent, infertility or simply wanting to adopt are among commonly given reasons for seeking to adopt a child (Malm & Welti 2010; Welsh et al. 2008).

Research on why current and prospective adoptive parents choose a particular type of adoption has found differing views about the potential advantages of one type of adoption over others. Many prospective adoptive parents express a strong desire for a younger baby, partly because older children are thought to have more health and behavioural problems. Among those who preferred intercountry adoption, there was a perception that being allocated a younger child was more likely through intercountry adoption. Prospective adoptive parents who viewed intercountry adoption as the most attractive option also thought it would be faster than a local adoption and considered that having birth parent(s) involved, believed to be more likely in local adoptions and fostering, would make the process more complicated (Malm & Welti 2010; Welsh et al. 2008; Young 2012a; Zhang & Lee 2011). There was also a belief that intercountry adoption created permanent, lifelong bonds (compared with perceived impermanent bonds these prospective adoptive parents associated with fostering), and that more children were in need overseas than in Australia (Young 2012a). Further, while complex backgrounds may have been viewed as social problems in relation to foster children, they were considered by some as interesting

challenges for children in the context of intercountry adoptions (Young 2012a; Zhang & Lee 2011).

Not all of these perceptions are supported by available data in the Australian context. For example, although national data on processing times for local adoptions are not currently available in Australia, data for intercountry adoptions reveal a long offshore process, with average waiting times of 3 to 5 years. Further, national data for Australia indicate relatively few intercountry adoptees are infants under 12 months (6 of the 69 intercountry adoptees in 2016–17 were under 12 months), while a higher proportion of infants is found among local adoptees (27 of the 42 local adoptees in 2016–17 were under 12 months). These data are explored in greater detail in the following sections.

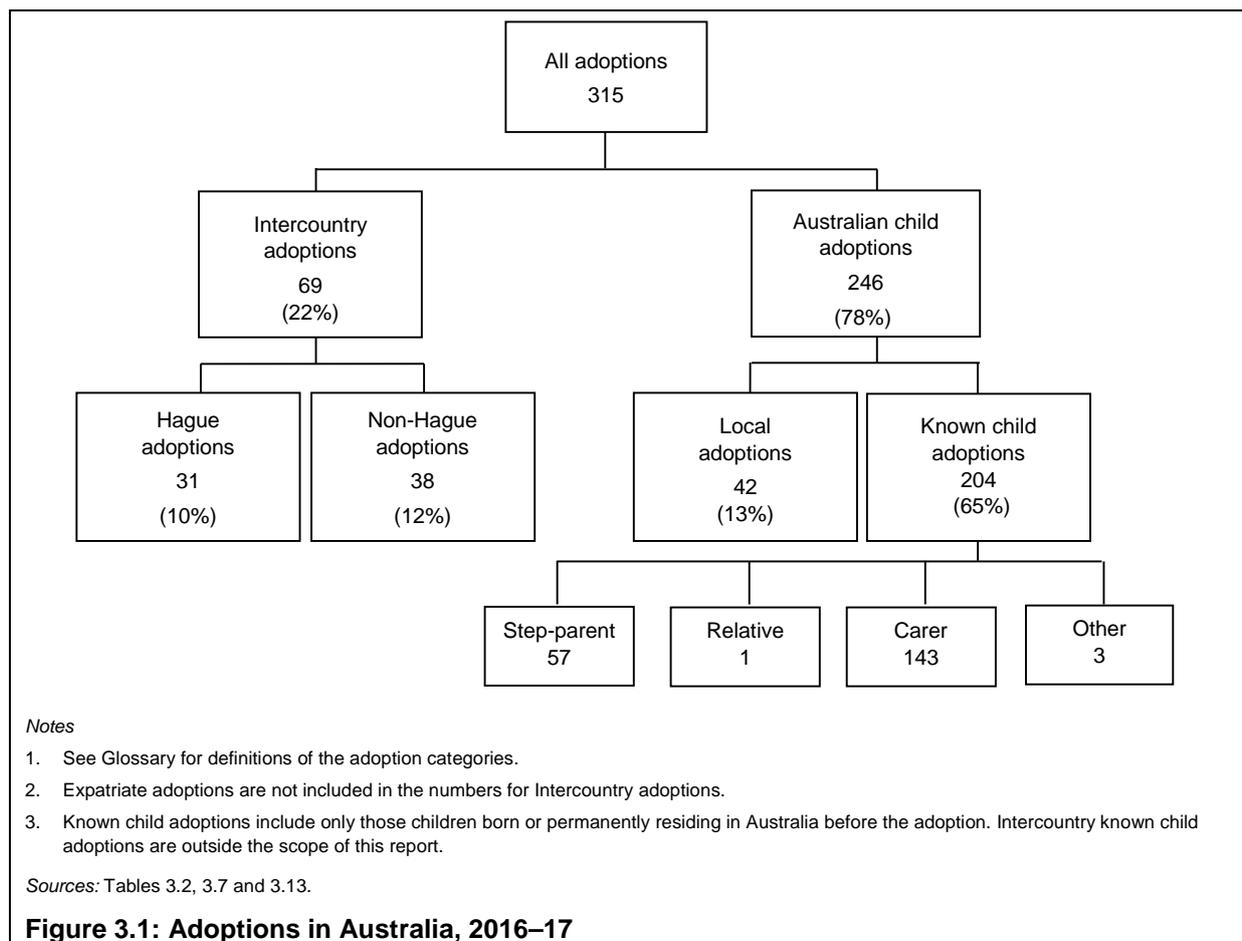
Those who chose local over intercountry adoption often believed they would be more likely to adopt a healthy child. A recent study looking at parental perceptions of developmental disabilities in internationally adopted children 10 years after adoption found that even meticulous pre-adoption screening of internationally adopted children did not preclude developmental problems appearing in later childhood (Diamond et al. 2015). Among those who chose to foster rather than adopt, the lower cost or faster outcome were often cited as main reasons for the choice (Malm & Welti 2010).

Preferences, and hence patterns of adoption over time, are influenced by a variety of contextual factors that vary between countries and that are subject to change over time. Economic and social changes that enable children to remain with their birth family or to be adopted in their country of origin reduce the need for intercountry adoption. Increased supports for single parents and increasing acceptance of non-traditional family units also influence patterns and perceptions of adoption. Likewise, the increased use of assisted reproductive technologies (including in-vitro fertilisation and maternal surrogacy) may result in changes in how prospective parents view adoption as a preferred way of forming or extending a family (Cohen & Chen 2010; Deonandan & Bente 2014).

### **3.1 Adoptions in 2016–17**

In 2016–17, there were 315 adoptions of children finalised in Australia. This was an increase of 13% over the previous year in which 278 adoptions were finalised—the lowest annual number on record. As is discussed in detail in Chapter 4, despite the increase in 2016–17, annual adoptions have fallen over the last 25 years by 60% from the 783 adoptions recorded in 1992–93 (Table S1).

Of the 315 adoptions, 69 (22%) were children adopted from overseas and 246 (78%) were children from Australia—42 local adoptions and 204 known child adoptions (Figure 3.1).

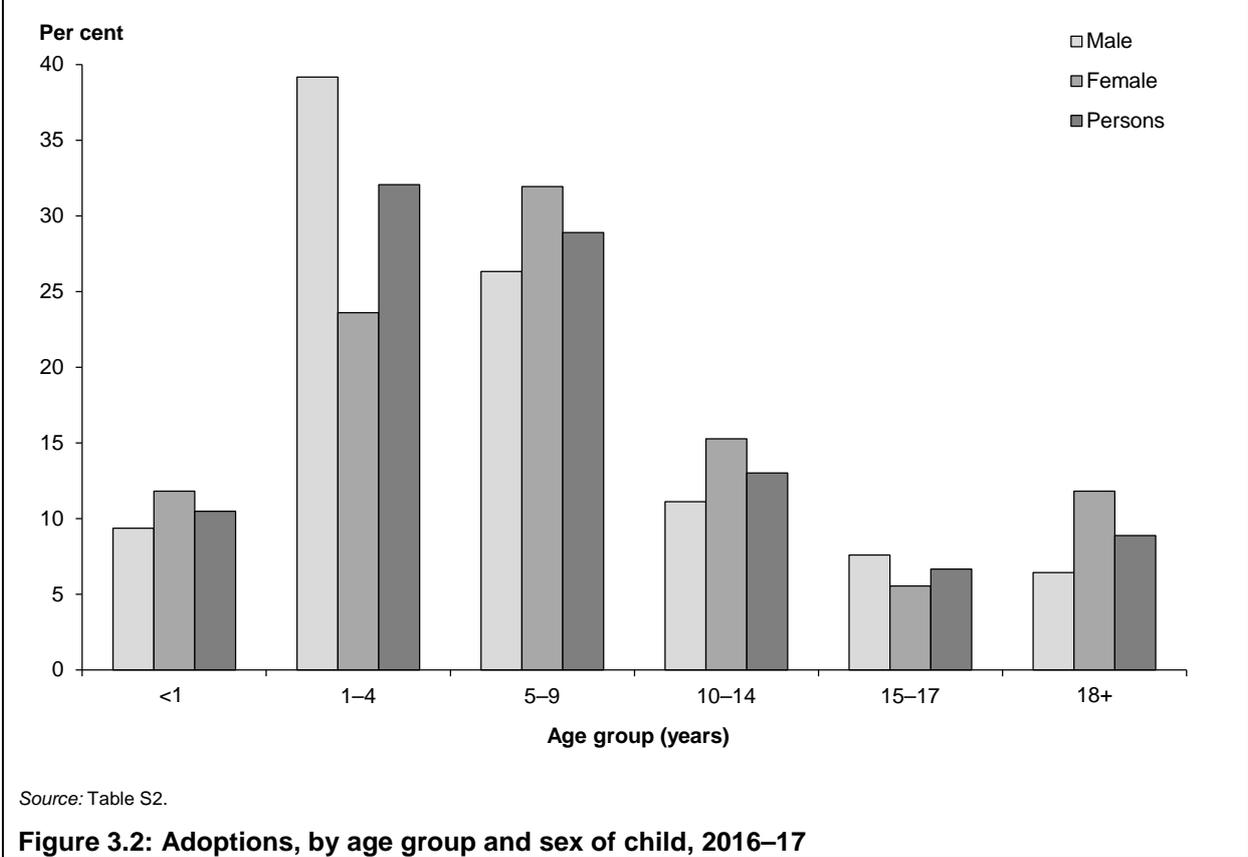


For local and intercountry adoptions, children may be placed with their adoptive families before the adoption order is finalised (see figures 2.1 and 2.2). There were 104 placements during 2016–17 (Table S3). For some of these children, the adoption order will not have been finalised during the 2016–17 period, and these children would not be included among the reported 315 finalised adoptions. In addition, some adoption orders finalised in 2016–17 relate to children who were placed in previous years.

Of those adoption orders finalised in 2016–17, there were more boys than girls (54% and 46% of all adoptees, respectively). The most frequently adopted age group was 1–4 year olds (comprising 32% of all adoptions). There were almost twice as many boys adopted in this age group (67) as there were girls (34), with this difference being responsible for the greater percentage of males adopted overall and being most pronounced in intercountry adoptions Table S2). Age and sex profiles can differ widely between intercountry, local and known child adoptions, and these differences can in turn influence the profile for all adoptions, depending on the proportion in each category.

Children in known child adoptions are generally older than their local and intercountry counterparts. This difference in the age profile of adoptees is due, in part, to requirements around the length of time prospective adoptive parents, such as foster parents, need to 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 2016–17, 80% of known child adoptees were aged 5 and over, while the majority of intercountry and local adoptees were under 5 (74% and 100%, respectively). However, because the total number of intercountry and local adoptees was lower than the count of

known child adoptees (111 intercountry and local adoptees combined, compared with 204 known child adoptees), less than half of all finalised adoptions were for children aged under 5 (134 or 43%). Of these, only 33 adoptees (10% of all adoptions) were younger than 12 months (Figure 3.2; Table S2).



The number of finalised adoptions fell in most states and territories but increased in New South Wales, the Australian Capital Territory and Western Australia. New South Wales experienced the largest growth overall with 177 adoptions in 2016–17, 49 more than the 128 adoptions in 2015–16. Queensland, the only state to have an increase during the previous cycle, had the greatest total drop with adoptions falling from 48 in 2015–16 to 33 in 2016–17 (Table S1).

### 3.2 Intercountry adoptions

In 2016–17, 69 intercountry adoptions were finalised, representing 22% of all adoptions (Figure 3.1). This was a drop from 2015–16, when 82 intercountry adoptions were finalised (Table S4). Intercountry adoptions finalised in 2016–17 would have been preceded by an application process, assessment, placement proposal and immigration processes (see Figure 2.1).

Intercountry adoptions decreased in most states in 2016–17 on the previous year, but increased in Western Australia, the Australian Capital Territory and Tasmania. The largest increase was in Western Australia (from 4 to 11), while increases in the Australian Capital Territory and Tasmania were marginal. Intercountry adoptions decreased most notably in New South Wales (from 21 to 13) and Queensland (from 26 to 16), with smaller drops recorded in Victoria, South Australia and the Northern Territory (Table S4).

## Applicants for intercountry adoption

In 2016–17, 216 applicants became official clients of Australian adoption authorities (Table 3.1). Applicants may be married couples, de facto couples or single persons. Table 3.1 shows the number of applicants progressing to become an official client within the year, noting that the definition of when this occurs varies across jurisdictions. For example, it might be when the department first opens a file, when the applicant registers, or when the applicant is invited to attend an information session (see Appendix A:A.1).

National data on the number of applicants who become an official client in a given year have been reported since 2011–12. During this period, the number decreased from 203 to a low of 145 in 2015–16, but rose again to 216 applicants in 2016–17 (AIHW Adoptions Australia data collection; Table 3.1).

**Table 3.1: Level of activity in intercountry adoption, by state and territory, 2016–17**

Activity	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Australia
Number of applicants who became official clients <sup>(a)</sup>	31	42	81	40	9	4	1	8	<b>216</b>
Number of applicants who were approved as eligible and suitable for adoption <sup>(b)</sup>	11	3	12	19	6	4	2	7	<b>64</b>
Number of files sent overseas <sup>(c)</sup>	10	4	12	10	4	4	3	6	<b>53</b>

(a) Counts the number of applicants who became official clients of the adoptions section of the relevant state/territory department between 1 July 2016 and 30 June 2017.

(b) Counts the number of applicants whose application to adopt was approved by the department between 1 July 2016 and 30 June 2017. An approval is when a formal decision is made by the responsible person that the applicant(s) are eligible and suitable to adopt a child.

(c) Counts the number of files that the department or non-government agency sent to another country to await the allocation of a child between 1 July 2016 and 30 June 2017.

*Note:* Each category is separate, and while some applicants might appear in each category (for example, if they became official clients and were approved as eligible in the same year), not all do. For example, some applicants might have become official clients in 2014–15, been approved in 2015–16 and had their file sent overseas in 2016–17. These applicants would appear only in the last category in the current (2016–17) report.

*Source:* AIHW Adoptions Australia data collection.

In 2016–17, Australian adoption authorities made the formal decision to approve 64 applicants as eligible and suitable to adopt a child (Table 3.1). Not all of these approvals relate to applicants who became official clients during 2016–17, as some might have become official clients during a previous year. In addition, this number does not reflect all approved applicants, but only those who were newly approved during 2016–17 (see ‘Limitations of existing data’ in the DQS at <<http://meteor.aihw.gov.au/content/index.phtml/itemId/687176>>).

Australian adoption authorities also sent 53 files overseas during 2016–17 to await matching with a child (Table 3.1). At any given time, there may be well in excess of that number awaiting matching with a child, as the number does not include those files sent overseas in previous years that have not yet been matched.

