



# The Future of Open Adoption in NSW

## Report from the Ministerial Open Adoption Forum







## Minister's foreword

When I talk to young people in Out Of Home Care, what they overwhelmingly share with me is their desire for stability, identity and belonging. As the individual with parental responsibility for those young people, I want to be able to provide that for them.

On Monday, October 26 2015, I welcomed more than 220 young people, adoptive and prospective adoptive parents, birth parents, adoption service providers and FACS staff to an Open Adoption Forum to reflect on what is working in adoption and what needs to be improved.

Premier Mike Baird joined me to hear people's experiences of adoption, past and present, and identify what adoption means, how it is practised and what we need to do to ensure young people have the best opportunity to find a stable and permanent home.

We heard that our system isn't working well enough to facilitate this. We need to change attitudes, create efficient systems and better support people through the adoption process and beyond.

It is time for all of us, from caseworkers to policy-makers to the wider community, to acknowledge open adoption as a viable option for children in care. It won't be the answer for all, but for many it could be in their best interests.

At the forum I reflected on my hopes for young people in care, specifically that "I want every child in Out Of Home Care to have the same opportunities as my own children."

This is our commitment to developing better outcomes and opportunities for children and young people in care. I thank all the young people, families and organisations who attended the forum and shared their experiences. When we listen to one another, solutions begin to emerge. Together, we are designing a better system for the future.

### **Brad Hazzard**

Minister for Family and Community Services  
Minister for Social Housing

## Executive summary

The Ministerial Open Adoption Forum was an opportunity for all stakeholders in Out Of Home Care to share their experiences of open adoption in NSW.

The forum focused on four core aspects of adoption: the experience of young people; learning from past adoption practice; understanding the importance of openness; and current barriers to adoption.

What we learnt was that it is not a lack of good intentions that is holding back open adoption in NSW; the voices at the forum shared a deep passion for children and young people. Now it's time to use this passion to change the way we work.

Early permanency planning and listening to our young people is key to this goal and our system needs to develop more structured, transparent and effective tools for open adoption. We must emphasise the importance of openness and facilitate this. It must reflect on the lessons from past practice and ensure those mistakes never happen again.



## Experience of young people

Young people at the forum spoke about the way Out Of Home Care impacts their lives, both in a practical and an emotional sense. They spoke about the difficulties in being registered for sports activities and travelling on flights when they have a different legal name to their carers. They talked about the stigma associated with being in “foster care”. But overwhelmingly young people spoke articulately about their need to feel safe and secure and to belong to a family.

There was a strong emphasis on the need for better communication and sharing of information between adoption workers and young people. Young people voiced their frustration at having to re-tell their story to different caseworkers if staff moved on. Young people wanted to be heard and have a voice in the adoption process. It is a significant chapter in their lives.



“Being adopted didn’t practically change anything for me because I was emotionally attached to my adoptive family...but looking back it meant I was safe, secure and part of a whole lot of crazies who are family.”



“I consented because I wanted to belong physically to somewhere I already belonged emotionally.”

“Being adopted doesn’t take away any history or take away the lingering impacts of your history.... But gives you a family to help deal and support you.”



## Learning from the past

Any adoption system we build today must incorporate lessons learned from the past. This will ensure adoption is considered more carefully, earlier and with greater priority than past practice. Adoption won't be the answer for all children but for many it offers a stable, loving and permanent home.

The forum audience heard from Lily Arthur, from Origins, on past adoption practice; Terry Chenery from the Aboriginal family reunion organisation, Link-Up; and Dr Trevor Jordan, president of post-adoption support group, Jigsaw. All three shared their experiences of past adoption practice and why they believe transparency and openness in adoption is imperative. A shared perspective on closed adoption was that it was “like missing chapter one from the story of your life”.

Solutions other than adoption will be required for some children and young people. This is particularly true for Aboriginal children where the passing down of culture is central to their development and identity. Regardless of what determination is made, it must be in the best interest of the child.

“My journey has been to understand the impact of adoption on my life. To understand the impact of basically a family keeping a secret for 24 years. And lying about my origins and not having any knowledge of where I came from and all the frustrations involved.” Dr Trevor Jordan



## Importance of openness

One of the most moving messages to come from the forum was the way in which openness in adoption can enrich the lives of young people, their birth families and their adoptive families.

Any adoption system must preserve a child's sense of who they are and where they come from. For many, maintaining a relationship or connection with their birth family is part of how they understand their identity.

Young people at the forum revealed a mature insight into the nuanced nature of these relationships, including the need for flexibility and support throughout the process for all involved. Some reflected on the fact that their birth families needed time to process what adoption would mean for them.

Birth parents provided a perspective on adoption that is often missed in the debate. They spoke about their desire to know that their children were "going to have an awesome life, and we can still be a part of that".

Adoptive parents and carers said an ongoing relationship with birth families can be enriching and rewarding, but support to facilitate this is needed.



"She says she adopted us as well as the kids." birth mum

"I've always had such a really good relationship with her. So she's always, like you know, we always have big get-togethers and she's as much a part of my family as my adoptive family are." adopted young person



## Current barriers to adoption

The number of children growing up in care is increasing and although many foster homes provide a loving environment, young people repeatedly voiced a preference for the stability and permanency adoption offers. The barriers to adoption are complex, so the forum sought views from prospective adoptive families, the courts and caseworkers about how best to address these.

Attendees heard support services for families engaged in open adoption are lacking; education and communication between agencies and clients is inconsistent; and staff require more training about adoption as a permanency option.

