



Adoption Services

Intercountry Adoption – 5 Stage Process

This document describes the application process for Intercountry adoption in South Australia in a 5-Stage process

The process is administered by the Department for Child Protection through Adoption Services.

Each page describes a stage of the process and shows what needs to be completed before moving on to the next stage.

The five stages are as follows:

1. Eligibility
2. Orientation / Application / Assessment
3. Applying to Overseas Country
4. Matching and Placement of Child
5. A child in your family

Fees payable to the Department are paid in advance for each stage and are not refundable. There will be other fees not noted here, which will depend on the country to which your application is made.

This document provides a brief overview of the process, which is complex and administratively detailed.

The time it takes for this process to move from stage 1 to stage 5 can vary greatly. You are under no obligation to proceed with your application at any stage and you are welcome to discuss your particular circumstances with an Adoption Services worker at any time.

Adoption Services

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IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT:

Adoption Services: 1800 512 355

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The Five Stage Process:

Stage 1 – Eligibility

This stage involves you expressing your interest in adopting a child from overseas and providing information about yourselves. This is so that any potential difficulties can be identified as soon as possible. At this stage Adoption Services will make a decision about your eligibility to adopt a child under the SA Adoption Act 1988 and will determine which overseas countries (if any) you would be eligible to adopt from.

Information session – These are free and are held regularly and must be attended prior to progressing to other parts of Stage One. People who have not adopted before must attend this Information Session. At this Information Session you will be given a package of information in order to complete your 'Expression of Interest'.

Expression of Interest

(It is essential that all forms are completed accurately and completely otherwise they will be returned)

- Signed and completed *Expression of Interest* lodged with Adoption Services (accompanied by fee & supporting documents as outlined in EOI form)
- Signed and completed *Statement of Understanding*
- Evidence of a Child-related Employment Screening for each of you **OR** Adoption Services will submit an application to the Department of Human Services on your behalf when we receive your Expression of Interest documents
- Signed and completed *Health Statement*
- Signed and completed by Medical Practitioner *Medical Report on Prospective Adoptive Parent* form
- Signed and completed *Consent to Release Information* form

ADOPTION SERVICES will check for and follow up Departmental records in relation to you

Interview

Once all the above documents and forms have been received and **we have the result of your police check from the Screening unit**, an interview will be arranged with an Adoption Services social worker to determine country eligibility, registration and suitability criteria. This is compulsory for both First and Second Applicants. For Second Applicants this interview will replace compulsory attendance at the Stage 2 Education Program.

All of the above must be completed, whether or not you have adopted before. All of this information is thoroughly reviewed and any potential difficulties will be discussed with you prior to Stage 2.

STAGE 1 FEES:

- Refer to the DCP website for fee schedules:
www.childprotection.sa.gov.au/adoption/adopting-an-overseas-child
- **ADOPTION SERVICES FEES ARE PAYABLE AT THE START OF EACH STAGE AND ARE NOT REFUNDABLE**

Once your Expression of Interest has been accepted, and you are determined as eligible to adopt in South Australia, you can progress to Stage 2.

The Five Stage Process:

Stage 2 – Orientation / Application / Assessment

The purpose of this stage is two-fold. It is

- For you to learn in depth about Intercountry adoption, and to explore the personal and the wider implications for you, your family, the children and birth families involved and consider them carefully.*
- To assess your suitability to adopt a child according to the requirements of the South Australian Legislation.*

Education forums

People who have not adopted before are required to participate in an education program. The program delivers a National Standardised curriculum and is run twice a year depending on need. The sessions are run over four full days on Fridays and Saturdays, or three evenings and two Saturdays if numbers are low.

The Application

- Providing all of the requirements are met, and you have attended the required education program, you will be formally invited to make an application to adopt. This is a statutory requirement. You will be provided with the required forms and documentation.
- After we have received your formal application, and received written comments from your referees, you will proceed to assessment

The Family Assessment

1. An Assessor will interview you both at home (together and separately) as well as interviewing any children of either or both of you, whether or not they live with you, and anyone else who lives in your home with you.
2. The assessing worker then prepares a written Family Assessment Report. The report is forwarded to you for confirmation that the facts contained in the report are correct.
3. Many overseas countries also require that you participate in a full Psychological Assessment. This is undertaken by a private psychologist appointed by the Department. It is an additional cost that must be met by applicants. Registration as Prospective Adoptive Parents can only be considered once a successful psychological assessment has been received by the Department, if this is a requirement of the country you seek to apply to.