## Country of origin

Of the 69 finalised intercountry adoptions in 2016–17, 100% of children were from Asian countries (Table S6). This distribution reflects Australia’s active intercountry adoption programs and geographic location in the Asia-Pacific region.

The most common countries of origin were Taiwan (35% of intercountry adoptions), the Philippines (26%), South Korea (20%) and Thailand (14%) (Table 3.2; Figure 3.3). Patterns for countries of origin have changed considerably over time, while the numbers of children

adopted have steadily declined overall (Table S7). See 'Adoption of children born overseas' in Section 4.1 for a detailed discussion of trends in intercountry adoption.

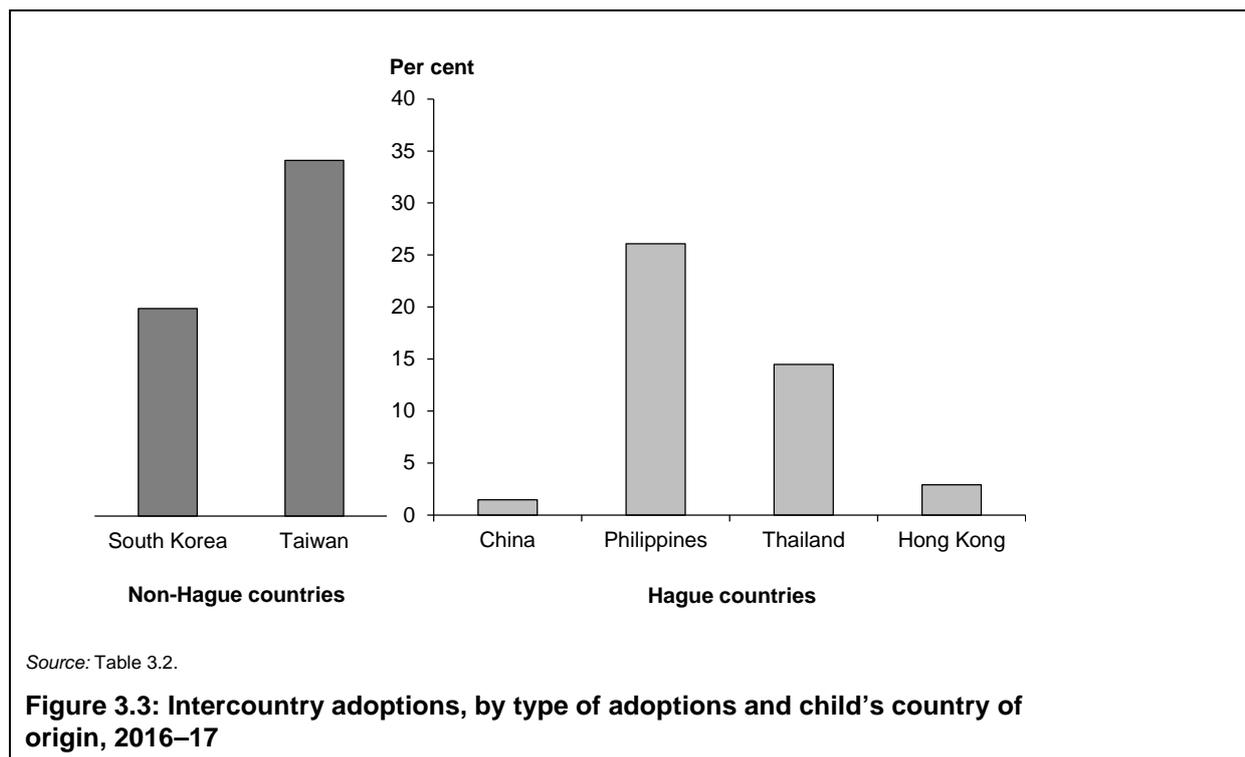
**Table 3.2: Number of intercountry adoptions, by type of adoption and child's country of origin, 2016–17**

Country of origin	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Australia
<b>Hague adoptions</b>									
China <sup>(a)</sup>	1	—	—	—	—	—	—	—	1
Philippines	4	3	1	4	5	—	1	—	18
Hong Kong	—	2	—	—	—	—	—	—	2
Thailand	1	2	4	1	2	—	—	—	10
<i>Total Hague adoptions</i>	6	5	5	5	7	—	1	—	31
<b>Non-Hague adoptions</b>									
South Korea	1	1	2	3	3	1	2	1	14
Taiwan	6	—	9	3	1	2	—	3	24
<i>Total non-Hague adoptions</i>	7	1	11	6	4	3	2	4	38
<b>Total intercountry adoptions</b>	<b>13</b>	<b>8</b>	<b>16</b>	<b>11</b>	<b>11</b>	<b>3</b>	<b>3</b>	<b>4</b>	<b>69</b>
<b>Percentage of intercountry adoptions</b>	<b>18.8</b>	<b>11.6</b>	<b>23.2</b>	<b>15.9</b>	<b>15.9</b>	<b>4.3</b>	<b>4.3</b>	<b>5.8</b>	<b>100.0</b>

(a) Excludes Special Administrative Regions and Taiwan Province.

Source: AIHW Adoptions Australia data collection.

Of those intercountry adoptions finalised in 2016–17, more than half (55%) were from non-Hague countries (Table 3.2). This is in contrast to the previous year where 63% of finalised intercountry adoptions were from countries where the Hague Convention was in force.



## Processing times for children placed during 2016–17

In addition to providing information on the efficiency of contemporary adoption practices, the length of the adoption process in Australia provides an insight into the lived experience of prospective parents seeking to form or extend a family via adoption. Data are currently only available for intercountry adoptions (see 'Limitations of existing data' in the DQS at <<http://meteor.aihw.gov.au/content/index.phtml/itemId/687176>>).

For children who were placed with their adoptive parent(s) in 2016–17, 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 33 months (under 3 years).

Median waiting times for countries with which Australia has an open adoption program varied considerably. For example, placements from Hong Kong had a median time of 23 months, while the median time was 73 months (just over 6 years) for Thailand (Table 3.3). Generally, the longest period in the process occurs between the time a partner country receives an applicant's file from Australia and when the overseas authority allocates a child. However, in 2016–17 this varied depending on the country of origin. While the combined median time for all countries of origin for this part of the adoption process was 9 months, for placements from South Korea the median time was 2 months, while in Taiwan and Thailand it was 20 and 23 months, respectively (Table 3.3).

Factors that might affect the time involved in the process include:

- the number and characteristics of children needing families
- the number of prospective adoptive parents making applications
- the age and needs of the child/children an applicant is approved to adopt
- the length of time it takes the overseas country to process the application (which is subject to changes in policies and the availability of resources).

**Table 3.3: Median length of time for the intercountry adoptions process, by country of origin, for children placed in 2016–17 (months)<sup>(a)</sup>**

Country of origin	From when the applicant(s) became official clients of the department, to when an approval decision was made	From when an approval decision was made, to when the file was sent overseas	From when the file was sent overseas, to when the child was allocated	From when the child was allocated, to when the child was placed	Total length of process <sup>(b)</sup>
Fiji <sup>(c)</sup>	6	—	3	4	14
Hong Kong	11	—	5	8	23
South Korea	7	1	2	15	30
Philippines	10	4	9	4	37
Taiwan	7	2	20	7	38
Thailand	13	26	23	3	73
<b>All countries<sup>(d)</sup></b>	<b>8</b>	<b>2</b>	<b>9</b>	<b>7</b>	<b>33</b>

(a) This table includes all children who were placed with their adoptive families during 2016–17. It looks at the median length of time from when applicants became official clients of the department to when a child was placed with them.

(b) Total length of process is the overall median length of time from when the applicant(s) became official clients of the department to when the child was placed. It might not equal the sum of the preceding processes due to rounding to the nearest whole month, and because of the nature of median calculations.

(c) Placements from Fiji during 2016–17 where of children previously known to the prospective adoptive parents.

(d) Also includes China and the United Kingdom, these countries had fewer than 4 placements in 2016–17, making it unsuitable to report a median measure for these countries individually.

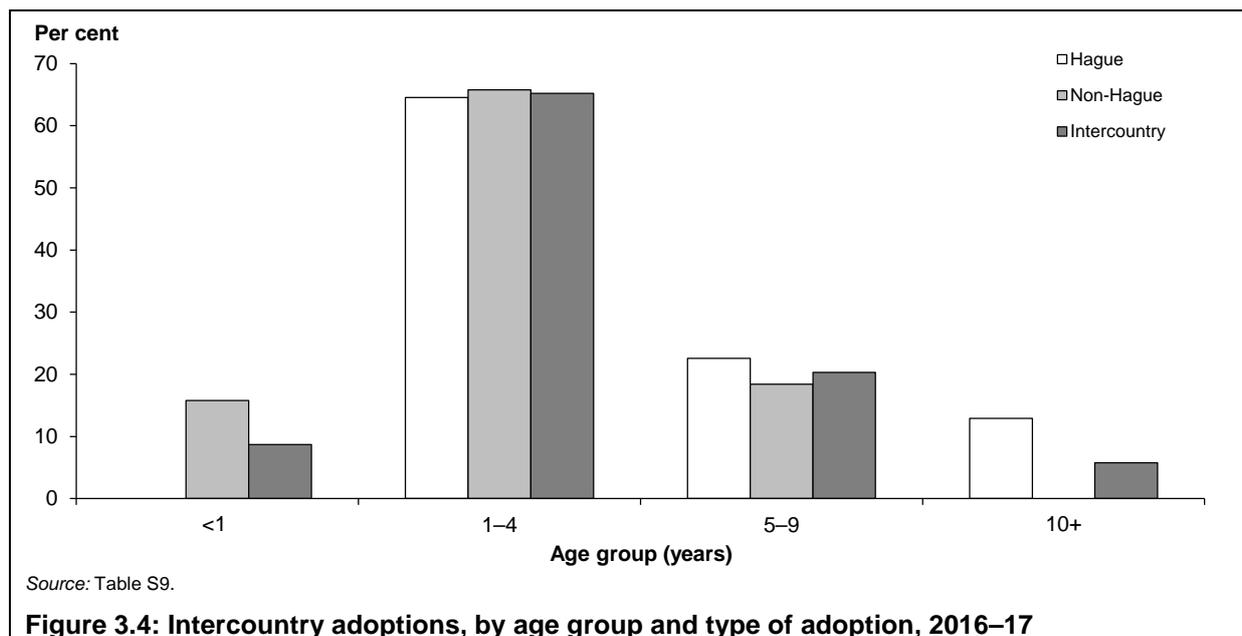
Source: AIHW Adoptions Australia data collection.

After a child is placed with their adoptive family, if a recognised full adoption order is not in place, there might still be a period while the adoption order is finalised by Australian authorities. As a result, some children placed for adoption during 2016–17 might not have had their adoption finalised within that financial year.

## Characteristics of adopted children

Of the 69 intercountry adoptees in 2016–17, 94% were younger than 10, and 74% under 5 (Table S2). While this is similar to previous years, changes to the population of children in need of adoption have led to a steady decline in the number of adoptions of infants and children aged 1–4. The number of adoptees aged 5 and over has been generally similar over time, with more fluctuations among females than males. Historically, considerably fewer children in this age group have been adopted than younger children. However, this pattern is changing with the decline in adoptions of infants (Table S8). As noted in Chapter 1, older children, sibling groups and those with special needs represent a growing proportion of the population for whom intercountry adoption is considered as an option (Mignot 2015).

Only 6 of the 69 intercountry adoptees (9%) were infants aged under 12 months (Figure 3.4), with all of these coming from Taiwan (Table S9)—2 male and 4 female adoptees (Table S2). See ‘Adoption of children born overseas’ in Section 4.1 for a detailed discussion of trends in the age distribution of intercountry adoptees.

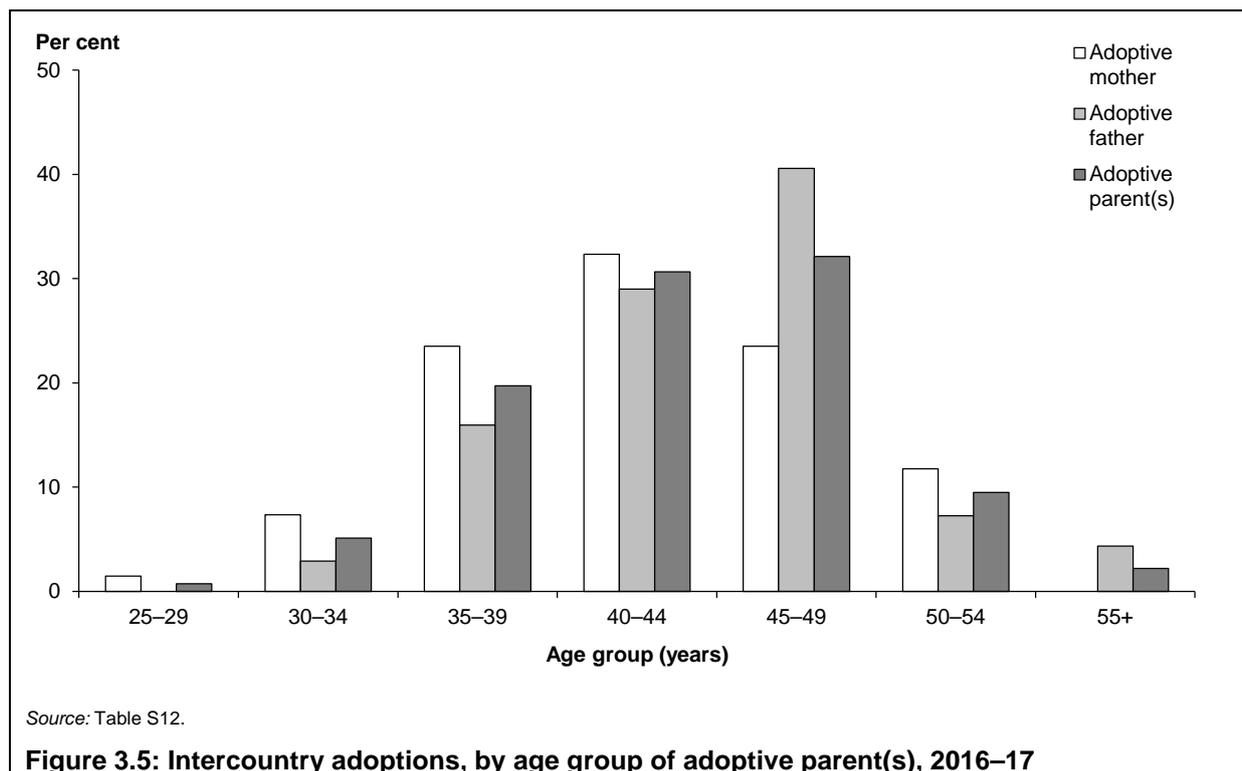


In 2016–17, the majority of the intercountry adoptions finalised were for single children, but 13 children were adopted as part of 6 sibling groups—that is, a child and at least 1 of their siblings were adopted at the same time by the same family. Three of these sibling groups were adopted from countries where the Hague Convention was in force and 3 from non-Hague countries (Table S10).

### Characteristics of adoptive families

Adoptive parents tend to be older than parents of non-adopted children. Reasons for this include decisions about postponed childbearing, exploration of alternatives in relation to family formation and possible time spent pursuing fertility treatments, and often lengthy processing times in intercountry adoption. Added to these are the specified age requirements set by countries of origin for some intercountry adoption programs, as well as requirements about the length of time applicants need to have been in a relationship with one another (IAA 2017b).

