

House of Representatives
Standing Committee on Social Policy and Legal Affairs
Att: Peggy Danaee
Committee Secretary

18 May 2018

via Email: www.aph.gov.au/Committee/Submissions

Dear Ms Danaee,

New Inquiry: Local Adoption

On behalf of Connecting Foster & Kinship Carers – SA Inc (CF&KC-SA), I would like to thank you for inviting our submission.

CF&KC-SA is the peak representative body for foster and kinship carers (Carers) in South Australia. We aim to improve the lives of children and young people in care through provision of services valuing and supporting Carer families to sustain strong and positive relationships.

It is our position that removing any barriers toward providing stability and permanency of care for children and young people who cannot live with their birth families offers those children and young people the best possible outcomes. While this may not always mean local adoption, we believe local adoption should be an option which is made more accessible and available for the foster and kinship carer families who can provide children and young people with stable, secure, loving home environments, and who intend to continue this care and connection into adulthood.

In stating this, we wish to acknowledge the adverse outcomes experienced by Aboriginal communities in relation to the Stolen Generation and to other persons with negative adoption experiences. We therefore view adoption in the context of 'open' adoption only, and not as a viable care option to be forced on any child or young person, or enforced by any systematic processes.

In terms of frameworks, codes or principles, we would expect:

1. the voice of the child to be present from the very start and to be heard throughout – included in strategy and throughout implementation of any processes; and
2. leadership from the Aboriginal community to be a core element when considering local adoption of Aboriginal children and young people; and

3. application and approval processes for foster and kinship carers to set out clear requirements and provide timely responses and decisions.

The following pages contain supporting information:

- the views voiced by a current foster carer in response to this invitation who would like to seek adoption, supported by the children's biological mother; and
- an extract of responses relating to adoption from our 2017 Foster & Kinship Carer Survey (gathered July 2017); and
- Attachment A – Full responses to Question 40: 'Would you consider pursuing adoption?'

We would be pleased to discuss any aspect of our submission or respond to further enquiries.

Yours faithfully



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Chief Executive Officer
Connecting Foster & Kinship Carers – SA Inc

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"We are now the legal guardians of two former gom 18 kids who have been in our care since about 6 months old (now teenagers) and we are thinking of adopting. In fact, the only surviving birth parent of one of the kids has requested we adopt her whilst she would be alive to see it. The obvious question is whether we would lose the government financial support if we adopt. Do you know the answer to that?"

"In relation to the inquiry that the government is running into local adoption, clearly this [financial support] is one of the issues that would prevent people like us, who have OPG [Other Person Guardianship], going the next step to adopt. With one of our children, the judge (interesting how different judges interact with the children and guardians – one judge was great, the other much less so!) actually encouraged us to go the next step and adopt. I was quite taken aback by that comment. It wasn't on my agenda at the time.

I work 3 days a week and my wife doesn't work at all in order to provide care for these children with disabilities. It would be no surprise that we rely on the DCP [Department for Child Protection] payments which, for the two children combined, exceeds my salary to care for them. Theoretically under OPG, DCP should still be contacting us once a year to ensure that our level of payments are still justified. I contacted Salisbury office recently and they told me that no longer happens. So there is no interaction with DCP and therefore no incentive from the government to promote Adoption over OPG. However, once that OPG order expires, it does make some difference to the child (now adult) in terms of their identity and where they belong and adoption is a way of ensuring that they know where they stand in that. Both of our children in our care have had one parent die and one of the child's remaining parent is at risk of dying in the not too distant future. I believe for guardianship children - GOM or OPG - having a clear pathway to adoption would be beneficial for their longer term identity and security. We aren't going to turf them out once they turn 18 and the actual day to day life support will speak louder than a court order but the two combined are important. As things now stand, the incentive is to leave the adoption process to be just before they turn 18. For some children, this may better be done earlier and if the system could allow the government to continue to financially support the family in this regard so that turning 18 doesn't become a time of uncertainty would be a way for more people like us to pursue adoption."

