



# South Australia Central Authority for Intercountry Adoption

**This document is a Support Guide to assist South Australians in raising a concern or allegation of illicit or illegal practices in Intercountry Adoption.**

This Support Guide does not cover expatriate adoptions. If you have concerns about an expatriate adoption (a private adoption by an Australian family residing overseas) you should raise these concerns with the Australian Central Authority (ACA) - the Commonwealth Department of Social Services; OR the authorities in the country of origin that facilitated the adoption and with law enforcement authorities where appropriate.

In Australia, the intercountry adoption application process is managed by government departments in each state and territory known as State and Territory Central Authorities (STCAs). In South Australia, the [Department for Child Protection](#) (DCP) is the Central Authority responsible for intercountry adoptions. In conjunction with the ACA, DCP is responsible for reviewing concerns brought forward about alleged illicit or illegal intercountry adoption practices. The purpose of the review is to:

- determine whether the concerns are credible, or if there are irregularities or information that require further action.
- identify possible pathways or referrals where further action is required.
- notify (*where appropriate*) relevant Australian and overseas agencies.

In Australia, overseas adoptions are only facilitated if the principles and standards of the [Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption](#) (Hague Convention) are met. The Hague Convention entered into force in Australia in December 1998. It is an international convention that provides safeguards and rules for the adoption of children between Contracting States. The Convention aims to protect children and their families from trafficking, illegal and ill-prepared adoptions.

Australia has a regulated intercountry adoption program through which STCAs work with [partner countries](#) to facilitate intercountry adoptions. Australia's partner countries include Hague Convention countries as well as bilateral arrangements with two non-Hague countries who have not ratified the Hague Convention, but uphold all Hague Convention standards.

The [Commonwealth-State Agreement for the Continued Operation of Australia's Intercountry Adoption Program](#) (CSA) establishes the arrangements and cooperation between the ACA and STCAs for the facilitation of intercountry adoption to Australia. Under clause 16 of the CSA, the ACA provides STCAs with regular reports confirming partner countries' compliance with the requirements of the Hague Convention.



Intercountry adoptions conducted prior to the Hague Convention were not subject to the same reciprocal scrutiny. However, in a continuing effort to acknowledge past illegal and illicit practices, intercountry adoptions facilitated by South Australian Government departments prior to the commencement of the Hague Convention are included in the scope of this Jurisdictional Support Guide.

DCP is committed to recording all reports of illicit or illegal practices, regardless of in which period the adoption occurred. However, the ability for DCP to investigate historical adoptions occurring prior to the Hague Convention entering into force in Australia may be impacted by numerous factors, including the existence of written records or how the adoption was arranged and by whom. DCP will determine on a case-by-case basis the level of investigation and support it can provide in such matters.

All intercountry adoptions must meet the principles and standards of the [Hague Convention](#) and the South Australian Government is committed to ensuring intercountry adoptions are facilitated through accredited programs who have been assessed and approved by the ACA.

## Notification of Concern

If you have reason to believe an intercountry adoption facilitated through an Australian STCA may have involved illicit or illegal practice, you should raise this in the first instance with the relevant STCA that may have been involved. The information set out below may help to determine who to notify and when.

### **Who should I notify if I believe that there was illicit or illegal practice in my, or my child's intercountry adoption?**

If you have concerns about a potentially illicit or illegal adoption practice, you can report this directly to Adoption Services at DCP. DCP acknowledges that the information may be distressing and aims to deal with such enquiries in a timely and sensitive manner. DCP may refer you to appropriate services for support while the department looks into your concerns.

In South Australia, the official point of contact for concerns about illicit or illegal adoption practice is the Supervisor, Adoption Services. You can contact DCP through a variety of communication methods including:

By email: [adoptions@sa.gov.au](mailto:adoptions@sa.gov.au)

By phone: 1800 512 355

In writing: Supervisor, Adoption Services  
Department for Child Protection  
GPO Box 1072  
Adelaide SA 5001

In person: Contact DCP by email, letter or phone to arrange an appointment.