In 2016–17, of all adoptive parents who were part of a finalised intercountry adoption, very few (less than 1%) were aged under 30, and about three-quarters were aged 40 and over (Figure 3.5).



Apart from additional flexibility in relation to the adoption of children with special needs, few intercountry programs allow applications from single people, with many programs requiring prospective adoptive parents to have been married for a set period. For example, South Korea requires applicants to have been married for a minimum of 3 years. In addition, while most jurisdictions in Australia allow de facto couples to apply to adopt, and an increasing number also allow for applications from same-sex couples, most of Australia’s partner countries do not allow de facto couples to apply, and, of those that do, only Colombia and South Africa will allow same-sex de facto couples to apply (IAA 2017b).

In 2016–17, nearly all intercountry adoptees (99%) became part of families where the adoptive parents were in a registered marriage (Table 3.4).

**Table 3.4: Intercountry adoptions, by type of adoption and marital status of the adoptive parent(s), 2016–17**

Marital status of the adoptive parent(s)	Hague adoption		Non-Hague adoption		All intercountry adoptions	
	Number	%	Number	%	Number	%
Registered married couple	30	96.8	38	100.0	68	98.6
De facto couple	—	..	—	..	—	..
Single person <sup>(a)</sup>	1	3.2	—	..	1	1.4
<b>Total</b>	<b>31</b>	<b>100.0</b>	<b>38</b>	<b>100.0</b>	<b>69</b>	<b>100.0</b>

(a) May include widowed parents.

Source: AIHW Adoptions Australia data collection.

In 2016–17, 2 in 5 (41%) children with a finalised intercountry adoption were adopted into families with no other children, and a further 45% were adopted into families with other adopted children only (Table 3.5). This excludes adoptions for New South Wales, for which data were not available.

**Table 3.5: Intercountry adoptions, by type of adoption and composition of the adoptive family, 2016–17<sup>(a)</sup>**

Composition of the adoptive family	Hague adoption		Non-Hague adoption		All intercountry adoptions	
	Number	%	Number	%	Number	%
No other children	10	40.0	13	41.9	23	41.1
Biological children only	3	12.0	2	6.5	5	8.9
Adopted children only	10	40.0	15	48.4	25	44.6
Biological and adopted children	2	8.0	1	3.2	3	5.4
<b>Total</b>	<b>25</b>	<b>100.0</b>	<b>31</b>	<b>100.0</b>	<b>56</b>	<b>100.0</b>

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

Source: AIHW Adoptions Australia data collection.

As with marital status and the age of adoptive parents, some countries of origin have specific eligibility criteria that directly affect these proportions—such as infertility requirements or restrictions on family size (IAA 2017b).

## Administration of Hague adoptions

Of the 31 adoptions finalised from countries where the Hague Convention was in force, 30 of the children entered Australia under guardianship orders and then had their adoption orders finalised in Australia. The remaining child entered Australia under a full adoption order made in their country of origin (Table S11).

Of the 30 children entering Australia under guardianship orders, the majority were from the Philippines and Thailand (60% and 33%, respectively) (Table S11).

## Visa and citizenship data

In 2016–17, data from the DIBP indicated that 29 adoption-specific visas were issued for intercountry adoptees who had previously had an adoption arranged by an Australian state or territory authority (Table S5). However, not all of the children who were issued with visas in 2016–17 would have had their adoption order finalised during this period. It is also possible that some of these visas may 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. On 25 February 2015, amendments to the *Australian Citizenship Act 2007* began. The amendments enable children adopted from South Korea and Taiwan to apply immediately for Australian citizenship once the adoption process is complete in their country of origin, and (after the granting of citizenship) travel to Australia as Australian citizens. Over time, in instances where the adoption is arranged by an Australian state or territory authority, this change may result in a decrease in the number of adoption visas issued for children adopted from South Korea and Taiwan. In 2016–17, data from the DIBP indicated that 51 applications for Australian citizenship for children adopted under full Hague Convention or bilateral arrangements were approved (AIHW Adoptions Australia data collection).

## Expatriate adoptions

Expatriate adoptions, as defined in this report, occur when an Australian citizen or Australian permanent visa holder living abroad adopts a child through an overseas agency or government authority. Australian adoption authorities are not responsible for facilitating

expatriate adoptions, and do not assess or approve applicants for such adoptions. In order to enter Australia, the child must apply for, and be granted, an adoption-specific visa. This means that Australia’s involvement in such adoptions is limited to the DIBP assessing whether or not the expatriate adoption meets the relevant visa requirements for entry of the child into Australia.

One of these visa requirements is that at least one of the adoptive parents must have been living abroad for at least 12 months prior to any visa application being lodged with the DIBP, and they must prove that they were not living overseas to bypass the legal requirements for the entry of adopted children into Australia. The adoptive parents must also have lawfully acquired full and permanent parental rights in adopting the child. In 2016–17, data from the DIBP indicated that 93 adoption-specific visas were issued for children who were adopted under an expatriate adoption process (Table S5). Visas for this type of adoption were issued from 28 countries, compared with 34 countries in 2015–16 (AIHW Adoptions Australia data collection). Approximately a quarter (26%) of these adoptions occurred in countries with which Australia has an existing intercountry adoption program.

A further 12% involved countries where Australia’s intercountry adoption program had been officially closed by the Australian government at least 12 months prior to 1 July 2016 and 3 in 5 (62%) involved countries with which Australia has never had a formal adoption program (Table 3.6).

**Table 3.6: Subclass 102 (statistical code 156) visas issued, by the program status of countries of adoptee citizenship, 2016–17**

Program status	Number	Percent
Open program	24	25.8%
On hold/inactive program	—	..
Closed program	11	11.8%
No previous program	58	62.4%
Stateless/unknown	—	..
<b>Total</b>	<b>93</b>	<b>100.0%</b>

*Note:* For this table the status of a program in the reporting period prior to the one in which the visa was issued is used to classify the program against the categories above. For example, for visas issued in 2016–17, a country is classified based on the status/existence of an Australian adoption program during 2015–16.

*Source:* DIBP data collection.

### 3.3 Local adoptions

In 2016–17, 42 local adoptions were finalised, comprising 13% of all adoptions (Figure 3.1, Table 3.7). This was a slight decrease from the previous year when 45 local adoptions were finalised (Table S13). Due to the small number of local adoptions nationally, changes at the national, and state and territory level should be interpreted with caution.

**Table 3.7: Local adoptions, by state and territory, 2016–17**

State/territory	Number	%
New South Wales	12	28.6
Victoria	14	33.3
Queensland	5	11.9
Western Australia	5	11.9
South Australia	3	7.1
Tasmania	2	4.8
Australian Capital Territory	—	..
Northern Territory	1	2.4
<b>Australia</b>	<b>42</b>	<b>100.0</b>

Source: AIHW Adoptions Australia data collection.

## Characteristics of adopted children

Local adoptions were finalised for more males than females in 2016–17 (25 and 17, respectively) (Table S2) and there were no sibling group adoptions among the 42 local adoptees (Table S10).

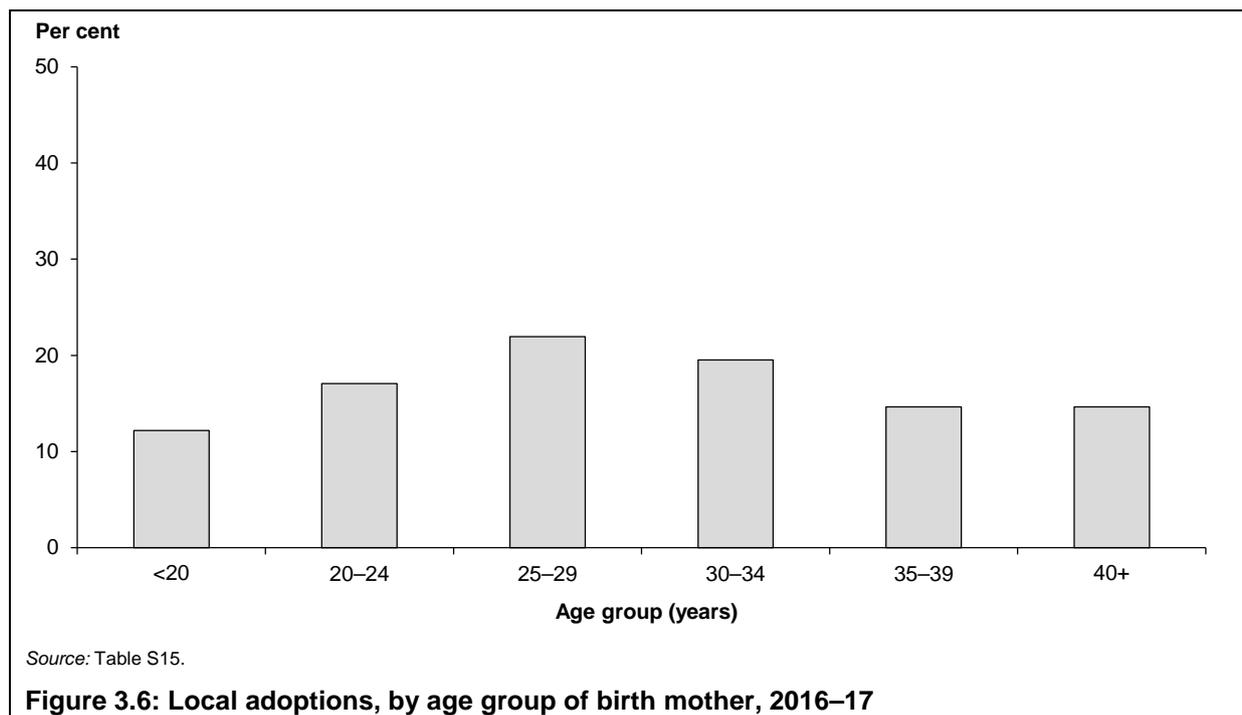
All local adoptees in 2016–17 were aged under 5, with 64% infants under 12 months old at the time of placement (Table S2). There was a substantially higher percentage of infants involved in local adoptions than intercountry adoptions (where infants comprised only 9% of finalised adoptions). Further, among those adopted from overseas there were more children aged 5–9 (20%), compared with no adoptees in this age group in local adoptions. As noted previously, the population for whom intercountry adoption is deemed appropriate has been changing, and it is likely that this contributes to this pattern. See ‘Trends in categories of adoptions’ in Section 4.1 for a more detailed discussion of trends.

## Characteristics of birth mothers

While national data on birth mothers are not available for intercountry adoptees, due to the difficulties faced by countries of origin in obtaining this information (see ‘Limitations of existing data’ in the DQS at <<http://meteor.aihw.gov.au/content/index.phtml/itemId/687176>>), data are available on the mothers of Australian children who are part of a local adoption. These data provide valuable information on some demographic differences between these mothers and adoptive parents.

The median age of mothers of children with a finalised local adoption in 2016–17 was 29 at the time of the child’s birth, with ages ranging from 17 to 46. The 2016–17 median age was the highest on record and was a notable increase on the median age of 26 reported for 2015–16 (Table S14). For the first time, the median age of birth mothers of adopted children approached the median age of all mothers—the most recent figure available for median age of all Australian mothers giving birth was 31 in 2015 (ABS 2016).

Half of the mothers of children in local adoptions were aged under 30 (50%) (Table S15; Figure 3.6), and a large percentage were not in a registered marriage (93%) (Table S16).



## Characteristics of adoptive families

Unlike the mothers of children with a finalised local adoption in 2016–17, almost all (98%) of the adoptive parents involved in local adoptions in 2016–17 were in a registered marriage (Table 3.8). This was similar to adoptive parents involved in intercountry adoptions.

Local adoptive parents were also generally older than the mothers of adoptees, with almost all (96%) local adoptive parents aged 30 or over. However, local adoptive parents were younger than those who had adopted through intercountry adoption—while 49% of parents in local adoptions were aged 40 and over (Figure 3.7), nearly 3 in 4 (74%) of those in finalised intercountry adoptions were 40 and over (Table S12).

**Table 3.8: Local adoptions, by marital status of the adoptive parent(s), 2016–17**

Marital status of the adoptive parent(s)	Number	%
Registered married couple	41	97.6
De facto couple	1	2.4
Single person <sup>(a)</sup>	—	..
<b>Total</b>	<b>42</b>	<b>100.0</b>

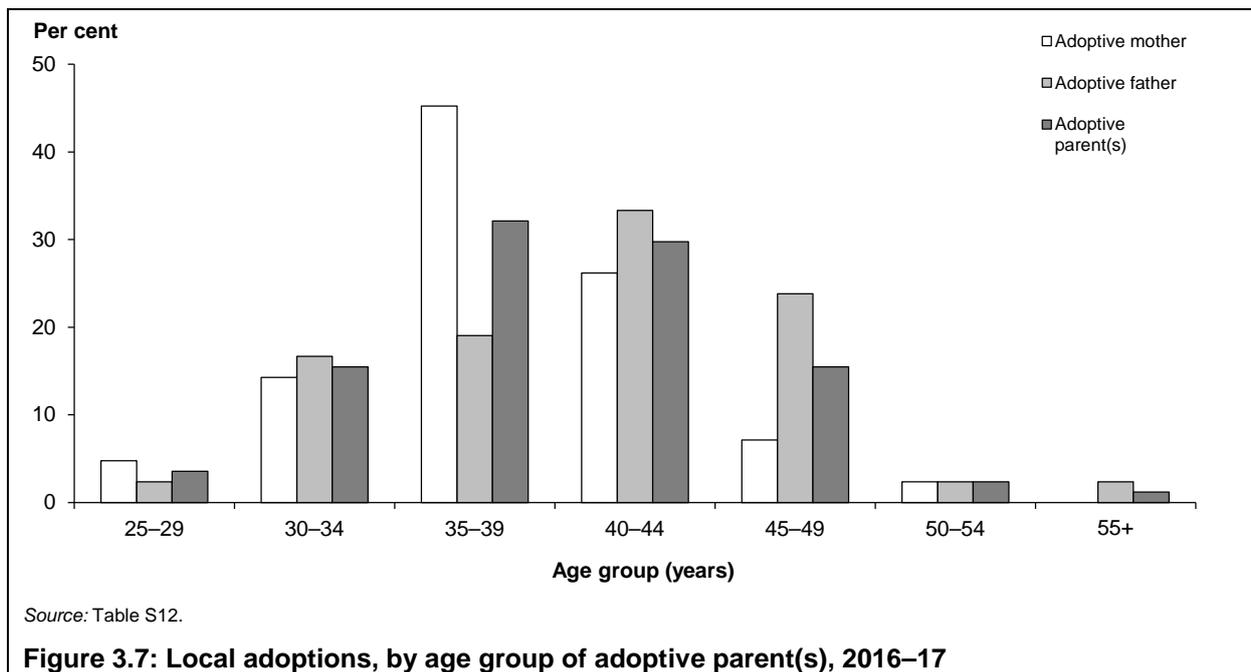
(a) May include widowed parents.

Source: AIHW Adoptions Australia data collection.

Although eligibility criteria set by local adoption authorities in Australia are generally less restrictive than those set by agencies in countries with which Australia has an intercountry adoption program, it is likely that these criteria still influence the proportions reported above. For example, other than in exceptional circumstances, only registered married couples are allowed to adopt in the Northern Territory. In all other jurisdictions, registered married couples and de facto couples are eligible, while same-sex couples can adopt in New South Wales, Western Australia, Tasmania and the Australian Capital Territory, as well as in

Victoria from September 2016, Queensland from November 2016 and South Australia from February 2017. Specifications on the length of time couples must have been in a married or de facto relationship, and the increasing tendency for couples to postpone having children and entering into these relationships later in life, affect the data presented in this section (Mills et al. 2011).