(Current foster carer, South Australia)

Survey Responses

The following comments have been extracted from our 2017 Foster & Kinship Carer Survey distributed to foster and kinship carers across South Australia during July 2017. (Questions are also noted below to provide context.)

Q21 Would you recommend to a close friend or family member that they become a Carer?

No. Lack of commitment to adoption (a) with financial support and (b) (most importantly) with adoptive parents having the right to determine which (if any) birth family access is appropriate (because basically you cannot help children to heal and make a lasting impact with the involvement of people who are so destructive; social workers have no idea how damaging most birth family access is)

Q23 How do you feel foster and kinship care is viewed by the general public?

Both positive and negative as people don't understand what fostering is. They assume it is adoption.

Q32 What supports do you access which help you with your caring role and responsibilities?

We have a good relationship with the children's maternal family and they are very encouraging and supportive of us. The maternal family would like us to adopt the children, but there's no way that something as seemingly common sense such as birth family permission to adopt, would actually allow an adoption to take place. This would mean a loss of power for DCP and for the children to have a normal life not littered with social workers. A very sad situation when the "the best interests of the child" are said to be paramount, but the reality is the complete opposite.

Q33 What gives you confidence?

Not much really. I would like to think that at some point DCP will get it right and allow some Gom18 children to be placed for adoption and be free from system abuse. I have no confidence that anyone will truly see it from the children's perspective. Children want to belong and it is their right to have loving parents who will support and guide them and be there for them. It's the child's right to choose to go by their carers sir name as a sense of belonging. Or is it? Not where DCP is concerned. It is all about keeping kids in the system, removing all control from carers, and raising insecure children who feel like no one really cares for them.

Q34 What is most important to you?

My daughter's wellbeing. [Foster care agency] and CPA [DCP] leave us alone to be a parent. If I need help I ask for it. They should be focussing on the children that need it most particularly those that are in a neglected or abusive family. This is where their energy should be focussed. My daughter often asks me to adopt her. We should rally for adoption. The system appears to want to keep the children as foster kids. We need to be respected. I get annoyed at listening to the ads to recruit more carers - I haven't had a call in 7 years. I am here and willing !!

Q35 What is your motivation for continuing to provide foster and/or kinship care?

We have to as adoption is limited in SA. If things were different we would adopt the children and that would conclude our fostering.

Q39 Would you consider pursuing Other Person Guardianship (OPG)?

To me it looks like the department benefits more than the children and families. Adoption would be a more welcome option

Q40 Would you consider pursuing adoption?

(See Attachment A)

Q48 What is most challenging to you as a Carer?

Dealing with DCP and their unwillingness to see our children given the security of opg or adoption. It's not a priority. Our senior social worker even said "opg is only for children who's parents have died." We know this isn't true and it's an insult to our intelligence. But things will never run well in this evil machine known as child protection, until power is removed from those people in charge of remote area offices! Country offices are breeding grounds for misconduct and senior workers with a God complex. Please someone make these workers accountable and stop giving them the power to say things such as "opg is only for children who's parents have died."

Q49 What isn't working well for you and your family?

The inability to get opg/adoption of our children who can never return to birth family and whom we have had for 5 years without any significant support from DCP.

Q50 What supports would you like to be able to access to help you with your caring role and responsibilities, that are not currently available or accessible?

Adoption

OPG/ adoption information

would love to be able to apply for OPG or adoption without the red tape. Currently all our information would be given to paternal parents and they have the opportunity to challenge. In our case this raises a big safety issue. This system needs to change as courts have already ruled GOM18 so why the red tape

Q51 Is there anything that would help you to feel more confident?

OPG/ adoption

Adoption

Q59 Training & Information – what topics are you interested to know more about in the next 12 months?

OPG and adoption: 83 respondents (55% of 151 responses)