

Senate Community Affairs Reference Committee
ANSWERS TO QUESTIONS ON NOTICE
FAMILIES, HOUSING, COMMUNITY SERVICES AND
INDIGENOUS AFFAIRS PORTFOLIO

Commonwealth Contribution to Former Forced Adoption Policies and Practices Inquiry

Departmental appearance before public hearing on 22 September 2011

Topic: National Research Study on the Service Response to Past Adoption Practices – Stakeholder Advisory Group.

Hansard Page: 2-8

How were the stakeholders identified and then called upon to be in this exceptionally large stakeholder group?

How did you identify and who did you identify who would be welcomed into the process?

I am keen to know who determined who these stakeholders were. I'm not clear, from what I have read, exactly how the stakeholder group operates.

The Stakeholder Advisory includes individuals and organisations identified by FaHCSIA and the Australian Institute of Family Studies (AIFS) through the literature review, *Impact of past adoption practices: summary of issues from Australian research (AIFS 2010)*, and others who self-identified as interested parties to the dedicated past adoption practices mailbox maintained by FaHCSIA.

The Technical Advisory Group, established by AIFS, comprises representatives from research academics, service agencies and government organisations and has an advisory role in the design, development and reporting of the National Research Study on the Service Response to Past Adoption Practices. The Technical Advisory Group also provided advice on membership of the Stakeholder Advisory Group.

Is there a process to enlarge that if more people come forward?

No. Requests were received from individuals and other organisations wanting to become members of the Stakeholder Advisory Group. The Group was not expanded to include these individuals and organisations in the interest of facilitating a useful discussion with a manageable number of participants. The individuals and organisations were offered the opportunity to submit a written contribution.

I'm also interested in the two-part phone hook-up... and how many were on each.

What sort of numbers are we talking about overall in the stakeholder [advisory] group?

Thirty-four (34) parties were invited to participate in the teleconference and sixteen (16) accepted. Two separate teleconferences (3 May and 12 May 2011) were scheduled with eight participants in each.

Are we ever going to have a meeting of them all together?

When do you intend having another meeting of the stakeholder group?

There have been no further meetings with the Stakeholder Advisory Group, however, both AIFS and FaHCSIA have maintained communication with a number of these stakeholders.

There are no planned future meetings of the Stakeholder Advisory Group, however FaHCSIA or AIFS will reconvene the Stakeholder Advisory Group if necessary.

Has the department or the stakeholder group had any complaint from any individual or organisation that the process is not effective, that they are not happy with what is happening?

Some stakeholders raised concerns about the separate teleconferences and the representation in the teleconferences. FaHCSIA and AIFS provided stakeholders with the opportunity to submit written feedback. Specific issues in relation to survey wording and content were handled by AIFS, as outlined in the evidence Dr Daryl Higgins, AIFS Deputy Director (Research), provided before the Committee on 28 September 2011.

One of the things that has come up in our inquiry is the extreme sense of distrust that the women who have gone through this experience have for people who are adoptive parents. Has that been taken into account in putting this together? Has that been considered in the stakeholder groups, the approaches taken and engagement with the people involved?

The purpose of establishing this group was to ensure sensitivities in relation to individuals subjected to unauthorised separation, which then resulted in adoption (often referred to as forced adoption), were considered in the development and communication of the research. Accordingly, adoptive parents were not part of the teleconferences and have not been directly consulted prior to the launch of the survey.

Did they [the stakeholder advisory group] get to look at a draft of the questions? Because you are providing the secretariat support [for the stakeholder advisory group] you will know whether they have been consulted over the content, the actual wording of the survey? If so could you tell me when?

The Stakeholder Advisory Group did not see the survey questions before they were uploaded on the AIFS website. Dr Higgins provided an explanation of this at his 28 September 2011 appearance before the Committee (page 13 of Hansard).

The stakeholder group was, however, asked by AIFS for advice about specific issues to do with wording (see above reference to Dr Higgins appearance).

Will they [the stakeholder advisory group] get to talk to and look at the survey results as part of the process?

As stated by Dr Higgins (28 September 2011, page 15), the Stakeholder Advisory Group will not be provided with results of the survey before the report is released.

Correction:

Following the teleconferences with the Stakeholder Advisory Group, minutes of the discussions were circulated to participants. These minutes are not available online as was indicated at the public hearing.

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Topic: National Research Study on the Service Response to Past Adoption Practices – survey and report

Hansard Page: 5 - 8

Is there any way, from the FaHCSIA point of view and the stakeholder point of view, to know how many people are involved and then withdraw? [referred to AIFS]

This is a matter for AIFS who are managing the survey.

Why would they [mothers] think that a survey that is looking at adoption across the board responds to their particular needs, which are quite specific?

A specific statement has been added to the AIFS web page stating that the study ‘includes people subjected to unauthorized separation from their child, which then resulted in adoption (often referred to as forced adoption),’ in order to help clarify that these individuals are specifically included in the survey.

Could you tell me the completion date for the survey?

It is anticipated that the survey will be available online until late January / early February 2012. This timing will depend on the use of the survey at this time.

What is the timeline for releasing the report publicly?

The report is due to finalised in June 2012. The report will then be taken to the Standing Council for Community, Housing and Disability Services (SCCHDS) for consideration.

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Topic: Model Adoption Legislation

Hansard Page: 8 – 9

Has anybody brought up this issue [model adoption legislation] with FaHCSIA? It seems to me that we received a pretty significant piece of evidence, and I think we all thought that, that indicated for the first time for that there had been some Commonwealth knowledge, and, in fact, involvement with setting up model adoption practices for states and territories. Has anybody ever reflected that to the department? Has that [model legislation] been raised with FaHCSIA or any of your predecessors?

FaHCSIA is not aware of any recorded communication with the Department about the model adoption legislation.

Would AGs have developed those model guidelines in isolation or would FaHCSIA or its predecessor have been involved as well?

FaHCSIA is not aware of any involvement by its predecessors in the development of the model adoption legislation.

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Topic: National Adoption Principles

Hansard Page: 3

Senator Moore asked:

Can we get [FaHCSIA's role in the new adoption guidelines] clarified?

The National Principles for Adoption are being reviewed by the Enhancing Adoption as a Service for Children Working Group, a Community and Disability Services Ministers' Advisory Council working group chaired by officials from the Victorian Department of Human Services. Officials from FaHCSIA and the Attorney-General's Department are members of the Working Group.

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Topic: Births, Deaths and Marriages

Hansard Page: 3

Consistently we have had questions about the difference in things such as births, deaths, marriages and registrations state to state. Does FaHCSIA have any role in looking at those issues?

No.

Generally, births, deaths, marriages and registrations are the responsibility of state and territory governments. At the federal level, the Attorney-general's Department has responsibility for the Marriage Act.

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Topic: 1998 New South Wales Inquiry

Hansard Page: 4

Does the department have any record of [the work of the 1998 NSW Inquiry into Adoption Practices] being brought forward to the national level at that time?

No.

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Topic: State and territory services audit

Hansard Page: 4

If the various ministers for community services with their various titles get together and are the owners of this process, why has there not been an audit of what is available in each of the states? At no stage was that something that came onto the agenda?

A national audit of services is not part of the scope of the current National Research Study on the Service Response to Past Adoption Practices as agreed by Community and Disability Services Ministers.