The circumstances under which single people can apply to adopt also vary for each state and territory. Most accept applications only under special circumstances, such as an adoption of a child with special needs where the single applicant has special skills needed to parent the child (such as expertise in working with children with a disability, or nursing). In known child adoptions, a previous, longstanding relationship with the child may also constitute a special circumstance under which adoption is deemed to be in the child’s best interests (see Appendix A:A.1).



Three-fifths (60%) of local adoptees in 2016–17 were adopted into families with no other children, 20% into families with other adopted children only, and 17% into families who had biological children only (excluding adoptions for New South Wales, for which these data were not available) (Table 3.9).

**Table 3.9: Local adoptions, by composition of the adoptive family, 2016–17**

Composition of the adoptive family	Number	Per cent
No other children in the family	18	60.0
Biological children only	5	16.7
Adopted children only	6	20.0
Both biological and adopted children	—	..
Unknown	—	..
Other	1	3.3
<b>Total<sup>(a)</sup></b>	<b>30</b>	<b>100.0</b>

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

Source: AIHW Adoptions Australia data collection.

## Administration of local adoptions

For 55% of local adoptions finalised in 2016–17, consent for the adoption was given by the mother only (Table 3.10). For 38%, both parents provided consent for the adoption, and for 7% consent was dispensed with or not required.

**Table 3.10: Local adoptions, by type of consent, 2016–17**

Type of consent given	Number	%
From mother only <sup>(a)</sup>	23	54.8
From father only <sup>(b)</sup>	—	..
From both parents	16	38.1
Both parents' consent dispensed/not required	3	7.1
<b>Total</b>	<b>42</b>	<b>100.0</b>

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

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

Note: Consent for local adoptions is usually required from both parents, and dispensation of consent is usually provided by the relevant court in each state/territory only when the parent(s) are unable to give consent themselves.

Source: AIHW Adoptions Australia data collection.

Agreements made at the time of adoption indicated that the majority (88%) of local adoptions finalised in 2016–17 could be considered 'open'—that is, all parties agreed to allow a degree of contact or information exchange to occur between families (Table 3.11).

For local adoptions, open adoption agreements have been the most common arrangement for more than a decade. This reflects the change in local adoption practices from the closed practice where files were sealed and parties to the adoption had no contact with each other, to a more open practice which can involve access to information and contact between the parties. Since 2001–02, the percentage of local adoptions where the birth and adoptive families have agreed to allow some type of contact or information exchange has generally been well above 80% (Table S17; AIHW Adoptions Australia data collection).

**Table 3.11: Local adoptions, by type of agreement, 2016–17**

Type of agreement	Number	%
Contact and information exchange	29	69.0
Contact only	—	..
Information exchange only	8	19.0
No contact or information exchange	5	11.9
<b>Total</b>	<b>42</b>	<b>100.0</b>

Source: AIHW Adoptions Australia data collection.

Just under two-thirds (62%) of the local adoptions finalised in 2016–17 were arranged by a relevant state or territory government department (Table S18), a decrease on the previous year (71%) (AIHW 2016b). The remainder (38%) were arranged by a non-government organisation.

### 3.4 Known child adoptions

In 2016–17, 204 known child adoptions were finalised (Table 3.12)—an increase of 35% on the previous year (Table S19). In previous years, as the overall number of adoptions continued to fall, known child adoptions represented an increasing percentage of all adoptions—54% in 2015–16, compared with 52% in 2014–15 and 50% in 2013–14 (tables S1 and S19). This trend continued in 2016–17 with known child adoptions making up 65% of all adoptions. In fact, despite numbers declining in the other types of adoption, the number of known child adoptions rose sufficiently to increase the overall number of adoptions finalised in 2016–17.

**Table 3.12: Known child adoptions, by state and territory, 2016–17**

State/territory	Number <sup>(a)</sup>	%
New South Wales	152	74.5
Victoria	1	0.5
Queensland	12	5.9
Western Australia	28	13.7
South Australia	—	..
Tasmania	2	1.0
Australian Capital Territory	7	3.4
Northern Territory	2	1.0
<b>Australia</b>	<b>204</b>	<b>100.0</b>

(a) Number of adoptions includes children aged 18 and over (see Table S20).

Note: Percentages might not add to 100 due to rounding.

Source: AIHW Adoptions Australia data collection.

In 2016–17, 70% of known child adoptions finalised were by carers (such as foster parents); this is up from 46% in 2015–16 (tables 3.13 and S21). The majority of known child adoptions by carers (131 of the 143) occurred in New South Wales, as they did in 2015–16 (68 of 70) (AIHW Adoptions Australia data collection). This reflects New South Wales policies which promote adoption to achieve stability for children under the long-term care of state child protective services when family restoration is not considered appropriate.

**Table 3.13: Known child adoptions, by relationship of adoptive parent(s), 2016–17**

Relationship of the adoptive parent(s)	Number <sup>(a)</sup>	%
Carer	143	70.1
Step-parent	57	27.9
Relative <sup>(b)</sup>	1	0.5
Other	3	1.5
<b>Total</b>	<b>204</b>	<b>100.0</b>

(a) Includes 28 children aged 18 and over (Table S20).

(b) Includes relatives other than step-parents.

Note: See Glossary for definitions of the adoption categories.

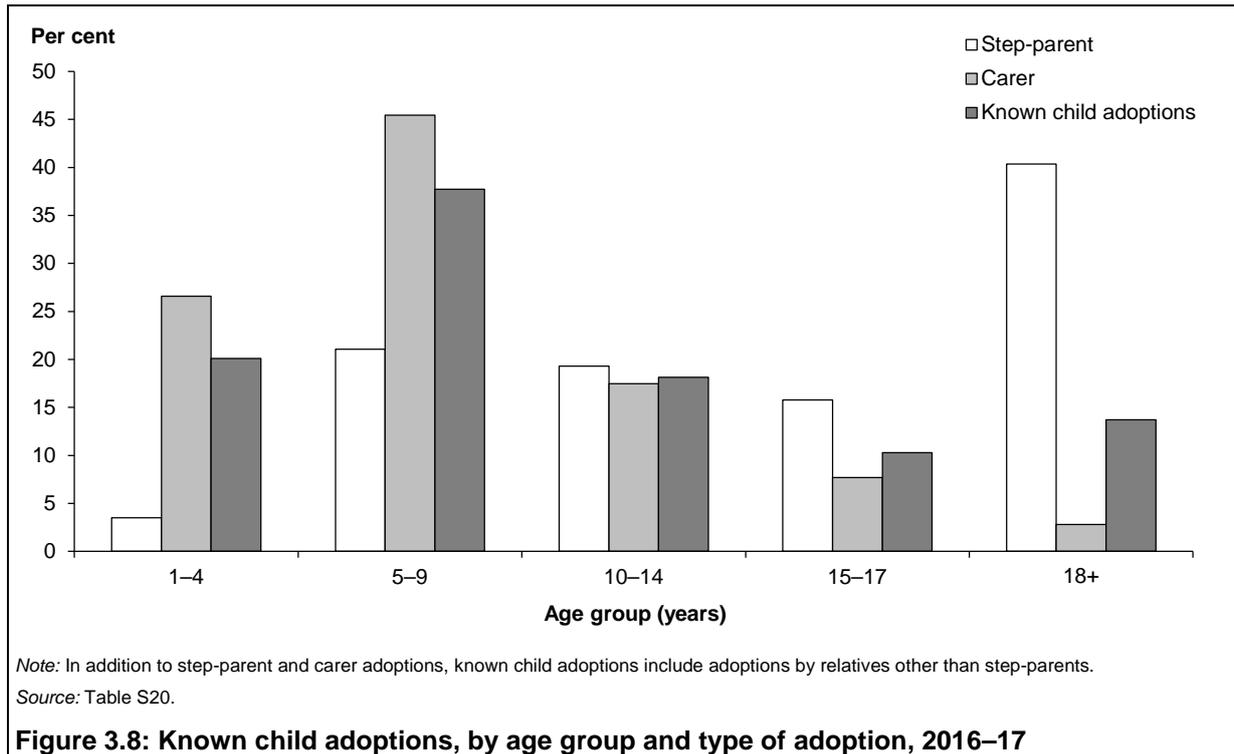
Source: AIHW Adoptions Australia data collection.

## Characteristics of adopted children

Differing from intercountry and local adoptions, a similar number of males and females were the subjects of finalised known child adoptions in 2016–17 (101 to 103, respectively). The numbers of males and females were fairly even across all age groups—a contrast from 2015–16 where males outnumbered females in every age group (Table S2 and at <http://meteor.aihw.gov.au/content/index.phtml/itemId/687176>).

Australian children in known child adoptions were generally older than children in local or intercountry adoptions, although the difference was less pronounced in 2016–17 than in previous years. In 2015–16, 3 in 5 (60%) known child adoptees were aged 10 and over; however, in 2016–17 this fell to 2 in 5 (42%). In comparison, there were no children in local adoptions aged 10 and over and only 6% of intercountry adoptees were in this age group (Table S2). Children aged under 5 comprised 20% of known child adoptions compared to 100% of local adoptions and 74% of intercountry adoptions (Table S2; Figure 3.8).

The older age of children in known child adoptions is affected by minimum age requirements for some types of known child adoptions and, in many jurisdictions, the length of time the intended adoptive parent(s) need to have had a relationship with the child before an adoption is possible (see Appendix A:A.1). The percentage of adoptions by step-parents also influences the older age of children in this type of adoption (28% of known child adoptions finalised in 2016–17) (Table S21). Children adopted by step-parents were generally older than those adopted under other types of adoption, including other categories of known child adoption, due to the additional time involved in forming step-families. Of the known child adoptions finalised in 2016–17, 75% of the children in step-parent adoptions were aged 10 and over, compared with 28% of children in carer adoptions (Table S20; Figure 3.8).



### 3.5 Access to information

The way information is accessed under Australia’s adoption law has changed substantially since the 1980s, starting with the *Adoption Act 1984* in Victoria. Changes in Australian adoption procedures have paralleled a shift in social attitudes—from adoptions being seen as providing a service for adults, to the wellbeing of children being paramount.

All states and territories have legislation that grants certain information rights to adopted people aged 18 and over, and to their adoptive and birth families. However, the extent of these rights and of the protection of the privacy of parties to the adoption varies among the jurisdictions (see Appendix A:A.2).

#### Information applications

All states and territories have adoption information services, or information and contact registers (or other similar systems). The requirements for accessing information about a past adoption differ for each jurisdiction (see Appendix A:A.3). Parties to an adoption may apply for access to identifying or non-identifying information. Identifying information identifies the person about whom the information is being sought—such as the original birth certificate or the amended birth certificate. Non-identifying information does not identify the person about whom the information is sought, and can include the age of birth parent(s) and place of birth.

The number and distribution of applications in 2016–17 was broadly consistent with the previous year:

- 2,755 information applications were made—87% of these for identifying information
- almost three-quarters (71%) of identifying information applications were made by adoptees, and 10% were made by birth parents

- 32% of non-identifying information applications were made by adoptees, and 43% by other birth relatives
- most adoptees seeking information were aged 35 and over (89%)
- more female adoptees lodged information applications than males (54% and 46%, respectively) (tables 3.14 and 3.15).

**Table 3.14: Number of information applications lodged, by person lodging application, and information type, 2016–17**

Person lodging the application	Australia	%
<b>Identifying information</b>		
Adoptee	1,694	71.0
Adoptive mother	36	1.5
Adoptive father	24	1.0
Birth mother	204	8.6
Birth father	43	1.8
Other birth relative(s)	116	4.9
Other adoptive relative(s)	66	2.8
Child of adoptee	197	8.3
Unknown	5	0.2
<b>Total</b>	<b>2,385</b>	<b>100.0</b>
<b>Non-identifying information</b>		
Adoptee	117	31.6
Adoptive mother	8	2.2
Adoptive father	3	0.8
Birth mother	21	5.7
Birth father	9	2.4
Other birth relative(s)	159	43.0
Other adoptive relative(s)	32	8.6
Child of adoptee	20	5.4
Unknown	1	0.3
<b>Total</b>	<b>370</b>	<b>100.0</b>

*Notes*

1. Percentages might not add to 100 due to rounding.
2. Data predominantly relate to applicants who are party to a local adoption. Very few applicants are party to an intercountry adoption.
3. Identifying information identifies the person about whom the information is being sought, such as the original birth certificate or the amended birth certificate. Non-identifying information does not identify the person about whom the information is sought, and can include age of birth parent(s) and place of birth.

*Source:* AIHW Adoptions Australia data collection.

**Table 3.15: Adult adoptees who lodged information applications, by Indigenous status, age group and sex of applicant, 2016–17**

Age group (years)	Indigenous Australians			Other Australians <sup>(a)</sup>			Total			% <sup>(b)</sup>
	Males	Females	Persons	Males	Females	Persons	Males	Females	Persons	
18–19	—	—	—	7	10	17	7	10	17	1.4
20–24	—	—	—	12	14	26	12	14	26	2.2
25–34	2	4	6	32	54	86	34	58	92	7.7
35–44	5	9	14	102	127	229	107	136	243	20.2
45+	15	21	36	373	414	787	388	435	823	68.5
<b>Total</b>	<b>22</b>	<b>34</b>	<b>56</b>	<b>527</b>	<b>620</b>	<b>1,147</b>	<b>549</b>	<b>654</b>	<b>1,203</b>	<b>100.0</b>
<b>%</b>	<b>39.3</b>	<b>60.7</b>	<b>100.0</b>	<b>45.9</b>	<b>54.1</b>	<b>100.0</b>	<b>45.6</b>	<b>54.4</b>	<b>100.0</b>	<b>100.0</b>

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

(b) Percentages exclude 1 female and 1 male whose age was unknown.

*Notes*

1. If Indigenous status was unknown, the person was included in the 'Other Australians' category.
2. New South Wales was unable to provide data for this table.

Source: AIHW Adoptions Australia data collection.

## Contact and identifying information vetoes

In some cases, a party to an adoption might wish to block contact or access to information by another party to the adoption. In the case of an identifying information veto, a party to an adoption may, in some states and territories, apply for identifying information not to be released to any other party to the adoption.

In some states and territories, a contact veto can be lodged. These vetoes are legally binding, and if a person receives identifying information and then contacts the other party when a contact veto is in place, legal action can be taken.

Contact and information vetoes can be lifted by the person who lodged them. In some states and territories, vetoes are valid only for adoptions that occurred before a particular date, or last for only a set amount of time before they need to be renewed. Contact vetoes may be lodged even if information about an adoption is never requested (see Appendix A:A.3).

The number of contact and identifying information vetoes lodged in 2016–17 was higher than in the previous year (81 compared with 68, respectively) (Table 3.16 and at <<http://meteor.aihw.gov.au/content/index.phtml/itemId/687176>>). There were 8,603 contact and identifying information vetoes in place at 30 June 2017—a slight reduction from the 8,637 that were in place at 30 June 2016 (Table 3.17 and at <<http://meteor.aihw.gov.au/content/index.phtml/itemId/687176>>).

**Table 3.16: Vetoes lodged, by person lodging veto, 2016–17**

Measure	Person lodging the veto							Total
	Adoptee	Adoptive mother	Adoptive father	Birth mother	Birth father	Other birth relative	Other adoptive relative	
<b>Contact vetoes lodged</b>								
Number	14	—	—	4	1	—	—	19
%	73.7	..	..	21.1	5.3	..	..	100.0
<b>Identifying information vetoes lodged</b>								
Number	30	1	—	29	2	—	—	62
%	48.4	1.6	..	46.8	3.2	..	..	100.0
<b>Total</b>								
<b>Number</b>	<b>44</b>	<b>1</b>	<b>—</b>	<b>33</b>	<b>3</b>	<b>—</b>	<b>—</b>	<b>81</b>
<b>%</b>	<b>54.3</b>	<b>1.2</b>	<b>..</b>	<b>40.7</b>	<b>3.7</b>	<b>..</b>	<b>..</b>	<b>100.0</b>

*Notes*

1. Data from South Australia included in this table under 'identifying information vetoes lodged' refers to both renewals of expiring vetoes, and newly lodged vetoes. In South Australia adoption information vetoes expire after five years, at which point they may be renewed for a further five years.
2. Percentages might not add to 100 due to rounding.

