<u>**Submission to 'Issues Paper on Establishing an Institute of Open Adoption'**</u>
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ISSUE 1:

<u>Parameters:</u>
(i) I believe that it *is* appropriate for the Institute to be narrowly focused on supporting open adoption rather than attempting to have broader reach/impact/focus. This is because of the limited funding, the precise nature of the NSW Govt's directive in establishing the Institute, and also the danger that attempting to achieve too much will lead to diluted impact. A focused Institute to complement existing Institutes (eg AIFS) will enable more effective influence, impact and service delivery in the domain in which it is most needed.

(ii) I am less persuaded about the presumption expressed in the Issues paper, in relation to treatment of ATSI children/families as entirely distinct and outside of the realms of the Institute's practice and research. While I agree that the histories are very distinct and distinctive, I am not sure that a full separation/segregation of ATSI and non-ATSI adoption, is desirable or wise. I believe that practice and research in relation to one of those arenas/domains of adoption can and should inform practice and research in relation to the other (as we can see it already does, in motivating the proposal that ATSI adoption be treated as entirely separate). I believe that the Institute would be wrong to preclude from its ambit all matters of adoption in relation to ATSI peoples, and I believe that both its research and its practice will be greatly enriched by incorporating a stance of inclusiveness and some scope for comparative work, in its own charter. I believe that because of its distinct (though not unique) history in relation to removal of children, as well as its history of adoption practice, Australian research and practice that is inclusive of the comparative insights and historical lessons can be truly world-leading research and practice.

<u>Structure:</u>
In broad terms I believe the best structure for the proposed Institute is as a *boundary organization*, independent from Govt and any existing organization (NGO or private), that is committed to a two-way process of **research-led practice/policy *and* practice/policy-informed research**.

ISSUES 2 & 4:

<u>Objectives and core functions/activities:</u>
I believe these should be:
- **Research:** supporting high quality university-trained/based researchers to produce in-depth and focused research, both theoretical and empirical, in relation to open adoption best practice.

- **Advocacy:** for rigorous and transparent open adoption processes and post-adoption support, and for achieving proposed targets for increases in adoption placements.
- **Education:** Provision of quality educational materials for adoption professionals, the public, prospective adoptive families and to support post-adoption management.
- **Fee-for-service provision:** I believe this should be concentrated on:
  (i) **Post-adoption support provision**: to enable adoptive families to manage the structural and/or open adoption processes as they evolve and develop over the course of the child's post-adoption life.
  (ii) Provision of appropriately trained teams of persons to produce **expert reports** to relevant bodies in individual cases and/or as background information to individual cases. I perceive there to be a need to avoid excessive concentration of expertise in single individuals to reduce the likelihood of idiosyncratic reports that are unrepresentative of consensus/gold standard/evidence-based thinking in the field. Hence I think the best arrangement is for small collaborations in the production of expert reports, rather than single-individual authorship and responsibility.

I don't believe it would be appropriate or feasible for the Institute to be involved in *placement decision-making* in individual cases. The Institute should instead be focused on providing information and education for professional staff and families, before, during and after adoption placement.

ISSUES 8, 11 & 12:

Requirements of access to private/case information:
I believe that in order to be successful in its core objectives, and especially in relation to its research activities, the Institute must have access to ***de-identified information from relevant records***. I believe this will be of critical importance for Universities, because on the one hand, quality research will necessitate more than general information/summaries in relation to cases, but on the other hand, full access to raw, identifying information will be a security and legal concern/burden for Universities. The Institute should therefore not itself have full access to the raw information on individual cases, but such information (currently in hard copy) needs to be de-identified by appropriate persons outside of the Institute and provided to the Institute's researchers (perhaps initially on a by-request basis rather than in its entirely and held onsite at the Institute). I believe this is the most secure arrangement for maintaining privacy, data security and confidentiality and for satisfying legislative requirements. I therefore do not regard or support legislative change as essential for the functioning of the Institute. However, an intermediary de-identification process (as described above) needs to be requested by the Institute as preliminary to its capacity to deliver on its core objectives; it should, that is, be established as a pre-condition for the development of an Institute that can fulfill its agreed charter.

OTHER ISSUES:

Key elements of adoption that the Institute needs to address:
I believe *post-adoption support provision* needs to be central to both the research and service-provision of the Institute. In particular, research and practice needs to concentrate *inter alia* on the important distinction between *structurally* open adoption and *communicatively* open adoption, as there is a shortage of research in relation to the requirements of communicative openness, with most of the focus being on issues relating to structural openness. Securing structural openness is only one part of successful open adoption. Adoptees in particular need to be more actively supported within their adoptive families, than is prevailingly the case where the primary focus has been limited to ensuring basic information provision and clear terms in relation to access/contact arrangements. Adoptive parents need to be educated and supported in how to best manage communication and support within the family, post-adoption, for the adoptee who seeks contact with and/or communication about her/his biological heritage and family, including siblings and non-parent family members. It must be understood that structural openness in the form of *contact* is not necessarily/always in the best interests of the adoptee, but communicative openness within the adoptive family, is always of critical importance. While this has been established in the adoption literature, more research needs to be done to ascertain how best to support families and adoptees in managing processes of communicative openness.