



## Glossary of Terms and Abbreviations

---

*Aboriginal and Torres Strait Islander Child Placement Principle:* Aboriginal children and Torres Strait Islander children in the care of the Department of Families must be placed with culturally appropriate Aboriginal or Torres Strait Islander people as far as possible, or within an appropriate Aboriginal or Torres Strait Islander community. Indigenous communities must be consulted in making placement decisions.

*Adoption:* A legal process that permanently transfers the legal rights and responsibilities from a child's birth parent/s to the child's adoptive parents.

*Adoption applicant list:* A list kept by the Department of Families, as required by the *Adoption of Children Act 1964*, and which contains the names of people seeking to be assessed as prospective adoptive parents.

*Adoption consent:* Written permission of a person to the lawful adoption of a child (eg the child's birth-mother, birth-father, guardian and in some circumstances, the child concerned).

*'Adoption into marriage':* Where a child is adopted by a person married to the child's birth-parent.

*Adoption order:* An order made by the chief executive for the adoption of a child under the *Adoption of Children Act 1964* or the adoption of a child under a repealed Act.

*Adoptive family:* The family, including adoptive parents, a child who has been adopted by the adoptive parents, other children in the family and extended family members, created by the making of an adoption order.

*Adoptive parent:* A person who adopts a child, or two people who jointly adopt a child, in accordance with the *Adoption of Children Act 1964*.

*Adoptive placement:* The placement of a child/person within an adoptive family.

*Applicant list:* See "Adoption Applicant List" – see above.

*Assessment Register:* A database of the names of people who have been favourably assessed as prospective adoptive parents and which is kept as a register by the Department of Families, as required by the *Adoption of Children Act 1964*.

*Baby farming:* A commercial practice which occurred in the early 20<sup>th</sup> century whereby mothers who were unable to care for their babies paid a fee to persons running private establishments for the care of children. Children were often 'sold on' to 'adopters' or perished from neglect or mistreatment.

*Birth parent:* The biological parent of a child or a person who has been adopted.

*Carer:* A person who provides personal care for another.

*Certificate of Birth:* A document issued after the making of an adoption order. Following the making of an adoption order, the Chief Executive, Department of Families authorises the Registry of Births, Deaths and Marriages to issue an amended certificate of birth for the child that names the child's adoptive parents as his or her mother and father and establishes the adopted child's legal identity. The certificate of birth is almost indistinguishable from a non-adopted person's birth certificate.

*Chief Executive:* The most senior officer of the Department of Families – current title is 'Director-General'.

*Child Representative:* A solicitor whose represents the child in legal/court proceedings.

*Child Placement Principle:* See Aboriginal and Torres Strait Islander Child Placement Principle.

*Children Services Tribunal:* Tribunal established to review administrative decisions concerning services to children (eg decisions of the Department of Families regarding eligibility or suitability of people seeking to adopt a child).

*Commonwealth-State Agreement (the):* An agreement signed between the Commonwealth, State and Territory Governments regarding Australia's implementation of the *Hague Convention on the Protection of Children and Co-operation in Respect of Intercountry Adoption*.

*Consent:* See "Adoption consent".

*De facto relationship:* Where two parties reside together as if legally married.

*Department (the):* The Department of Families in Queensland.

*Discharge (of adoption orders):* A process whereby an adoption order is overturned.

*Dispensation of/dispensing with consent:* A determination that a child may be adopted without the consent of a specified person (eg a birth-father who cannot be located after reasonable efforts to do so) whose consent would otherwise be required under the provisions of the *Adoption of Children Act 1964*.

*Disruption (of adoption):* A situation where an adoptive placement is unsatisfactory or unsuccessful and the child does not remain in the care of the adoptive parents or prospective adoptive parents.

*Director-General:* see "chief executive".

*DNA testing:* Genetic testing to establish a biological relationship between two people (in this context a child and a parent).

*Eligibility (for prospective adoptive parents):* possession of relevant characteristics, as set out in the *Adoption of Children Regulation 1999* (eg age, marital status) which are required for a person to be assessed for suitability to adopt a child.

*Expression of interest process:* Process through which the general public is invited to express interest in adopting a child.

*Expression of Interest Register:* A database of the names of people who, in response to a call for expressions of interest, have expressed interest in adopting a child and which is kept as a register by the Department of Families, as required by legislation.

*Foreign Children's Adoption (program):* The adoption program administered by the Department of Families that facilitates the adoption of children from overseas by Queensland families.