Source: AIHW Adoptions Australia data collection.

For both contact and identifying information vetoes lodged in 2016–17, and those in place at 30 June 2017, more than half (54%) were lodged by the adoptee. Birth mothers were the next highest percentage to lodge vetoes or have vetoes in place (41% and 39%, respectively), with a total of 3,374 birth mother vetoes in place at 30 June 2017 (tables 3.16 and 3.17).

While the number of contact and information vetoes lodged each year has fluctuated between 52 and 140 in the past 10 years, generally, fewer vetoes are lodged today than 20 years ago (174 in 1997–98). Likewise, fewer applications for information are lodged—2,755 in 2016–17 compared with 4,324 in 1997–98 (Table S22). In 2016–17, as in previous years, the number of applications for information far exceeded the number of vetoes lodged against contact or the release of identifying information—2,755 compared to 81, respectively (Table S22).

**Table 3.17: Number of vetoes in place as at 30 June 2017, by person lodging veto and veto type**

Person lodging veto	Total	%
<b>Contact vetoes</b>		
Adoptee	4,433	54.5
Adoptive mother	215	2.6
Adoptive father	177	2.2
Birth mother	3,225	39.6
Birth father	81	1.0
Other birth relative(s)	7	0.1
Other adoptive relative(s)	2	—
<b>Total</b>	<b>8,140</b>	<b>100.0</b>
<b>Identifying information vetoes</b>		
Adoptee	248	53.6
Adoptive mother	33	7.1
Adoptive father	23	5.0
Birth mother	149	32.2
Birth father	8	1.7
Other birth relative(s)	—	..
Other adoptive relative(s)	2	0.4
<b>Total</b>	<b>463</b>	<b>100.0</b>

Source: AIHW Adoptions Australia data collection.

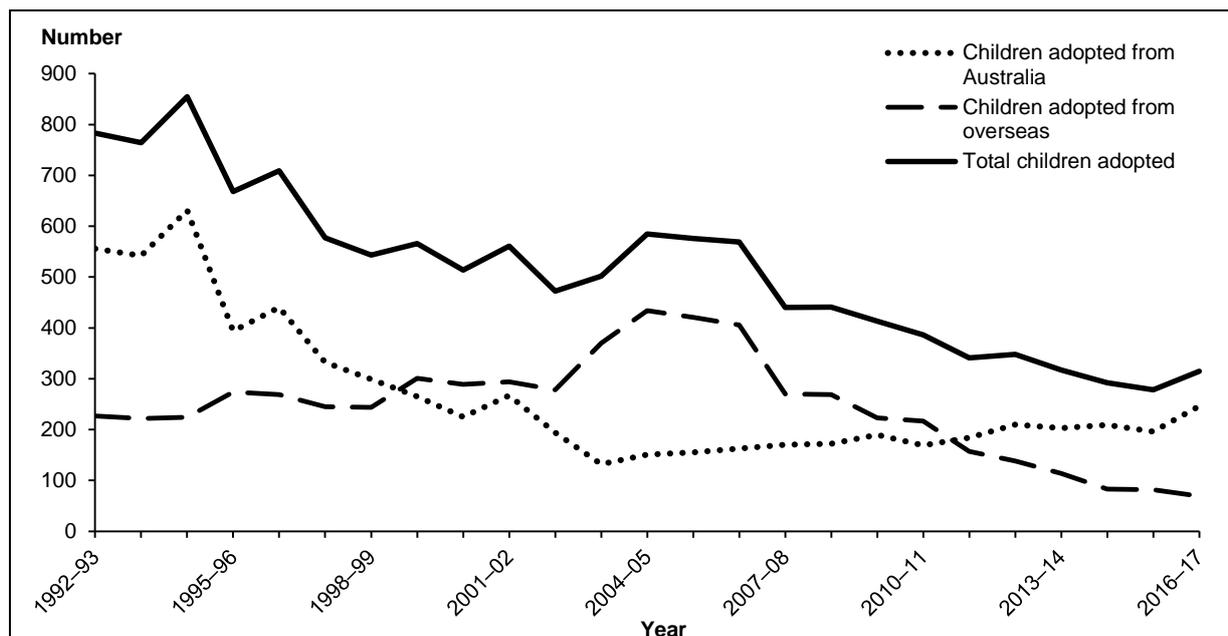
## 4 Trends in adoptions in Australia

### Key findings:

- Adoptions declined 60% over the past 25 years to 315 in 2016–17.
- Over the same period, the fall in intercountry adoptions has been greater than the fall in Australian child adoptions (70% and 56%, respectively).
- The percentage of intercountry adoptions from China has declined substantially since 2007–08 (from 23% to 1%).
- Since 2011–12, the main country of origin for intercountry adoptions varied between the Philippines and Taiwan.
- Median waiting times for intercountry adoption fell in 2016–17 to 33 months. Previously, waiting times had peaked at 64 months in 2014–15.
- Of the 125 Indigenous child adoptions over the past 25 years, 50% were by Indigenous Australians.

This chapter presents trend data for adoptions in Australia, from 1992–93 onward, in 10-year to 25-year periods. 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, due to the small size of the population.

The number of annual adoptions in Australia has continued to fall over the past 25 years. In 1992–93, 783 adoptions were finalised; by 2007–08, this had fallen to 440 and then to a low of 278 by 2015–16. In 2016–17, 315 adoptions were finalised. Despite the increase on the previous year, a 60% decline has occurred since 1992–93, with a 28% decline over the last decade (Table S23; Figure 4.1).



Source: Table S23.

**Figure 4.1: Number of children adopted in Australia, 1992–93 to 2016–17**

As shown in Figure 4.1, the fall in the overall number of adoptions to 2002–03 was primarily driven by the falling number of adopted Australian children (comprising local and known child adoptions). Between 1994–95 and 2003–04, the number of annual adoptions of Australian children fell from a high point of 631 to 132—a 79% decline. Since a low point in 2003–04, the combined total for local and known child adoptions slowly increased before plateauing around 2012–13 at about 200 such adoptions. In 2016–17, this number rose again to 246. While the 246 adoptions of Australian children in 2016–17 represents an increase of 86% since 2003–04, overall, there has been a decline of 56% over the 25-year period, and a decline of 61% from the high point during that period.

The fall in the number of adoptions of Australian children can be attributed to changing views in Australian society that 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.

Further, legislative changes introduced by state and territory departments over the past 25 years, supporting a greater use of alternative legal orders, have contributed to the decline. These orders, such as permanent care orders in Victoria, 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:A.1). Similarly, in Western Australia, protection orders (special guardianship) give parental responsibility to an individual, or 2 individuals jointly, for a child until the child turns 18. Section 4.3 provides data on long-term orders used in Australia. Recently, some jurisdictions have looked to adoption to create stability for children under the long-term care of state and territory child protection services, where reunification with the family of origin is not appropriate. This has resulted in an increase in carer adoptions (see Section 4.1)

The numbers of children adopted from overseas show a different trend. After slowly rising from 227 in 1992–93, intercountry adoptions peaked at 434 in 2004–05. Since that time, these adoptions have been in steady decline, resulting in the lowest number on record (69) in

2016–17. This represents a substantial fall of 70% across 25 years, and a fall of 84% since the peak in 2004–05 (Table S23; Figure 4.1). In 2016–17, more Australian children had their adoption order finalised than children from overseas (excluding expatriate adoptions) (78% and 22%, respectively). This has been the case since 2011–12, which was the first time this had occurred in the period following 1998–99 (Table S23; Figure 4.1).

Factors contributing to the decline in intercountry adoptions include economic and social changes that enable children to remain with their birth family or to be adopted in their country of origin. This results in fewer children needing intercountry adoption, and has led to countries of origin working to reduce or manage the number of adoption applications they receive; for example, by introducing more stringent eligibility requirements, or quotas. A two-thirds decline in intercountry adoption internationally between 2004 and 2013, among the largest receiving countries, has been reported (Mignot 2015).

## 4.1 Trends in categories of adoptions

### Adoption of Australian children

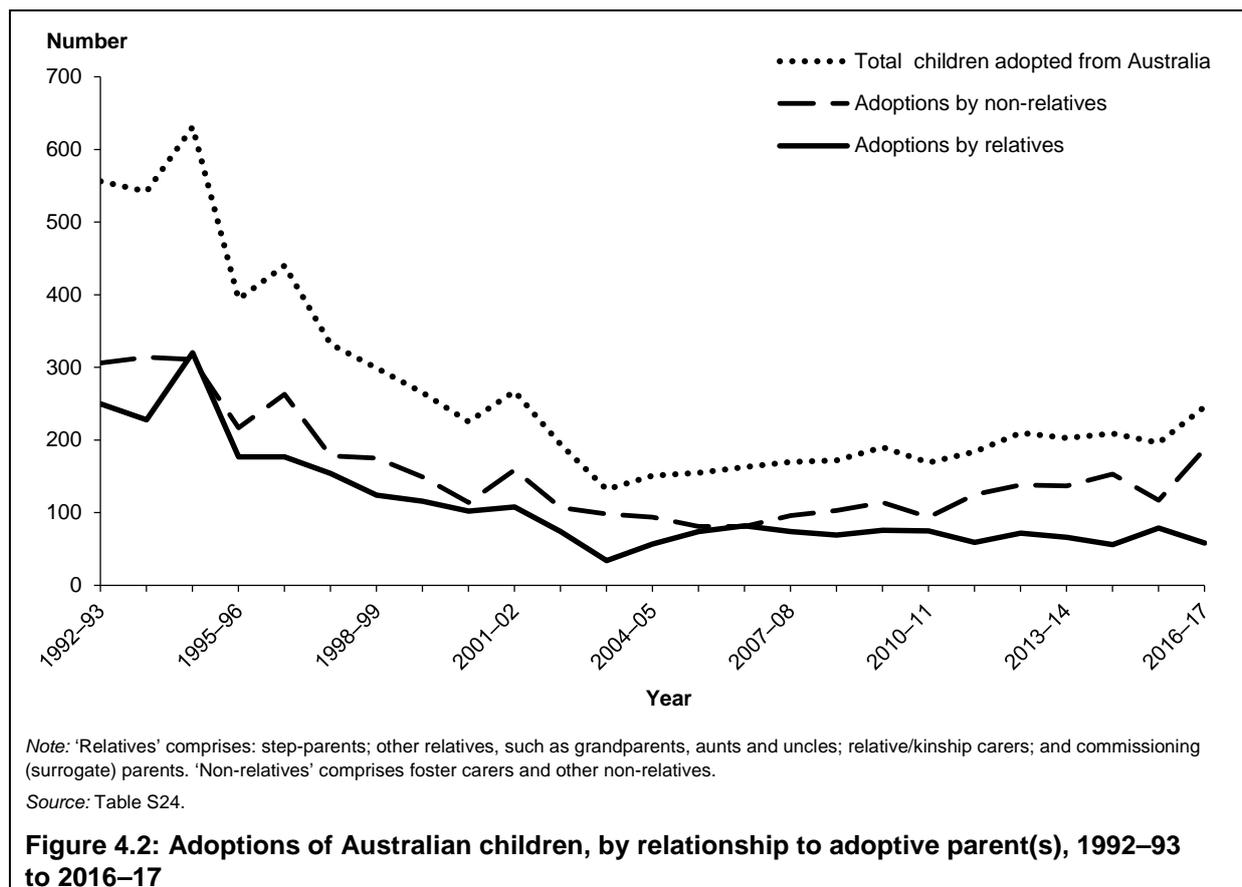
Although changes to the adoption categories in 1998–99 limit the amount of trend data available for local and known child adoptions, it is possible to report on trends in adoptions of Australian children over a longer period using categories of relative and non-relative adoptions.

Overall, the number of finalised annual adoptions of Australian children has fallen since comparable national records began in 1981–82. In the last 25 years, the number fell from 556 in 1992–93 to 246 in 2016–17—a 56% decline (Table S24; Figure 4.2). With New South Wales unable to report on step-parent adoptions from 1991–92 to 1993–94, this is likely an underestimation of the extent of decline during the period.

While the number of finalised adoptions of Australian children fell from 556 in 1992–93 to 132 in 2003–04, it has risen slowly, and fairly consistently, since then before a more marked rise between 2015–16 and 2016–17 (from 196 to 246) (Table S24; Figure 4.2). The main observable change from 2003–04 to 2016–17 was in New South Wales, with combined local and known child adoptions increasing from 49 to 164 during this period. In the remaining states and territories, numbers have remained relatively stable during this time (tables S13 and S19).

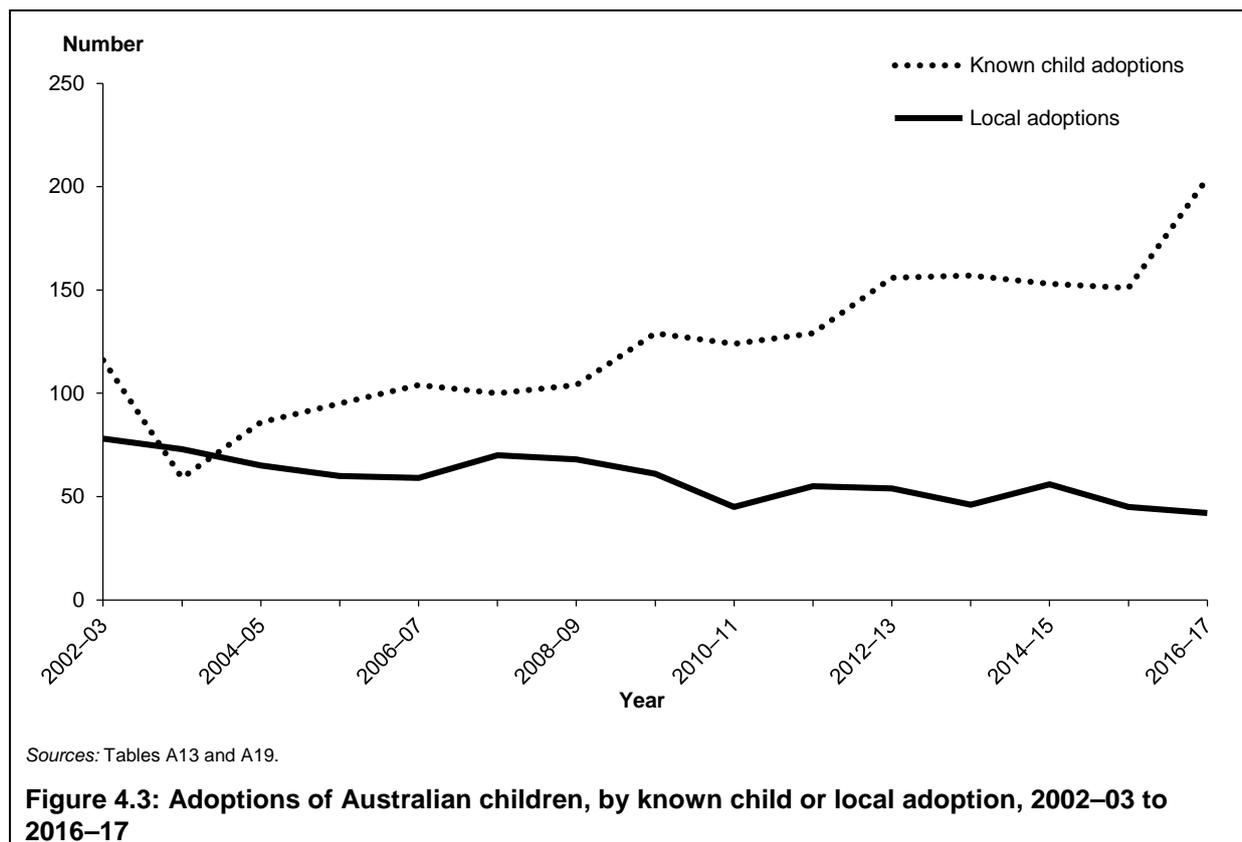
While the numbers of Australian children adopted by relatives and non-relatives have decreased overall since 1992–93 (77% and 39% declines, respectively), and proportions of each have fluctuated since the mid-1990s, the number of adoptions by non-relatives has remained higher than adoptions by relatives in all but 2 of the last 25 years. Figures for 2016–17 marked the highest proportional difference, with 76% of Australian child adoptions being by non-relatives compared with 24% by relatives (Table S24; Figure 4.2).

