



An open letter in response to the 'Breaking Barriers' report released by the Australian government's Standing Committee on Social Policy and Legal Affairs on 27 November 2018.

GPA/GPV wishes to raise concerns about the findings of the Standing Committee on Social Policy and Legal Affairs report, *Breaking Barriers: A national adoption framework for Australian children*.

Children in out-of-home care (OOHC) should not be seen as a pool of potential adoptees for childless adults. It might be in the best interests of governments and child protection authorities to get these vulnerable children off their books and into homes, but it is not in the best interests of the children for permanency to be rushed without first exploring all the options for their remaining with their parents or extended family.

GPA/GPV would prefer to see resources spent on early intervention programs and support for families, rather than letting situations deteriorate to the point where permanently removing a child from their family becomes the only option.

GPA/GPV agrees with the concerns raised by the Labor members of the committee, that if the adoption policies advocated in the Breaking Barriers report are enacted into law, this will discourage families from reaching out for early intervention services because of fears that children will be permanently removed from the family.

GPA/GPV agrees that it would be beneficial to have more consistency across jurisdictions when it comes to child protection legislation, but strongly opposes the suggestion that the current NSW legislation should be the benchmark for best practice. GPA/GPV has previously raised concerns about adoption practices in NSW, and is also concerned and angered by recent news of the NSW parliament's rush to pass laws regarding dispensing with parental consent to adoptions. We were further shocked by news this week that the ACT intends to pass similar laws in the near future.

GPA/GPV has long advocated the benefits of kinship care, and believes that kinship care is the best option for children who cannot remain with their parents. Several of the justifications given in the Breaking Barriers report for pushing the adoption agenda do not apply to kinship care situations. These are:

- The evidence quoted in the Breaking Barriers report citing the unsettled nature of OOHC and the number of placements children experience before finding permanency does not reflect the experience of children and young people in kinship care. Evidence shows that children placed with members of their extended family are far less likely to experience these upheavals, and are less likely to experience the negative long-term outcomes cited in the report.
- 'Adopt Change submitted that adoption, as a permanency planning option, "brings legal security and stability" that other permanency options cannot provide.'¹ This is factually untrue. There are a range of permanent care options in Victoria that provide stability to children but do not have the effect of permanently changing their legal standing with regards to their birth family.
- Throughout the report, reference is made to the fact that a permanent care order ends when the child turns 18, leading to a change in the child's legal status within the family. While transitioning into adulthood does cause a reduction in the financial support available to them, children in

¹ SPLA 'Breaking Barriers' report, paragraph 3.26

kinship care rarely lose the ongoing emotional support and family relationships provided by their carers in the way that children in foster care or residential care can.

GPA/GPV believes that children need to have ongoing contact with their biological family, and holds serious concerns that the government's plan of pushing for 'open adoptions' does not meet this need. As long as ongoing monitoring ceases at 12 months after an adoption is finalised, there is little motivation for adoptive families to continue to adhere to agreements regarding contact with the birth family from this point on. Further, while there is a wealth of research pointing to the long-term negative effects on all parties concerned when dealing with the mistakes of past adoption practices, there is limited research available on the impacts of open adoption. It is not in the best interests of children to use them as guinea pigs in an experiment to see whether we have learned from the past or not.

GPA/GPV supports, in principle, the committee's recommendations regarding increased data collection about the circumstances of children in OOHC. GPA/GPV also welcomes any moves to improve data collection strategies which will lead to better understanding of the experience of OOHC for young people, and better outcomes for young people transitioning out of care.

Yours sincerely



Anne L McLeish OAM
Director



Helen Brown
Chairperson