*General Children's Adoption (program):* The adoption program administered by the Department of Families that facilitates the adoption of children residing in Queensland, other than relative children and children identified as having particular special needs.

*Guardian ad litem:* A qualified person (eg social worker) who acts as a friend of the court by representing the child's interests in legal proceedings and who may instruct the child's representative in such proceedings.



**Hague Convention (the):** The *Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption*. International convention ratified by Australia. Its chief objective is to ensure intercountry adoptions take place in the best interests of the child, with respect for the child's rights and to provide safeguards to prevent the abduction, the sale of, or traffic in children.

**Indigenous Child Placement Principle:** See "Aboriginal and Torres Strait Islander Child Placement Principle"

**Intercountry adoption:** The adoption of a child resident in one country by approved prospective adoptive parents residing in another country.

**Interim orders:** A legal temporary arrangement granting custody of a child to prospective adoptive parents, prior to the finalisation of an adoption order. Guardianship of the child is retained by the Chief Executive.

**Intestacy:** A situation where a person dies and leaves no will regarding the distribution of their property etc. Rules about how the property of an intestate person is distributed is set out in legislation.

**Kupai Omasker:** Traditional kinship care practice of Torres Strait Islander people regarding children being raised by parents/families other than biological parents/families, as if they were the biological parents/families.

**Objection to contact:** A provision of the *Adoption of Children Act 1964* which enables an adopted person, or a birth parent, affected by an adoption order made prior to June 1991 to object to contact being made with them by another party to the adoption.

**Objection to contact and the release of identifying information:** A provision of the *Adoption of Children Act 1964* which enables an adopted person, or a birth parent, affected by an adoption order made prior to June 1991 to object to contact being made with them by another party to the adoption: and enables them to object to identifying information about themselves being released to another party to the adoption.

**Objection to the release of identifying information:** See Objection to contact and the release of identifying information above.

**Open adoption:** Adoption practice in which the identities of the birth parent/s, adoptive families and other information concerning the adopted person are not kept secret. A loose term describing adoption arrangements that provide for some degree of 'openness' between parties to an adoption after an adoption has been made.

**Paramount principle:** The principle that is most important eg carries the most weight where there is a conflict.

**Prospective adoptive parent/s:** People who have been favourably assessed and approved as suitable to adopt a child in accordance with the provisions of the *Adoption of Children Act 1964* and the *Adoption of Children Regulation 1999*. Includes people who have a child from overseas placed with them subject to an interim order.

**Relative Children's Adoption (program):** The adoption program administered by the Department of Families that facilitates the adoption of children by a relative, usually a step-parent.

**Review (the):** The Adoption Legislation Review process, including community consultation for considering new adoption policy and legislation for Queensland.

*‘Special needs’*: Specific needs, such as those related to a medical condition or disability, Indigenous or other cultural background or social or family circumstances, that a child is identified as having and which require particular consideration when selecting prospective adoptive parents for the child.

*Special Needs Children’s Adoption (program)*: The adoption program administered by the Department of Families that facilitates the adoption of children identified as having specific needs.

*‘Step-parent adoption’*: See ‘Relative Children’s Adoption’

*Suitability (for prospective adoptive parents)*: An assessment of a couple’s characteristics, attributes and capacity undertaken in accordance with the *Adoption of Children Act 1964* and *Adoption of Children Regulation 1999* to determine whether:

- a couple are of good repute and fit and proper people to be approved as prospective adoptive parents for a child in Queensland or a child from overseas; or
- whether the welfare and interests of a child would be promoted by the making of an adoption order in favour of a couple or individual, where relevant, seeking to adopt a child with special needs or a child to whom they are related.

*Supervision period*: Under the provisions of the Hague Convention and in accordance with Adoption agreement with the People’s Republic of China adoption orders finalised in a country that has ratified or acceded to the Convention or adoption orders made in China can be recognised in Queensland. Although an order may be finalised in an overseas country, the Chief Executive is still required to exercise limited supervision over the child entering Australia for an interim period upon the child’s arrival in Queensland

*Terms of Reference*: The parameters, or range of areas related to adoption legislation and policy and the adoption of children, which are to be covered by the Adoption Legislation Review.

## ABBREVIATIONS

---

AICCA – Aboriginal and Islander Child Care Agency

DIMA – Department of Immigration and Multicultural Affairs (Commonwealth Government)

NSWLRC – New South Wales Law Reform Commission

PARC – Post-Adoption Resource Centre

UNCROC – United Nations Convention on the Rights of the Child 1989