This trend probably reflects the fact that, with the exception of step-parent adoption, most states and territories have had policies that promote parental responsibility orders rather than adoption when a child is to be permanently cared for by a relative (for example, the use of permanent care and guardianship/custody orders). There has been a considerable increase in the use of these orders over this period (see Section 4.3).



From 1998–99 onwards, adoptions of Australian children can be explored by categories of known child adoptions and local adoptions. Between 2002–03 and 2015–16, step-parent adoptions accounted for 34% to 76% of known child adoptions. However, an increase in carer adoptions meant that step-parent adoptions accounted for only 28% of known child adoptions in 2016–17—the lowest proportion on record (Table S21). In 2016–17, the number of known child adoptions by a carer more than doubled on the previous year (from 70 to 143) and accounted for 70% of finalised known child adoptions, primarily due to New South Wales where carer adoptions rose from 68 to 131 (Table S21; AIHW 2016). The 143 known child adoptions by carers in 2016–17 was the highest number of such adoptions on record. Since this category of adoption was first reported in 1998–99, excluding 2016–17, an average of 48 carer adoptions were finalised annually (AIHW Adoptions Australia data collection). There has been an increase in carer adoptions of 82% since 2007–08 (Table S21).

The number of local adoptions gradually decreased over the past 15 years—from 78 in 2002–03 to 42 in 2016–17, with some fluctuations during this period. In contrast, despite initially falling, the number of known child adoptions increased since 2003–04, with a sharp rise in 2016–17 (Figure 4.3).



## Adoption of children born overseas

In Australia, between 1999-00 and 2010-11, more intercountry adoptions were finalised each year than adoptions of children from Australia (local and known child adoptions combined). Between 1999-00 and 2004-05, the percentage of adoptions of children from overseas increased from 53% to 74%, with the highest number of intercountry adoptions in the period occurring in 2004-05 (434). Since this point, the number of intercountry adoptions has steadily decreased to 69, or 22% of all finalised adoptions in 2016-17 (Table S23).

An average of 162 intercountry adoptions were finalised each year in Australia over the past decade. The 69 intercountry adoptions finalised in 2016-17 represent the lowest number of such adoptions during the 10-year period, continuing the annual decline of intercountry adoptions (Table S23). The long-term decline in the number of intercountry adoptions has occurred in most states and territories, although Western Australia, Tasmania and the Australian Capital Territory reported small increases in 2016-17 on the previous year (Table S4).

This trend reflects global trends in intercountry adoptions during this period. A longitudinal study of 22 countries estimated that the global number of intercountry adoptions grew from 31,710 in 1998 to a peak of 45,288 in 2004 (Selman 2009). Numbers then fell by 36% between 2004 and 2010. This trend was consistent across most countries, but there were some exceptions, with numbers increasing in Canada and Italy to 2009 (and continuing to increase in 2010 in Italy). Since the mid-1980s, the United States of America had received about half of all international adoptions, but from 2009, more children were adopted in European countries than in the United States of America (Selman 2012).

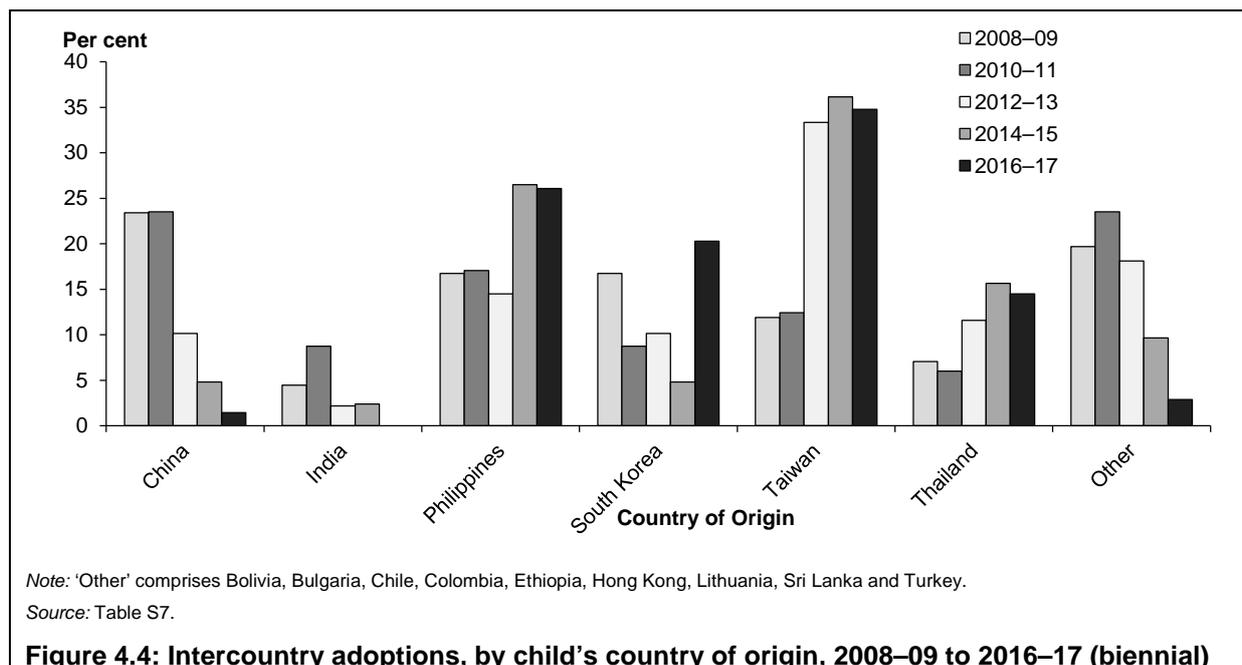
The reasons for the decline are complex and varied. As traditional countries of origin improve in areas of economic and social development, options for domestic care also improve, and

intercountry adoption is considered to be a less desirable option for children, particularly children without health problems or impairments. As a result, eligibility criteria for adopting young, healthy children imposed by overseas countries have become more stringent, with many families no longer being able to adopt or, if eligible, experiencing long waiting times. The characteristics of children in need of adoption have also changed. They are increasingly older children, sibling groups and children with disabilities, developmental delays or complex medical and social backgrounds (PM&C 2014).

In Australia, the change in the number of intercountry adoptions can, at least in part, be attributed to variations in the intercountry programs, and to changes in adoption practices in countries of origin. Australia's programs with Bolivia, Fiji and India are currently on hold, Australia's program with Lithuania is inactive due to Lithuanian requirements, and the program with Ethiopia closed on 28 June 2012 (DSS 2017). Some countries of origin, such as Thailand and the Philippines, continue to restrict the number of applications they accept to help manage the large numbers of applications on their waiting lists. Others, such as Colombia, are currently accepting intercountry applications only for older children, sibling groups or children with special needs (with some exceptions for applicants with Colombian heritage). South Korea limits the number of exit permits issued for children approved for intercountry adoption, reducing the number of adoptions that can be finalised each year (IAA 2017b).

### **Country of origin**

Due to the changes noted above, the number and proportion of finalised intercountry adoptions that can be attributed to particular countries of origin each year have fluctuated, and the main country of origin has changed over time. For example, since 2007–08, the main country of origin varied between China, the Philippines and Taiwan (Table S7). The proportion of adoptions from China declined substantially in that time (from 23% to 1%). Despite some fluctuations, the proportion of adoptions from India also declined from 10% in 2007–08 to 0% in 2016–17 as a result of the 2010 hold on sending new adoption applications to India. Proportions for the Philippines, Taiwan and Thailand increased overall—the Philippines from 15% to 26%, Thailand from 7% to 14% and Taiwan from 8% to 35% (see 'Asian countries of origin' below, for further information) (Table S7; Figure 4.4).

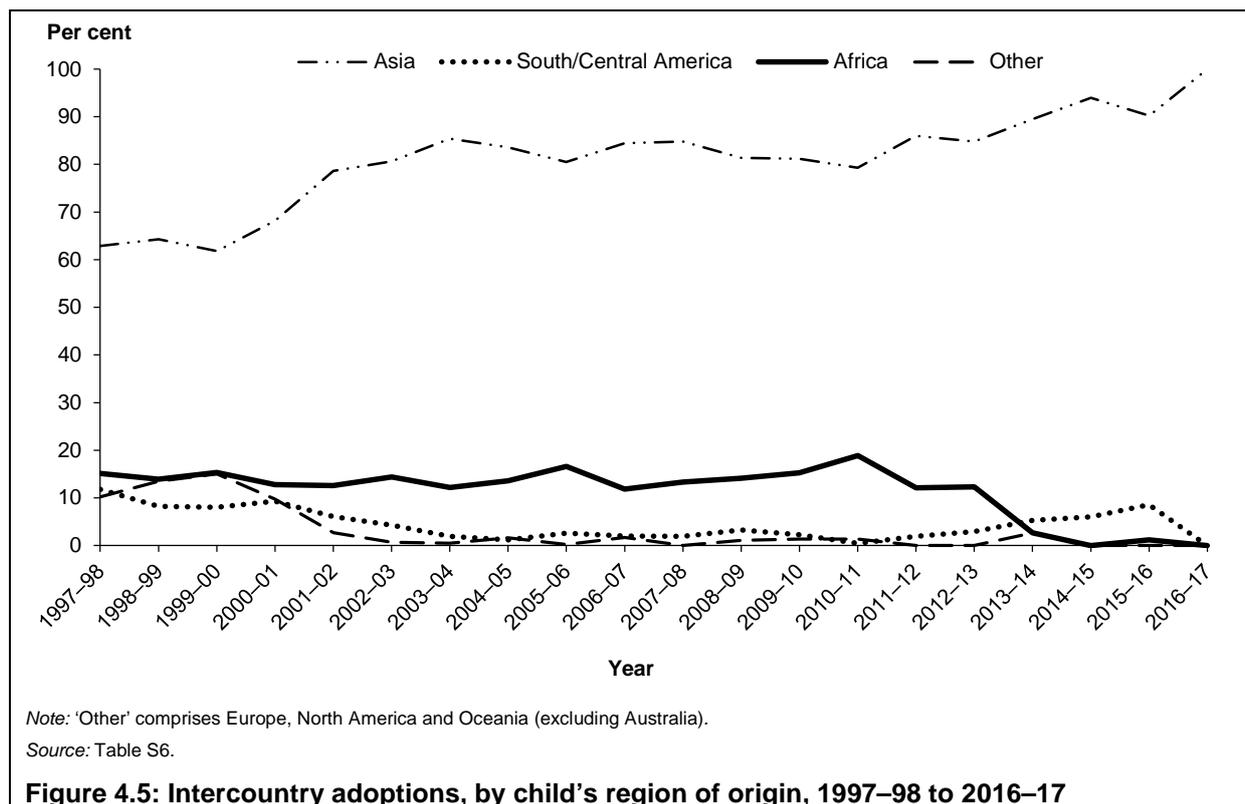


The majority of intercountry adoptions in Australia have consistently been from Asia, in line with global adoption trends. In 2016-17, 100% of finalised intercountry adoptions in Australia were from Asian countries.

With respect to other regions, in the Australian context, the proportions of children adopted from Africa and South/Central America have changed considerably (Figure 4.5). Only 1 adoption from Africa was finalised during 2015-16 year-cycle and none were finalised in 2016-17 (Table S6). This is a marked change from 2010-11 when 19% of finalised adoptions came from African nations (Table S6; Figure 4.5), directly attributable to changes in the number of adoptions from Ethiopia (the program closed in 2012). After peaking at 70 in 2005-06, finalised adoptions from Ethiopia declined to 3 in 2013-14, and no adoptions through Australian authorities occurred after this period (AIHW 2014; AIHW Adoptions Australia data collection).

The percentage of children adopted from South/Central American countries declined from the mid-1990s—from 12% of all intercountry adoptions in 1997-98 to less than 1% in 2010-11. The number of finalised adoptions from South/Central America had been increasing since 2010-11 due to the adoption of children from Colombia and Chile in recent years; however, no such adoptions were recorded in 2016-17 (Table S6; Figure 4.6).

Adoptions from Romania were responsible for the increase in adoptions from 'Other' countries between 1998-99 and 2000-01. Shortly after this period, Australia's program with Romania closed, in part due to changes in Romania's adoption law (AIHW 2009; Centre for Adoption Policy Studies 2002).



## Processing times

The median length of time from when the applicant(s) in Australia became official clients of the department to when the child was placed, steadily increased from 37 months (or just over 3 years) in 2007-08 to 64 months (more than 5 years) in 2014-15, then dropped for two consecutive years to a 10-year low of 33 months in 2016-17 (Table 4.1).

The processing time between when applicants became official clients of departments to when an approval decision was made about their eligibility to adopt has remained largely consistent since 2007-08, varying between 8 and 12 months (8 months in 2016-17). The time from when an approval decision was made to when the file was sent overseas has varied between 2 and 6 months over the same period (2 months in 2016-17). The time between the file being sent overseas and a child being allocated, while historically consistently the longest period in the recorded processes, dropped considerably in the same period, from a high point of 37 months in 2012-13 to 9 months in 2016-17 (Table 4.1)—although the median time for Taiwan and Thailand remained high (20 and 22 months, respectively) (Table 3.3).

**Table 4.1: Median length of time for the intercountry adoption process, for children placed between 2007–08 and 2016–17 (months)<sup>(a)</sup>**

Year	From when the applicant(s) became official clients of the department to when an approval decision was made	From when an approval decision was made to when the file was sent overseas	From when the file was sent overseas to when the child was allocated	From when the child was allocated to when the child was placed	Total length of process <sup>(b)</sup>
2007–08	10	3	19	3	37
2008–09	11	4	18	4	42
2009–10	10	3	18	5	45
2010–11	9	3	29	4	49
2011–12	8	4	30	5	56
2012–13	9	3	37	5	61
2013–14	9	6	27	6	60
2014–15	12	5	20	6	64
2015–16	10	5	12	7	41
2016–17	8	2	9	7	33

(a) This table includes all children who were placed with their adoptive families from 2007–08 to 2016–17, by the length of time each process took before the child was placed.

(b) Total process is the overall median length of time in months from when the applicant(s) became official clients of the department to when the child was placed. It might not be equal to the sum of the preceding processes due to rounding to the nearest whole month, and because of the nature of median calculations.

Source: AIHW Adoptions Australia data collection.

## Influences on processing times

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.

