

Minister for Community Services

Linda Burney MP



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Media Release
NSW passes new adoption laws

Couples planning to adopt children will face less red tape following new legislation that was passed in the NSW Parliament today, Minister for Community Services Linda Burney announced.

“The adoption process has been simplified for step-parents, relatives or those who wish to adopt a child from overseas,” Ms Burney said.

“The interests of the child are our priority. The changes to the *Adoption Act* will ensure their rights are protected.

“The changes will also ensure that foster carers who adopt a child who has been part of their family for at least two years will continue to receive the same financial assistance they received while fostering. This will remove any financial hurdle for families who may otherwise not be able to adopt.

“I am pleased to say that since I announced the proposed changes to the legislation in September, the Department of Community Services has seen a marked increase in the number of foster carers inquiring about the adoption process.”

“Research shows that living permanently within a secure family results in the best outcome for children in out-of-home care,” Ms Burney said.

“Community Services has a policy of ‘permanency planning’ for children who cannot live safely at home with their parents, especially children entering care aged 0-2 years.

“These children are assessed and if they cannot go home and there are no other family members who can care for them, adoption is considered as a permanent placement option.

“This legislation will make it easier for children to be adopted by their carers.

“The Act also simplifies the procedure for future adoptive parents, birth parents and adopted persons to access their records before the adopted person is 18. This will allow adopted people to know details of their origins from the time they are adopted.

“Changes to the Act ensure greater involvement of local Aboriginal communities and agencies in the adoption of Aboriginal children.”

These are some of the changes to the Act:

- Prospective adoptive parents are able to lodge the required reports for an adoption order directly to the Court rather than waiting for the Department of Community Services to do this, saving time and money
- The Supreme Court has the authority to request that Community Services prepares a report on any adoption case where there are possible child protection issues

- Eligibility criteria for adoption are being focused more on adoptive parenting capacity and being included in the Regulation for transparency
- Being involved in a fertility program will not prevent people from lodging an adoption application
- The time an applicant needs to have had a pre-existing relationship with the child prior to adoption has been reduced to two years
- The principles of the Act have been amended to reduce undue delay in adoption proceedings.

Media contact: Phyllis Sakinofsky 9228 4455 / 0406 164 034