NSW Supreme Court Judge, Justice Paul Brereton and President of the Children's Court, Judge Peter Johnstone expressed the court's perspective, calling for more contextual research to support their work. Both emphasised permanency planning needs to be incorporated into Care Plans as early as possible to achieve stable and loving homes for children in care.

In the short term, we need resources to address bottlenecks in the system and improve outcomes. The forum also heard dedicated legal support around adoption would help ensure future cases don't bank-up.



“Paperwork was lost and timeframes ran out, so we had to do paperwork again. And as an adoptive parent going through it, it’s the biggest thing you’ve ever done. A lot of the workers don’t realise the emotion you’re going through.”  
adoptive mum

“The process of adoption took far longer than expected....I personally found this frustrating, because I just wanted to be ‘normal’.”  
young person



## Our next steps



“The policy ideas that come from here we’ll be giving absolute priority... One of the things that we want to do is make it simpler, easier and quicker, that’s what the guiding principles are.”  
Premier Mike Baird

### Building a research base

This forum was an opportunity to hear from all sides of the adoption story – birth parents, prospective adoptive parents, professionals, people affected by past adoption practices and most importantly, the young people themselves.

We heard that getting the adoption process right is more important for some families than setting timeframes. The system must be flexible to suit the individual needs of each child or young person and their circumstances.

With this report, and the commitment of the NSW Government to improving adoptions from Out Of Home Care in NSW, we are moving in the right direction to ensure a more efficient and effective system is put in place for all.

The Institute of Open Adoption Studies, announced by the Premier in 2015, is the next step in advancing the process. The institute will be launched in 2016 and will provide sound independent research on best practice in adoption. It will enable us to implement policy and practice that is truly in the best interests of children and young people.

### A streamlined and transparent system

The Department of Family and Community Services (FACS) has recently committed \$2 million towards enhancing resources and helping staff streamline the process for Out Of Home Care adoption applications.

Regional adoption caseworker numbers will also be increased by 25%; contracted adoption assessors by 30%; and legal staff numbers will be doubled.

Current Out Of Home Care adoption matters will be triaged to determine what cases can be prioritised. And additional NGO contracted placements will be funded to recognise the associated increase in their adoption numbers.

It is expected all these measures will move adoption cases through the system faster as they are designed to remove causes of delay.

FACS is auditing all current cases to either progress them in a more timely way, or find alternative permanency pathways such as guardianship which could be more appropriate for the children involved. While adoption is an appropriate strategy for some children and young people currently in Out Of Home Care, it may not be suitable for all.

We are redesigning adoption processes to streamline and improve continuity in the process. We are looking at a better IT system to manage the complex information related to adoptions. It's hoped this will ensure cases aren't delayed if caseworkers change.

Automating the process, where we can, will minimise the risk of documents being misplaced and allow families to see how their adoption is progressing. Setting new targets for timeframes will allow young people, adoptive parents and caseworkers to monitor progression.

Future case plans templates will ensure caseworkers give adoption and other permanency placements proper consideration before orders are sought from the Children's Court, noting that adoption orders are made in the Supreme Court. This is an important step in improving FACS' permanency assessment and planning capability.

## Ensuring children are front and centre

A Framework for Therapeutic Out Of Home Care in NSW is being developed to ensure children and young people, including those with a disability, receive the therapeutic support they need.

A research and practice forum for caseworkers both from FACS and NGOs was held in February, workshopping how best to help children into safe and permanent families through Open Adoption. National and international experts in adoption best practice gave presentations at the forum, which continues as a road show across NSW in 2016.

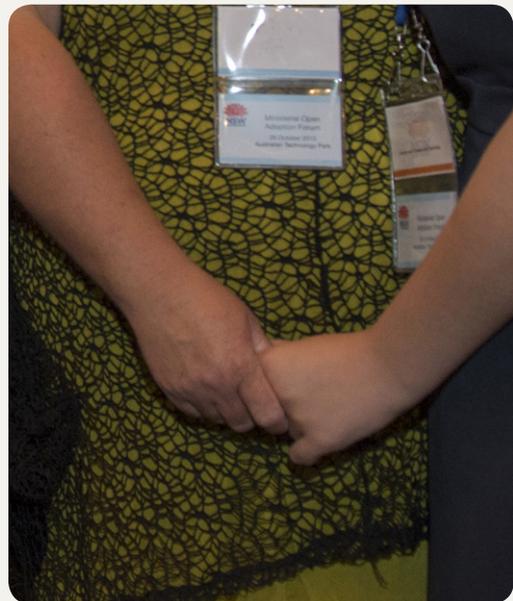
We are working with caseworkers and our partners to increase the number of Out Of Home Care places where the Case Plan goal is adoption. This will help to increase awareness of adoption with caseworkers, as well as addressing preconceptions that may affect how they approach adoption as a permanency option.





“I think it’s important that we need to hear from more young people at forums like this because they’re the ones that are gonna know... things we can change... the people who have actually been through it.”  
adopted young person

“We didn’t think that anything would really change once the adoption went through. But actually everything did change. Once the adoption happened, Shaye literally grew a foot taller. He actually grew a foot taller. He became confident, he made friendships, things became precious to him.”  
Shaye’s adoptive mum



“They’ve been the joy of our lives and just show that love is just so important, and I don’t mean a gushy sort of love, but love that seeks out the best for someone else. It can conquer all sorts of things.”  
adoptive mum