For example, Australia's partner countries generally have more applications from prospective adoptive parents willing to parent healthy younger children and infants than there are such children in need of intercountry adoption. In contrast, a growing proportion of children in need of intercountry adoption are considered to have special needs and more complex care requirements. The process for matching such a child with an appropriate carer can be more difficult than for children with less complex backgrounds, as there are relatively few prospective adoptive parents willing and able to provide suitable care for these children.

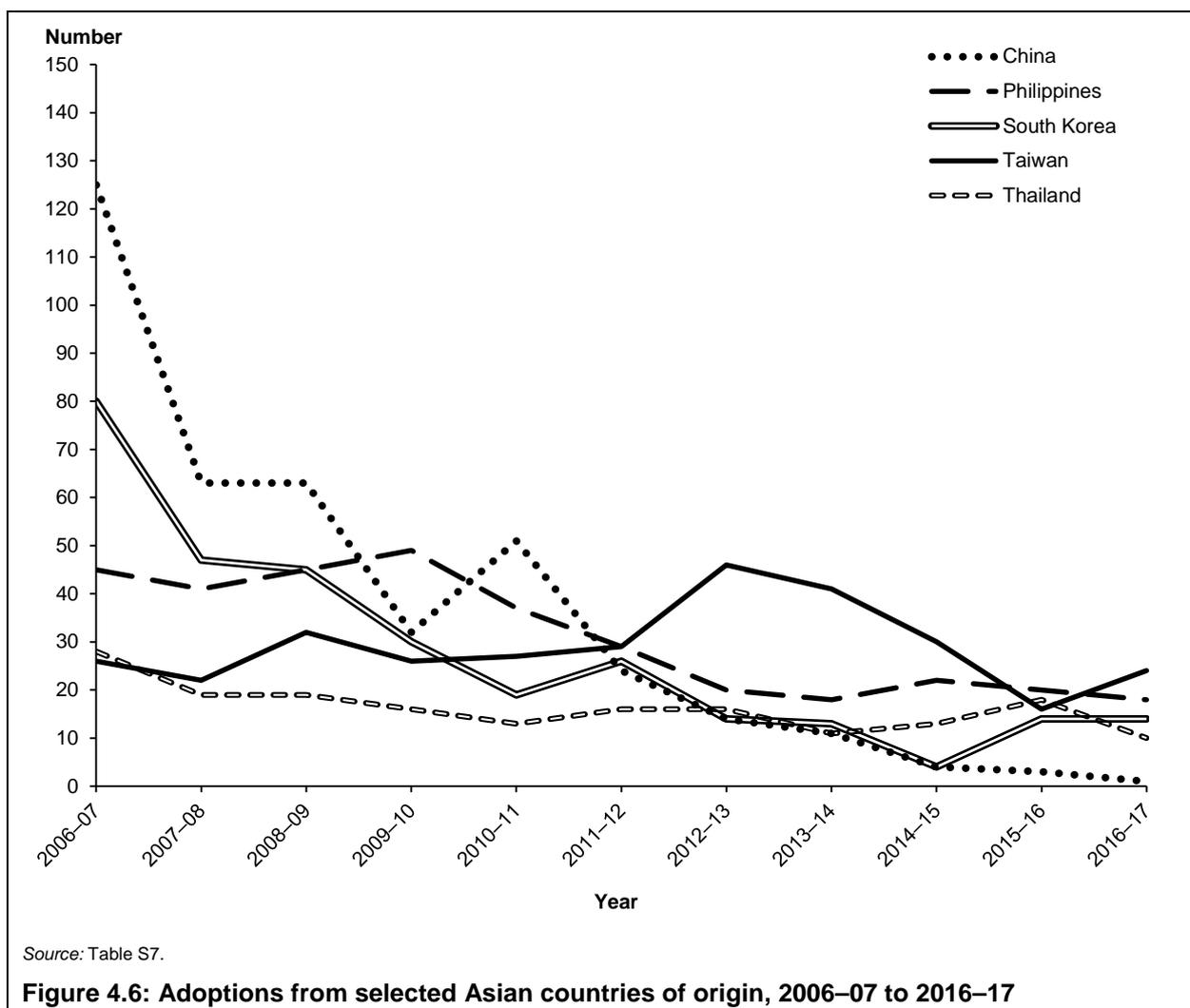
Several of Australia's partner countries have changed their intercountry adoption programs to meet this challenge. Some countries (such as China, Chile and the Philippines) have established separate programs specifically for special needs adoptions—including adoptions of older children and sibling groups—and might accept more applications for children in these programs than in their general programs. Countries have also adapted their eligibility criteria for prospective adoptive parents. Also, 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 healthy children (for example, China and Colombia) (IAA 2017b).

It is difficult to determine whether providing for a broader range of potential adoptive parents under special needs programs may be reducing processing times. The complex backgrounds of children in these programs and the increasing proportion of children in need of intercountry adoption that they represent suggest that applicants seeking only healthy infants might continue to face extended time frames before a child is matched with them.

## Asian countries of origin

There have been some notable changes among Asian countries of origin since the early 1990s. South Korea was the leading country of origin between 1991–92 and 2002–03. But after Australia signed a bilateral agreement with China in 1999, the number of annual finalised adoptions from China rose from 15 in 2000–01 to 140 in 2004–05 (AIHW 2010).

With the exception of 2009–10, China was the leading country of origin between 2003–04 and 2010–11. However, like South Korea, China introduced more stringent regulations for foreign adoptions and put greater emphasis on local adoption solutions in an effort to find permanent homes for children in their own country. As a result, the number of children adopted from China dramatically declined in recent years. Since 2006–07 when 125 finalised adoptions from China were recorded, numbers have fallen to just a single finalised adoption from China in 2016–17. The number of adoptions from South Korea fell from 80 to 14 in the same period (Table S7; Figure 4.6).



Taiwan had been the leading country of origin between 2011–12 and 2014–15 (although it shared this position with the Philippines in 2011–12). In 2015–16, Taiwan dropped behind the Philippines and Thailand but became the main country of origin again in 2016–17. The number of adoptions from Taiwan rose from 22 in 2007–08 to 46 in 2012–13 before falling to 16 in 2015–16. In 2016–17, there were 24 adoptions from Taiwan finalised. The proportion of

intercountry adoptees who came from Taiwan rose from 8% of finalised intercountry adoptions in 2007–08 to 35% in 2016–17 (Table S7). The number of adoptions from the Philippines remained fairly stable between 2012–13 and 2016–17 (between 18 and 22 adoptions), while Thailand had more variation, falling from 18 in 2015–16 to 10 in 2016–17 (Table S7; Figure 4.6).

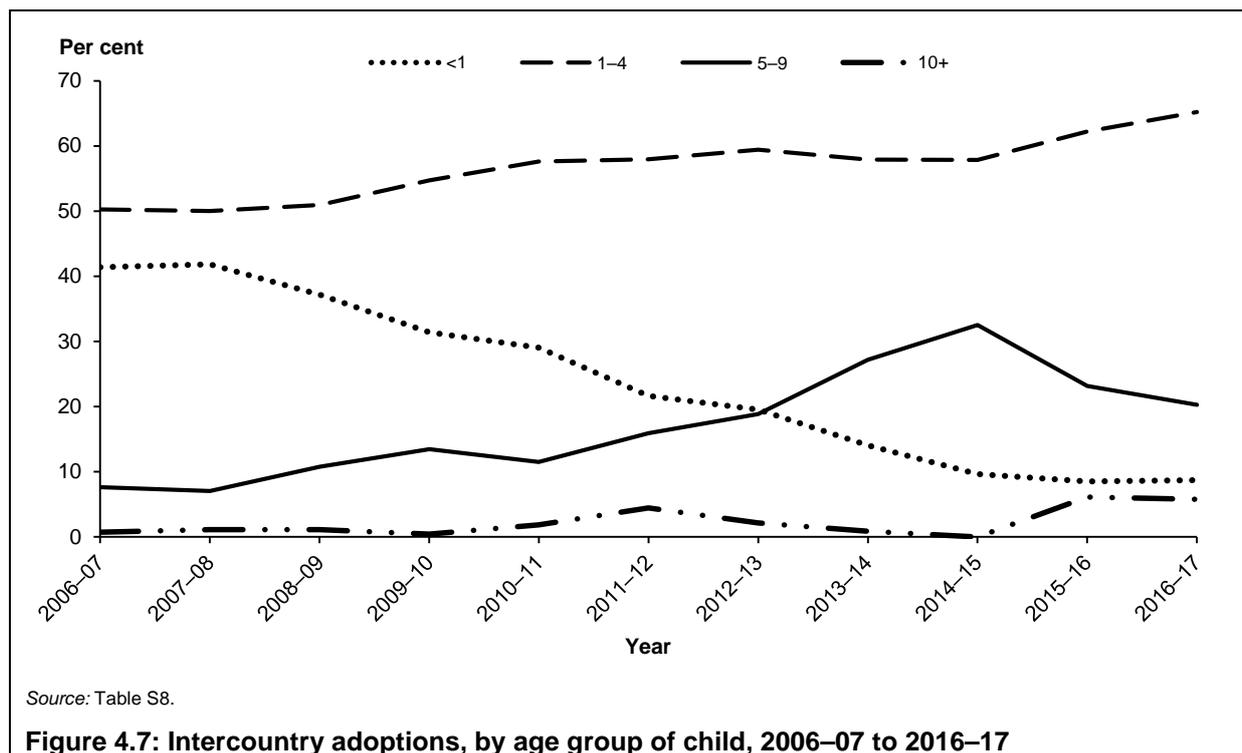
### **Infants and older children**

In 2016–17, the median processing time for infants (that is, children aged less than 1 year) was higher than for any other age group. With all infants in 2016–17 coming from Taiwan, this change can be attributed to the longer median processing times for adoptions from Taiwan, compared with most other countries in 2016–17. Since 2007–08 (the earliest reported data), median processing times for infants have been consistently shorter than for all other age groups, apart from 2010–11 and the current cycle. In contrast to previous years, during 2016–17, median processing times decreased as age group increased, ranging from 45 months for infants to 14 months for children aged 10 and over (AIHW Adoptions Australia data collection).

The percentage of infants with a finalised adoption from overseas has substantially declined since 2006–07—from 41% of intercountry adoptions to 9% in 2016–17 (Table S8; Figure 4.7). Several factors have contributed to this trend. For example, the number of infants for whom intercountry adoption is considered appropriate can be affected by changing overseas domestic adoption practices, and the degree of acceptance of single motherhood in countries of origin. 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).

In turn, the relative proportion of adoptees aged 5–9 has increased. In 2006–07, this age group comprised 8% of all intercountry adoptions. This percentage generally increased to a high of 33% in 2014–15, before pulling back to 20% in 2016–17. The proportions of adoptees aged 1–4 and 10 and over have also increased in recent years (Figure 4.7; Table S8).

Finding a suitable adoptive family can be more difficult for older children (Tan et al. 2007). As noted earlier, many prospective adoptive parents are seeking a younger child, and some believe older children are more likely to have health and behavioural problems (Malm & Welti 2010; Zhang & Lee 2011). For older intercountry adoptees, these problems are often compounded by an extended history of deprivation, with many likely to have spent long periods in poor-quality institutional care. This more complex background can make it harder for these children to find an adoptive family 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).



### Living arrangements of overseas adoptees 12 months later

Although most local and intercountry adoptions are successful, a minority of children are returned to (or enter into) state care or are placed with new adoptive parents. When this happens after the child is placed in an adoptive home but before the adoption is legally finalised, it is called ‘disruption’. When it happens after the adoption is legally finalised, it is called ‘dissolution’.

A recent study in the United Kingdom found that the greatest contributing factor to adoption disruption was the child’s age, with teenagers 10 times more likely to have a disrupted adoption than younger children (Selwyn et al. 2014). It is difficult to assess how often adoption dissolution happens because, after the adoption is legally finalised, adoptees are no longer a readily identifiable group within the general population.

Almost all (98%) adoptees who were placed for adoption in 2015–16 were still with their adoptive families 12 months later, and the parental structures of those families were unchanged (excluding those placed in Western Australia for whom data were not available) —indicating that adoption disruption did not occur for the majority of children placed with adoptive families in 2015–16 (AIHW Adoptions Australia data collection). A similar level of stability in adoption placement and the parental structures of adoptive families during the 12 months following placement can be seen since reporting on this measure began in 2011–12 (AIHW Adoptions Australia data collection).

As data capture only changes that occurred for intercountry adoptees, and only during the 12 months after placement with the adoptive families, these data should be interpreted as an approximate measure of the incidence of adoption disruption. Adoption research suggests that disruptions are more common in adoptions involving certain risk factors, including:

- adoptions of children with special needs—such as older children and those with a history of physical or sexual abuse, deprivation and neglect, and those with emotional and behavioural problems

- failure to display a secure sense of attachment within the first 12–15 months
- parents having lack of prior foster care or adoption experience, limited or absent preparation, and access to only minimal information about the child's history (ChildONEurope 2007; Clark et al. 2006; Roberson 2006; Spark et al. 2008).

## 4.2 Adoption of Aboriginal and Torres Strait Islander children

The Aboriginal and Torres Strait Islander Child Placement Principle outlines a preference for placing Aboriginal and Torres Strait Islander children with Indigenous Australians when placed outside their family (Lock 1997), as long as it is in the best interest of the child.

All states and territories have adopted the placement principle in policy and practice. In New South Wales, Western Australia and Victoria, legislation allows the birth parents to specify the type of adoptive family they would like for their child.

The placement principle outlines a preference for Aboriginal or Torres Strait Islander children to be placed, giving the following order:

1. with the child's extended family
2. within the child's Indigenous community
3. with other Indigenous Australians.

Where these options are not available or appropriate, Indigenous children may be adopted by other families. It should also be noted that the principle embeds engagement with Indigenous people in adoption-related decision making.

The number of Aboriginal and Torres Strait Islander children who are adopted each year is small. In 2016–17, only 4 Indigenous children had adoption orders finalised in Australia. Of these children, 1 was adopted by Indigenous Australians and 3 were adopted by other Australians (AIHW Adoptions Australia data collection).

Due to the small number of these adoptions each year, it is difficult to identify trends. In the last 25 years (that is, since 1992–93), 125 Indigenous children have been adopted, with 50% adopted by Indigenous Australians and 50% adopted by other Australians (Table 4.2).

**Table 4.2: Number of Indigenous children adopted, by Indigenous status of adoptive parent(s), 1992–93 to 1996–97 to 2012–13 to 2016–17**

Year	Indigenous status of adoptive parent(s)		Total
	Indigenous Australian	Other Australian	
1992–93 to 1996–97	26	20	46
1997–98 to 2001–02	9	10	19
2002–03 to 2006–07	9	9	18
2007–08 to 2011–12	14	8	22
2012–13 to 2016–17	4	16	20
<b>Total</b>	<b>62</b>	<b>63</b>	<b>125</b>
<b>%</b>	<b>49.6</b>	<b>50.4</b>	<b>100.0</b>

*Notes*

1. Adoptive parents are included in the 'Indigenous Australian' category when at least 1 of the parents identified as Aboriginal or Torres Strait Islander. Where the Indigenous status of both parents was not known, the adoption was included in the 'Other Australian' category.
2. Indigenous status of children and adoptive parent(s) is not always available for adoptions of adults.

Source: AIHW Adoptions Australia data collection.

### 4.3 Alternatives to adoption

The importance of achieving permanency and stability for children and young people in out-of-home care has been widely recognised, and this has been reflected in jurisdictional changes in policy and legislation across Australia (AIHW 2016b). 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 known carer adoption, and care and protection orders that transfer guardianship and custody to carers.

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 may 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 within 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.

Over the 5-year period to 2015–16, there was an 84% increase in third-party parental responsibility orders issued in Australia. The total number of such orders rose from 905 to 1,661 during this time (Table 4.3). New South Wales and Victoria had the largest increases, 134% and 109%, respectively. The Australian Capital Territory, South Australia and Queensland had smaller increases, while the number decreased in Western Australia and Tasmania.