If you choose to contact DCP via email, please include 'Attention Supervisor: Illicit Adoption/Trafficking' in your subject heading. DCP will respond to you as soon as possible or within three business days.



If your or your child's adoption was facilitated by another STCA, you should contact that STCA in the first instance. Information on how best to contact other STCAs can be found in the relevant State or Territory's Jurisdictional Support Guides for Responding to Allegations of Illicit or Illegal Practices in Intercountry Adoption (JSGs). All JSGs can be found under the [Protocol for Responding to Allegations of Illicit or Illegal Practices in Intercountry Adoptions](#) (the National Protocol) on the Department of Social Services (DSS) website.

### Can I notify South Australia anonymously?

Information relating to a suspected illicit or illegal intercountry adoption practice is important to share with DCP. You can do this without providing identifying and distinguishing information. Any credible allegations or concerns will be taken seriously. However, information provided anonymously may influence the ability of DCP to engage in a full review.

Information can be provided anonymously through the following channels:

- By phone: 1800 512 355
- In writing: Supervisor, Adoption Services  
Department for Child Protection  
GPO Box 1072  
Adelaide SA 5001

### How do I request access to adoption records held by South Australia?

DCP recognises the significance for intercountry adoptees to have information relating to their origins.

Access to adoption records is managed by the Freedom of Information (FOI) team in DCP. Once an adopted person is 18 years or over, an application for the provision of adoption information can be made to the FOI team (section 27 Adoption Act 1988). Applications can be made by the adoptive person, an adoptive parent or a birth parent. Additionally, where the adopted person is deceased or cannot be located, a lineal descendant of the adopted person (i.e. son, daughter, grandchildren) can apply.

To make an application, you must either complete the [Application for Provision of Adoption Information form](#) or make a request in writing stating that the request is made pursuant to the [Adoption Act 1988](#).

The application must provide the following information:

- the applicant's full name and date of birth
- proof of identity of the applicant (e.g. driver's licence, pension card, signed statement from financial institution)
- a postal or email address for the applicant (it is also helpful if a phone number is provided)
- details of the information that the applicant wants to obtain
- identify which party they are to the adoption or, if the person is not a party to an adoption, their relationship to the adopted person.



The DCP Procedure [‘Provision of adoption information and the exercise of the Chief Executive's discretion under section 27\(5\) of the Adoption Act’](#) provides further details on how to make a request for information, the application process, and the reasons DCP may withhold access to a document or certain information.

For more information, you can contact the FOI team:

- By email: [DCP.FOI@sa.gov.au](mailto:DCP.FOI@sa.gov.au)
- By phone: 8226 4399
- In writing: Freedom of Information Team  
Department for Child Protection  
GPO Box 1072  
Adelaide SA 5001

It is important to note that some information may not be held on file for children adopted through intercountry adoption for various reasons. For more information about this, please contact Adoption Services at DCP.

### **When should I notify South Australia about a potential illicit/illegal adoption?**

If you have concerns about the circumstances surrounding your own adoption, your child’s adoption or concerns surrounding illicit or illegal adoption practices, you should raise these concerns with DCP at the earliest possible time. Illicit or illegal practices can have extremely damaging consequences on the persons involved. It is important to note that the disclosure of a single illicit practice may uncover a pattern of illicit practices. Promptly informing DCP of any concerns enables DCP to conduct a review of the information provided, collaborate with the ACA, and undertake any necessary action to ensure the ongoing safety and well-being of children.

### **Who do I contact if I am not sure which state or territory facilitated, or is facilitating, the adoption?**

As a first step, please contact the STCA you believe is most likely to have facilitated (or is facilitating) the adoption. Information on how best to contact other STCAs can be found in the relevant state or territory’s JSG listed under [the National Protocol](#) on the DSS website.