Registration as prospective Adoptive Parents

The report, and all other information in your file, is considered by the Supervisor, Adoption Services. Other expert advice or consultation may also occur at this point. The Supervisor, Adoption Services makes a decision as to whether or not you are formally approved and registered as prospective adoptive parents.

- If you are considered suitable to be registered as prospective adoptive parents, you are advised of the decision by letter. Registration is valid for three years.
- If you are not considered to be suitable to be registered as prospective adoptive parents, or there are other problems with your application, you will be advised of this and your rights to appeal will be explained to you.

Allocated ADOPTION SERVICES Program social worker

- Once you have been approved to adopt, you will receive notice in writing and you will be allocated an Adoption Services Program Coordinator social worker who will be your contact point at Adoption Services and will assist you through the process.

STAGE 2 FEES:

Refer to the DCP website for fee schedules:

www.childprotection.sa.gov.au/adoption/adopting-an-overseas-child

If you are registered as prospective adoptive parents you will move on to Stage 3.

The Five Stage Process:

Stage 3 – Applying to Overseas Country

This stage involves preparing and sending your dossier to the chosen overseas country. Once your dossier has been sent to the overseas country, this may be the most challenging time as it is not possible to estimate how long it may take because decisions about your application are being made by the overseas authorities.

Some countries operate file management systems or quotas and, if your chosen country has such a system, it may not be possible for your application to be sent until the country calls for more applications. Some applicants may have to wait for a considerable time before an application can be prepared and sent to the overseas country.

Preparing your dossier to send overseas

- You will be provided with a document list in order to prepare your dossier which will be sent to the overseas country
- While you may have provided some of the documents in the list previously to Adoption Services to establish your eligibility under the SA adoption law, the documents required for the overseas country must be **original or copies recently certified by a Justice of the Peace**.
 - Examples of documents that may be required are the Family Assessment Report, Birth Certificates, evidence of Marriage or Qualifying relationship, Citizenship Certificates, and Police Checks.
- Once you have completed your dossier we will arrange for notarising and authentication if necessary and send it overseas.

After your file is sent:

In South Australia

- You are strongly encouraged to participate in education and information forums about adoption, parenting in general or about the country from which you plan to adopt.
- At this stage it can be useful to make contact with families who have adopted before if you haven't already. Adoption Services can assist you with this either with information about parent groups, or by putting you in touch with other families. This is known as the Host Family Scheme.
- During this time your three year registration as prospective Adoptive Parents may expire and, if so, it is necessary to supply additional police checks and medical clearances. At re-registration there is a re-assessment of your circumstances and the overseas country is advised of any changes. There is no additional fee for this.
- Emotional support can be provided to applicants for Intercountry adoption at no cost through Lifeworks: InterCountry Adoption Support: <https://lifeworks.com.au/services/icasupport/>

Overseas

- The overseas adoption authority considers and evaluates your application according to their criteria along with others it has received and conducts its own processes.
- Adoption Services maintains regular contact with overseas authorities to ensure all requirements relating to your application are met.
- Nothing can happen at this stage until the overseas authority has made a decision that a child should be adopted to a foreign country.

ADOPTION SERVICES cannot influence the process conducted by the overseas authority whose decision regarding placing their child/children for adoption overseas must be respected. Waiting times to receive a child proposal can vary from a few months to a few years

STAGE 3 FEES:

Refer to the DCP website for fee schedules:

www.childprotection.sa.gov.au/adoption/adopting-an-overseas-child

Other expenses will include:

- Notary public fee
- Dept of Foreign Affairs and Trade fee
- Consular fee
- Adoption fees in overseas country

The Five Stage Process:

Stage 4 – Matching and Placement of Child

At this stage a child may be matched and allocated to you. Once the allocation of the child has been approved and accepted, the child is still a child of his or her country and there are still factors which may prevent the child from being placed with you (eg. medical issues, a relative may claim the child). It can therefore be an anxious time for you. There are many arrangements to be made, and requirements to be met, before the child can be placed with you.

Matching and Allocation

Once the overseas adoption authority considers that you are the best family for a particular child or children, a match may occur.

This involves:

- The overseas adoption authority forwards details of the child to Adoption Services.
- The delegated departmental officer considers the child's profile and his or her needs, checks your eligibility according to SA Adoption (General) Regulations 2018 and the suitability of the match against the Family Assessment Report and other file documents and makes a decision regarding formal allocation.
- You will be contacted by your social worker to confirm your current circumstances and to discuss the proposed allocation, including any particular or special needs the child may have.
- You will be given time to consider the proposed child, seek any further information you may need and make a considered decision about accepting the allocation or not. You will then meet with the social worker again to discuss any issues before accepting the allocation formally.
- If the allocation of the child has been approved and accepted by you, Adoption Services will advise the overseas adoption authority.
- South Australian legislation does not allow the child's name to be changed unless there are compelling reasons.