**Table 4.3: Third-party parental responsibility orders issued, states and territories, 2011–12 to 2015–16**

Year	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Total
2011–12	326	243 <sup>(a)</sup>	163	116	—	43	14	..	<b>905</b>
2012–13	377	267 <sup>(a)</sup>	213	97	27	60	17	..	<b>1,058</b>
2013–14	381	302	195	71	31	40	12	..	<b>1,032</b>
2014–15	n.a.	290	263	84	14	22	12	..	<b>685<sup>(b)</sup></b>
2015–16	764	507	222	101	18	27	22	—	<b>1,661</b>

(a) Data for Victoria in 2011–12 and 2012–13 are from the Adoptions Australia data collection: other data in the table are from the Child protection Australia data collection.

(b) Data for New South Wales were not available for 2014–15; therefore, this year is not comparable to other years included in this table.

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

*Source:* AIHW Child protection Australia data collection 2011–12 to 2015–16, Adoptions Australia data collection 2011–12 to 2012–13.

# Glossary

Note that terms in bold type in the definitions are themselves glossary items.

**adoption:** The legal process by which a person legally becomes a child of the adoptive parent(s) and legally ceases to be a child of his/her existing parent(s).

**adoption compliance certificate:** A certificate defined by both the Family Law (Hague Convention on Intercountry Adoption) Regulations 1998 and the Family Law (Bilateral Arrangements—Intercountry Adoption) Regulations 1998. Essentially, this is a document issued by competent authorities in the overseas country where the child was adopted that affirms that the adoption is made either under the Hague Convention or the country's laws, and, in the case of a Hague adoption, that the relevant authorities have agreed to the adoption.

**adoption order:** A judicial or administrative order, made by a competent authority under adoption legislation, by which the adoptive parent(s) become the legal parent(s) of the child.

**adoptive parent:** A person who has become the parent of a child or adult as the result of an adoption order.

**age of adopted child:** For known child adoptions, this is the age when the adoption order for the child was granted. For local and intercountry adoptions, it is the age at which the child is placed with the adoptive family. Age is calculated from date of birth, in completed years.

**applicant:** A married couple, a de facto couple or a single person. The method by which the applicant becomes an official client will vary for each jurisdiction, and might be when the department first opens a file, when the applicant registers, or when the applicant is invited to attend an information session. For the purpose of this report, applicants who are already a client of the department, but are applying to adopt a subsequent child, or reapplying to adopt, are counted as applicants applying for the first time.

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

**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 Attorney-General's Department. As Australia is a federation, a Central Authority has also been designated in each state and territory.

**closed (program status):** The intercountry program was not accepting new applications, and had been officially closed by the Australian Government.

**country of origin:** The usual country of residence of the child being adopted. This is generally the country of birth of a child.

**de facto relationship (adoptive parents):** An arrangement where 2 adoptive parents, who are not legally married, live together in a de facto relationship as defined by the state or territory in which they live.

**dispensation:** A legal process by which a court may declare that the consent of a parent is not required for an adoption order to be granted. Grounds for dispensation applications are set under individual state and territory legislation.

**disruption:** A term used to describe 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 parents.

**dissolution:** A term used to describe an adoption process in which the legal relationship between the adoptive parents 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 parents.

**expatriate adoption:** A specific type of adoption that occurs when an Australian citizen or permanent resident living abroad for 12 months or more adopts a child through an overseas agency or government authority. Australian adoption authorities are not responsible for expatriate adoptions, and do not assess or approve applicants for such adoptions.

**finalised adoption:** An adoption order that was completed during the reporting period. This includes orders that were made in Australia, and, in the case of some intercountry adoptions where the full adoption order was made in the country of origin. The way in which an adoption is finalised depends on the process used in the country of origin and the procedures of the state or territory 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 parents.

**government arranging body:** A state or territory department (see Acknowledgments) or another government authority authorised under adoption legislation to decide on the placement of an adoptive child.

**guardianship/custody order (parental responsibility order):** An order that involves the transfer of legal guardianship from the child's parents to the relevant state or territory department or minister, or non-government agency. Such an order involves considerable intervention in the child's life and that of their family, and is sought only as a last resort.

A guardianship order conveys responsibility for the welfare of the child to the guardian (for example, about the child's education, health, religion, accommodation and financial matters). It does not necessarily grant the right to the daily care and control of the child, or the right to decide on the daily care and control of the child, which are granted under custody orders.

A custody order generally refers to an order that places children in the custody of the state or territory minister, or department responsible for child protection, or non-government agency. This order usually makes the child protection department responsible for the daily care and requirements of the child, while the parent retains legal guardianship. Custody alone does not necessarily bestow any responsibility for the long-term welfare of the child. This may 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, and the file of the applicant(s) was sent after the Hague Convention entered into force in that country (see Appendix B).

**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 includes legally binding safeguards and a system of supervision, and establishes channels of communication between countries. It came into force in Australia on 1 December 1998.

An intercountry adoption is classified as a **Hague adoption** or **non-Hague adoption**.

**inactive (program status):** The intercountry program had not been officially closed but applications could not be sent due to requirements by the overseas country (for example, the adoption pathways offered may be currently unavailable to Australian prospective parents).

**Indigenous person:** A person of Aboriginal or Torres Strait Islander descent who identifies as an Aboriginal or Torres Strait Islander and is accepted as such by the community in which he or she lives. Where a person's Indigenous status is unknown, that person is included in the category 'Other Australian'.

**intercountry adoption:** An adoption of a child/children from countries other than Australia who may legally be placed for adoption, but who generally have had no previous contact with the adoptive parent(s). There are 2 categories of intercountry adoptions: **Hague adoption** and **non-Hague adoption**. 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 residing in Australia before the adoption, who have a pre-existing relationship with the adoptive parent(s) and who are generally not able to be adopted by anyone other than the adoptive parent(s). These types of adoptions are broken down into the following categories, depending on the child's relationship to the adoptive parent(s): **step-parent, relative(s), carer** and **other**.

**local adoption:** An adoption of a child/children born or permanently residing in Australia before the adoption who are legally able to be placed for adoption but who generally have had no previous contact or relationship with the adoptive parent(s).

**marital status of adoptive parent(s):** Applicable status at the time the child is placed with the adoptive parent(s), using 1 of the following categories: **registered marriage, de facto relationship** and **single**.

**marital status of birth mother—married:** The classification of the birth mother if she was legally married (regardless of whether she is married to the birth father) at the time of the child's birth. In situations where the birth mother's legal marital partner died before the birth, the birth mother is still classified as married.

**marital status of birth mother—unmarried:** The classification of the birth mother if she was not legally married at the time of the child's birth (except in circumstances where the birth mother's legal marital partner died before the birth). This includes situations where the birth mother was living in a **de facto relationship**.

**non-government arranging body:** An agency approved to undertake adoption arrangements in Australia that is not owned or controlled by the Australian Government or by a state or territory government. Such agencies might include church organisations, registered charities, non-profit organisations, companies and cooperative societies and associations.

**non-Hague adoption:** An adoption where the Hague Convention had not entered into force in the adoptive child's country of origin before the file of the applicant(s) was sent.

**on hold (program status):** The intercountry program was not accepting new applications, but had not been officially closed. May occur while a review of, or changes to, the adoption legislation, principles or processes in the overseas country are in progress.

**open (program status):** The intercountry program was accepting new applications at some point during the 12-month period prior to the current reporting period.

**other (known adoption):** An adoption for a child/children adopted by the commissioning (surrogate) parent(s), whether the commissioning parent(s) is/are a relative or not.

**partner country:** A country with which Australia has a current intercountry adoption program.

**permanent care order:** An order granting permanent guardianship and custody of a child to a third party. Unlike adoption orders, permanent care orders do not change the legal status of the child, and they expire when the child turns 18 or marries. An application may be made to revoke or amend a permanent care order.

The granting of a permanent care order is usually the final step in the process of permanent family placement for children who have been abused or neglected, or who are in need of care and protection for other reasons, and are unable to remain safely within the birth family.

**placement:** The act of placing a child/children with their adoptive family (that is, the child enters the home) during the reporting period, regardless of the status of their adoption order.

**program status:** The status of Australia's intercountry adoption program with a given country of origin in the 12-month period prior to the current reporting period using 1 of the following categories: **open**, **inactive**, **on hold** and **closed**.

**registered marriage (adoptive parents):** The status of 2 adoptive parents who are legally married to each other and living together at the time the child is placed with them.

**relative(s) (known adoption):** Any relative(s) of the child being adopted, as defined by the *Family Law Act 1975*, other than step-parents. For Indigenous children, a relative includes anyone related through kinship arrangements.

**single (adoptive parents):** The status of an adoptive parent who is not legally married or living in a de facto relationship; might include widowed parents.

**special needs adoption:** An adoption of a child or young person who:

- exhibits physical, intellectual or cognitive disabilities that require interventions in the domains of learning and development
- has conditions that are deemed to pose potential barriers to permanent placement and/or affect the outcome of an adoption, such as:
  - behavioural disorders
  - 1 or more diagnosed severe medical conditions
  - being part of a sibling group that is to be placed with the same adoptive family
  - being older.

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

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# List of tables

Table 3.1:	Level of activity in intercountry adoption, by state and territory, 2016–17.....	16
Table 3.2:	Number of intercountry adoptions, by type of adoption and child's country of origin, 2016–17 .....	17
Table 3.3:	Median length of time for the intercountry adoptions process, by country of origin, for children placed in 2016–17 (months).....	19
Table 3.4:	Intercountry adoptions, by type of adoption and marital status of the adoptive parent(s), 2016–17.....	21
Table 3.5:	Intercountry adoptions, by type of adoption and composition of the adoptive family, 2016–17.....	22
Table 3.6:	Subclass 102 (statistical code 156) visas issued, by the program status of countries of adoptee citizenship, 2016–17 .....	23
Table 3.7:	Local adoptions, by state and territory, 2016–17.....	24
Table 3.8:	Local adoptions, by marital status of the adoptive parent(s), 2016–17 .....	25
Table 3.9:	Local adoptions, by composition of the adoptive family, 2016–17 .....	27
Table 3.10:	Local adoptions, by type of consent, 2016–17 .....	27
Table 3.11:	Local adoptions, by type of agreement, 2016–17.....	28
Table 3.12:	Known child adoptions, by state and territory, 2016–17.....	28
Table 3.13:	Known child adoptions, by relationship of adoptive parent(s), 2016–17 .....	29
Table 3.14:	Number of information applications lodged, by person lodging application, and information type, 2016–17 .....	31
Table 3.15:	Adult adoptees who lodged information applications, by Indigenous status, age group and sex of applicant, 2016–17.....	32
Table 3.16:	Vetoes lodged, by person lodging veto, 2016–17.....	33
Table 3.17:	Number of vetoes in place as at 30 June 2017, by person lodging veto and veto type.....	34
Table 4.1:	Median length of time for the intercountry adoption process, for children placed between 2007–08 and 2015–16 (months).....	43
Table 4.2:	Number of Indigenous children adopted, by Indigenous status of adoptive parent(s), 1992–93 to 1996–97 to 2012–13 to 2016–17 .....	48
Table 4.3:	Third-party parental responsibility orders issued, states and territories, 2011–12 to 2015–16 .....	49

# List of figures

- Figure 2.1: Process for intercountry adoptions ..... 6
- Figure 2.2: Process for local adoptions..... 9
- Figure 2.3a: Process for step-parent and relative known child adoptions ..... 11
- Figure 2.3b: Process for carer known child adoptions ..... 11
- Figure 3.1: Adoptions in Australia, 2016–17 ..... 14
- Figure 3.2: Adoptions, by age group and sex of child, 2016–17 ..... 15
- Figure 3.3: Intercountry adoptions, by type of adoptions and child's country of origin, 2016–17 ..... 18
- Figure 3.4: Intercountry adoptions, by age group and type of adoption, 2015–16 ..... 20
- Figure 3.5: Intercountry adoptions, by age group of adoptive parent(s), 2016–17 ..... 21
- Figure 3.6: Local adoptions, by age group of birth mother, 2016–17 ..... 25
- Figure 3.7: Local adoptions, by age group of adoptive parent(s), 2016–17 ..... 26
- Figure 3.8: Known child adoptions, by age group and type of adoption, 2016–17 ..... 30
- Figure 4.1: Number of children adopted in Australia, 1992–93 to 2016–17 ..... 36
- Figure 4.2: Adoptions of Australian children, by relationship to adoptive parent(s), 1992–93 to 2016–17 ..... 38
- Figure 4.3: Adoptions of Australian children, by known child or local adoption, 2002–03 to 2016–17 ..... 39
- Figure 4.4: Intercountry adoptions, by child's country of origin, 2008–09 to 2016–17 (biennial) ..... 41
- Figure 4.5: Intercountry adoptions, by child's region of origin, 1996–97 to 2015–16 ..... 42
- Figure 4.6: Adoptions from selected Asian countries of origin, 2006–07 to 2016–17 ..... 44
- Figure 4.7: Intercountry adoptions, by age group of child, 2006–07 to 2016–17..... 46

## Related publications

This report, *Adoptions Australia 2016–17*, is part of an annual series. Earlier editions can be downloaded free from the Australian Institute of Health and Welfare (AIHW) website. The website also includes information on ordering printed copies; <[www.aihw.gov.au/reports-statistics/health-welfare-services/adoptions/reports](http://www.aihw.gov.au/reports-statistics/health-welfare-services/adoptions/reports)>.

Additionally, a snapshot of the main findings for the current year, and access to the new adoptions web portal can be found at <[www.aihw.gov.au/adoptions](http://www.aihw.gov.au/adoptions)>.

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

- AIHW 2017. Child protection Australia 2015–16. Child welfare series no. 66. Cat. no. CWS 60. Canberra: AIHW.
- AIHW 2017. Young people in child protection and under youth justice supervision 2015–16. Data linkage series no. 23. Cat. no. CSI 25. Canberra: AIHW.
- AIHW 2017. Australia's welfare 2017. Australia's welfare series no. 13. AUS 214. Canberra: AIHW.
- AIHW 2016. The views of children and young people in out-of-home care: overview of indicator results from a pilot national survey 2015. AIHW bulletin no. 132. Cat. no. AUS 197. Canberra: AIHW.
- AIHW 2016. Permanency planning in child protection. Child welfare series no. 64. Cat. no. CWS 58. Canberra: AIHW.
- AIHW 2015. Developing a linked data collection to report on the relationships between child protection and youth justice supervision. Data linkage series no. 20. Cat. no. CWS 55. Canberra: AIHW.
- AIHW 2015. Educational outcomes for children in care: linking 2013 child protection and NAPLAN data. Cat. no. CWS 54. Canberra: AIHW.
- AIHW 2012. A picture of Australia's children 2012. Cat. no. PHE 167. Canberra: AIHW.
- AIHW 2011. Headline indicators for children's health, development and wellbeing 2011. Cat. no. PHE 144. Canberra: AIHW.
- AIHW 2011. National outcome measures for early childhood development: development of indicator based reporting framework. Cat. no. PHE 134. Canberra: AIHW.
- AIHW 2011. Young Australians: their health and wellbeing 2011. Cat. no. PHE 140. Canberra: AIHW.



*Adoptions Australia 2016–17*, the 27th report in the series, presents the latest data on adoptions of Australian children and children from overseas, and highlights important trends in the number of adoptions back to 1992–93. Data cover characteristics of adopted children, their parents and adoptive families, as well as applications and vetoes for contact and information exchange, issued immigration visas and intercountry processing times.

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