*If you are not sure, contact the STCA in the jurisdiction that you live in.*

If you live in South Australia, you will need to complete an FOI request so DCP can review all its records and determine if the adoption was facilitated here (see above on page 2 for information on requesting access to adoption records). If no records are found, DCP will work with you to determine which other State or Territory may have been involved. With your consent, DCP will contact the other States and Territories on your behalf to locate the Central Authority that facilitated (or is facilitating) the adoption and direct you to the relevant person to investigate your claims.



### **Is there anyone else I should notify?**

DCP will inform the ACA of all allegations or concerns of illicit or illegal intercountry adoption practices. The initial notification to the ACA is de-identified and includes only basic information, such as the country involved and when the adoption took place.

If the allegation or concern is found to be credible following a review by DCP, DCP will inform the ACA and provide further information on the matter in accordance with its privacy obligations. The ACA may then request that the relevant overseas Central Authority make appropriate enquiries into the circumstances of the adoption. Following consultation with the ACA, other STCAs may also be informed of the allegations or concerns.

You may also choose to make your own enquiries or notify other officials, such as the police, in addition to or instead of any formal enquiries made by the ACA.

Please refer to the [National Protocol](#) for further information on the national approach to responding to concerns about illicit or illegal practices in intercountry adoption.

### **What information is required to review claims?**

DCP requires all known information relating to the adoption. At a minimum, you should provide the names of the parties to the adoption, the country of origin of the adopted person and your relationship to the adoption (i.e. if you are party to the adoption) as well as a description of why you believe the adoption may have involved illicit or illegal practices. Please note that information provided by a third party not directly involved in the adoption may limit the ability of DCP to engage in a full review.

Information such as irregularities in documents, consents or decisions are important to highlight. Corroborative information that is conflicting – for example, birth certificates not corresponding with hospital birth records, disclosures, comments or anecdotal information that allude to improper practices – should all be provided to DCP.

If the concerns of illicit or illegal practices are in relation to your own or your child's adoption, the types of documents that may be relevant for DCP to review include:

- adoption order
- adoption compliance certificate
- birth certificate / record of birth / verification of child's identity
- evidence of child being declared adoptable
- consent documents / evidence of consent
- exploration of alternatives to domestic and intercountry adoption
- court order / administrative decisions
- child study information
- health / medical information
- decisions of the overseas Central Authority on matching
- issuance of Certificate of Conformity.



DCP may be able to retrieve these documents from the adoption file, however, if there are additional documents or information that support your claim you should provide copies. This could include information from other sources, such as investigations or reports by the media on allegations of illicit adoption practices in the relevant country of origin.

### **Under what Privacy Laws or policies will the information I provide be used?**

Pursuant to section 36 of the [Adoption Act 1988](#), a person who is, or has been, engaged in duties related to the administration of the *Adoption Act 1988* must not disclose information obtained in the course of those duties relating to the adopted person, birth parents or adoptive parents. Exceptions include disclosing information in the administration of the Act, as authorised or required by law, or with the consent of the person to whom the information relates.

The *Adoption Act 1988* only allows for parties to an adoption or specific descendants to obtain information on an adoption once the adopted person turns 18 (section 27). Section 27A allows for the disclosure of information prior to an adopted person turning 18 in certain circumstances. Additionally, DCP will not disclose adoption information that the Chief Executive determines to be an unjustifiable intrusion on the privacy of the person to whom the information relates (section 27(5)). Furthermore, section 27(5) gives the CE discretion to refuse to provide information where (b) disclosure would give rise to a serious risk to the life or safety of a person or (c) in the case of a person adopted before 17 August 1989 where it would not be in the best interests of the adopted person.

Any information provided to DCP will be dealt with pursuant to the South Australian Cabinet Administrative Instruction ([Information Privacy Principles Instruction](#)). This policy regulates the way South Australian government agencies collect, use, store, disclose and provide access to and the correction of personal information. It is binding on the public sector and protects against information misuse. It requires DCP to take reasonable steps to ensure information is securely stored and not misused. It also prohibits DCP from disclosing personal information about a person to anyone except where specific conditions have been satisfied.