Arranging Placement

Overseas

Processes in the overseas country vary enormously from Country to Country. The Adoption may be finalised overseas, or some time later in Australia.

- Legal and administrative processes in the child's country need to be finalised.
- The child must be medically examined and cleared for immigration to Australia prior to the issue of a Visa and passport for the child.
- The child is prepared for meeting you and coming to Australia.

In South Australia

- You complete documents required by the Department of Homes Affairs (DHA).
- Adoption Services liaises with the overseas country and with DHA to receive updates of other processes required, e.g. allocation documents, medicals, visa status, Court dates etc.
- You prepare yourselves to be able to meet the child's needs for his or her transition into your family.
- You complete all pre-departure requirements, including formal confirmation of your family circumstances.

Overseas and in South Australia

- Once notification is received from the overseas country that all processes have been completed to release the child to Australia, you will be advised of this.
- Adoption Services will assist you with information and appointments regarding your travel.
- Once processes are completed, you are both required to travel to the child's country to collect the child and complete any formal requirements in that country.
- Please advise Adoption Services when you arrive home.

STAGE 4 FEES:

Refer to the DCP website for fee schedules:

www.childprotection.sa.gov.au/adoption/adopting-an-overseas-child

Other fees will include: Overseas country fees, immigration fees, travel and accommodation costs and Court Fees (If applicable) or incidentals

The Five Stage Process:

Stage 5 – A Child in Your Family

Adoption Services is here to support you through this transition period and subsequent court proceedings, if applicable.

Additional support can be provided through Post Adoption Support Services (Relationships Australia) and International Social Services, after a child is placed.

Access to lifeworks Intercountry Adoption Support also continues to be available to parents.

When you arrive home

- The Department may be the legal guardian for the child, if the adoption was not finalised overseas.
- You will receive a package of information which will contain documents and letters that you will need to register the child for services in SA.
- Your departmental social worker will discuss your support needs, and make arrangements to complete the required progress reports for the former guardians of the child in the overseas country. A copy of each report will be forwarded to you.

Adoption Order (The following applies where the adoption order has not been finalised overseas)

Adoption Services will prepare the Chief Executive's Affidavit when the statutory progress reports have been completed. You will be provided with a copy of this. We will then advise you how to complete a Court application. You can then make a date with the Court for a hearing of your adoption application. You will be informed of the relevant Court fee at the time.

Citizenship - Evidence of the child's citizenship must be applied for through the Department of Home Affairs, and provided to the adoption authority in the child's country of origin.

After the adoption order is made, the child is legally your son or daughter. Where adoptions are finalised in the overseas country, the child enters Australia as legally your son or daughter, and an Australian Citizen. If the Adoption Order is granted in SA, the child becomes a Citizen by virtue of the Adoption Order.

If the child enters Australia as a Citizen, you can apply for birth registration as soon as you return home.

The following points are relevant for the future of you and your child:

Birth Certificate – After an adoption order has been made in the SA Youth Court, an SA Birth Registration is recorded at the Registry of Births, Deaths & Marriages.

Reporting to the overseas country - Many countries require ongoing reporting about the child's progress from the family until the child legally becomes an adult.

Overseas Country requirements eg. Thai registration, Korean citizenship termination etc. - Particular countries may have additional administrative steps to complete the adoption process in that country.

Certificate of Conformity for Hague Countries - If you have adopted from a Country which is a signatory to the Hague Convention, Adoption Services will issue a Certificate of Conformity to the overseas country. You will be provided with a copy of this.

Issues adoptive families may face – All families experience difficulties from time to time. For adoptive families and adopted people, there are different issues that may arise. Ongoing Support is available to families from the Services listed at the top of this page. Adoption Services can also assist with resource and referral information. There are also strong parent support networks that may be helpful.

Post Adoption issues re searching, making contact with country or birth family in the future- It is important for your child's and the family's well being to understand about the child's background, culture and country of origin. Many adopted people wish to reconnect with their birth family and country, as they grow older, and at times birth families may seek out the adopted person.

File storage/archiving/future access to file - Adoption files are archived permanently. Future access to documents obtained during the course of your adoption application is governed by the Freedom of Information Act and the Adoption Act, 1988. You, your child, and your child's birth parents and certain other eligible relatives and descendants, may apply for access to certain information from the adoption file.