## **1. Notification of outcomes**

The information set out below describes how you will be notified of the outcomes of the concern raised.

### **How will I be notified of the outcome?**

DCP will maintain contact with you for the duration of the review. You will be allocated a contact person from the Adoption Services team who you can liaise with at any stage of the process. Your contact person will be responsible for updating you on progress and/or significant developments. Once the review is completed, your allocated contact person will notify you in writing of the actions taken and the outcome of the concerns raised.

If the concerns or allegations are found to be credible and the matter is referred to the ACA, your DCP contact person can liaise between yourself and the ACA (with your consent) and continue to update you on any progress and developments.



### **Will information be provided on how the outcome was reached?**

If the allegations or concerns raised are in relation to your or your child's adoption, DCP will share an explanation for the outcome reached.

If the allegations or concerns raised are regarding an adoption other than your own or your child's, DCP will be guided by privacy considerations to determine what information can be shared in relation to the outcome and course of action taken.

### **What are my options if I don't agree with the outcome?**

DCP acknowledges that you may not necessarily agree with the outcome of its review.

If you are not happy with the outcome, you should contact your allocated contact person in Adoption Services in the first instance as they may help to clarify and resolve any issues. If you remain dissatisfied, you should speak to the Supervisor of Adoption Services.

If your concerns are still not resolved, you can make a complaint to the [Complaints and Feedback Management Unit](#). More information can be found on DCP's website at <https://www.childprotection.sa.gov.au/department/contact-the-department/making-a-complaint>

You may also wish to pursue your own private enquiries. Where private enquiries are pursued, it is recommended that you contact DCP if new information becomes known and/or illicit or illegal practices are identified as there may be broader program implications.

## **2. Supports**

There are a range of services that an adoptee or adoptive family may wish to access. In doing so, DCP recognises that the needs of each adoptee and adoptive family will differ. In addition to the supports listed under the [National Protocol](#), South Australia also provides the following services:

### **Counselling, case management services or tracing**

- [Forced Adoption and Post Adoption Services](#)

Post Adoption Support Services (PASS) offers services which respond to the needs of those whose lives are affected by local or intercountry adoption. PASS can provide counselling, information and support, assistance with family search, and links to other supports and networks. They offer a range of support groups, and information and educational sessions on adoption-related topics. Their experienced staff are respectful of people's differing choices and opinions and acknowledge and value the diverse experiences of those affected by adoption. The service is run by Relationships Australia, South Australia and can be contacted via:

By phone: (08) 8223 4566

By email: [passinfo@rasa.org.au](mailto:passinfo@rasa.org.au)



Online inquiry: <https://www.rasa.org.au/support/services/forced-adoption-and-post-adoption-services/>

- **[Intercountry Adoptee and Family Support Service](#)**

ICAFSS is a free, nation-wide service run by Relationship Australia South Australia, providing intercountry adoption specific therapeutic support including counselling, information and education to intercountry adoptees of any age, their families and prospective adoptive parents. The service includes post adoption support for adoptees and families created by intercountry adoption including adoptions by expatriate Australians while living overseas.

ICAFSS delivers a range of community capacity building activities including:

- Individual and family counselling
- Case management
- Therapeutic groups
- Parenting support
- Education and training for professionals
- Peer support groups
- Resources to educate the community
- Small Grants and Bursaries - Funding for adoptee events, resources and support.

You can request support from ICAFSS by:

Phone: 1800 422 377

Email: [icafss@rasa.org.au](mailto:icafss@rasa.org.au)

Online inquiry: <https://icafss.org.au/>

### Peer support services

- **[Intercountry Adoptee Voices](#)** (ICAV)

ICAV is a voluntary run organisation led by intercountry adoptees around the world. They provide supportive forums for adoptees to express their views, encourage adoptee and adoptee-led groups to advocate for the rights of intercountry adoptees and their original families, raise awareness at different levels about the complexities of intercountry adoption and speak out about the negative effects of intercountry adoption.

ICAV can be contacted via: <https://intercountryadopteevoices.com/contact/>