

POST ADOPTION SUPPORT QUEENSLAND (PASQ)- The Benevolent Society

Submission to the commission of Inquiry into the Child Safety System

Post Adoption Support Queensland (PASQ) welcome the opportunity to contribute to the Commission of Inquiry in the Child Safety System. This submission seeks to speak to the Terms of Reference:

e. Reviewing Queensland legislation about the protection of children, including the Child Protection Act 1999 and Adoption Act 2009.

Our role in the Adoption Community

Since PASQ began 15 years ago we have supported people affected by adoption through counselling, searching, intermediary services, groups, workshops and our involvement in the wider adoption community.

The people we support are the heart of our work. In phone calls, emails and face to face meetings, we encounter people with a purpose to hold space for them. This means to be fully present with the person we are with. We understand adoption and its widespread impacts. We recognise the original wound of adoption is separation and we accompany each person in their journey, without judgment. In holding space for those we support, we are present no matter the complexity or the outcome.

We have and continue to advocate on behalf of those we support, with a view to seeing the needs and interests of those affected by adoption represented and supported in legislation and in society.

Our Recommendations

1. Simple adoption to be used, not plenary adoption.

Plenary adoption is a harmful concealment of a child's first family. Our work with clients has shown the cancelling of a child's original birth record, severing of legal relations, and creation of a new identity and family have contributed to the lifelong losses including identity and belonging. We have seen our clients face grief and relationship challenges with immense personal and intergenerational consequences.

Simple adoption retains the child's name, identity and original birth record; maintains legal and familial connections with family of origin while recognising adoptive family relationships; and creates dual legal recognition and responsibilities, supporting transparency and belonging.

Whilst modern moves to provide open and voluntary adoptions seek to prevent recurrence of past harms, it is time the structure of permanent care arrangements in Queensland legislation are changed to match this commitment to openness.

Recommendation

- Apply permanency options that preserve identity and kinship, such as Permanent Care Orders, or as a last resort, simple adoption.
- Remove provisions for plenary adoption from Queensland legislation.

2. National Adoption Framework with single access point for adoption records and Birth, Death & Marriage (BDM) Registry records

Recommendation 13 of the 2012 Senate Inquiry into Commonwealth Contribution to Former Forced Adoption Policies and Practices also called for harmonization of births, deaths and marriages register access and the facilitation of a single national access point to these registers.

The 2013 National Apology for Forced Adoptions made the commitment to records being freely available to people affected by forced adoptions.

Navigating the multiple Australian registries is a significant barrier for Queenslanders who are affected by adoption and searching for their own identity information and family members. The application processes differ, are not friendly to applicants residing in other states and territories and entail significant costs.

Recommendations

- The Queensland Government demonstrate leadership and initiate the pursuit of a National Adoption Framework under Federal legislation with harmonised State and Territory laws.
- Participate in the creation of a single national access point for adoption records held by the BDM Registries of the eight states and Territories.
- Honour the commitment made to people affected by adoption and waive fees and charges for applications for adoption information made to the Queensland Registry of Birth, Death and Marriage (RBDM).

3. Ease of obtaining identifying information about parties to an adoption.

The 2012 Senate Inquiry into Commonwealth Contribution to Former Forced Adoption Policies and Practices called for states to implement principles for guiding post adoption information and contact (Recommendation 15). That all adult parties be permitted identifying

information, and there be an upper limit on restriction of contact without a renewal by the party seeking to limit contact.

In September 2025 access to identifying information was greatly reduced due to changes made by A&PCS and RBDM, due to concerns consent for release of information was not being confirmed. A substantial reduction in the longstanding practices for access to identifying adoption information. This change was reversed in January 2026 following lobbying by the adoption community. This experience highlights the need for a review to inform legislative amendments that consider,

- Existing definitions and practices,
- Can a no-contact request legitimately include the requestor's adult children without their consent?
- Harmonization of practices across Australia, and
- The implications of commercial DNA testing which provides identifying information, outside any Government control or ability to provide support.

The definition of "all adult parties to an adoption" should be widened to include siblings of the adopted person. It is not unusual for adoptees to have had their adoptive status withheld from them, thus leading them to be unaware of family and siblings. Similarly, it is also not unusual for non-relinquished siblings to have the existence of an adopted sibling(s) withheld from them. In both cases the decision to withhold this information is made for another person's reasons and benefit. Some of these people never learn about the existence of siblings and relatives. Others discover siblings and family when parents die and records are found, or DNA testing reveals truths. Currently a non-relinquished sibling can apply for and receive identifying information about adopted siblings after their mother has died. The reverse is not true; Adoptees are not currently permitted to receive identifying information about siblings. As the cohort of people affected by forced adoption grows older, searchers seeking siblings and relatives are limited by lack of access to identifying records.

Recommendations

- The Queensland Government demonstrate leadership and initiate the pursuit of a National Adoption Framework under Federal legislation with harmonised State and Territory laws.
- The current definitions and practices for provision of identifying information be reviewed to find a balance between those who desire anonymity and those who have a right to know their family. Given guarantees of anonymity can no longer be made by governments with increasing utilisation of commercial DNA testing.
- The definition of "all adult parties to an adoption" should be widened to include siblings of the adopted person.

4. Redress be provided.

The 2012 Senate Inquiry into Commonwealth Contribution to Former Forced Adoption Policies and Practices, called for States and Territories responsible for adoption activities from the 1950 to 1970s to provide a grievance mechanism and to ensure redress is available

(Recommendation 12).

Victoria (2024) and Tasmania (2025) have established forced adoption redress schemes for mothers affected by the practices of those states. These schemes provide financial payments, counselling and apologies, but have not included adopted people or fathers. Over a decade after the Senate Inquiry, we frequently hear members of the adoption community express the view that the Queensland government is deliberately delaying individual redress for those affected.

Not all the adoptions of the past were the result of adequate examination of adopting families' suitability. The Queensland government was responsible for arranging and formalising these adoptions. Adopted people who experienced abuse and neglect in their Queensland government adoption placements are not currently eligible for redress schemes for institutional abuse and neglect. The Queensland Government has a debt of accountability to those adopted people.

Recommendations

- Establish a Queensland redress scheme for parents and adoptees affected by forced adoption practices, to provide financial payment, counselling and apologies.
- Acknowledge historical failures in screening, supervision and post adoption support. Provide mechanisms for confidential disclosure, and investigation of abuses in adoptive homes for learnings and appropriate actions.
- Include adoption within the definition of state care, so that adopted people who experience, or have experienced, abuse by their adoptive parents are eligible for protections and redress available to children in state care.

5. Integrated birth certificates be implemented.

Recommendation 13 of the 2012 Senate Inquiry into Commonwealth Contribution to Former Forced Adoption Policies and Practices called for the implementation of integrated birth certificates that are equal status to other birth certificates. Other Australian states have already implemented Integrated birth certificates, providing examples to help Queensland develop a suitable form and trauma informed process.

Recommendation

- An integrated birth certificate format be developed, reflecting both families, available on request. The integrated birth certificate is a legal equivalent to a birth certificates.
- The application process be trauma informed.

6. Discharge of Adoptions changed to administrative, no-fault process.

The current adoption discharge process, faced by adoptees, requires application to the Supreme Court, and evidencing grounds for a discharge for events that happened when the applicant was an infant. Adoptees are a party to their adoption but were unable to give their informed consent.

The reasons adoptees seek discharge are individual, personal and go beyond the grounds set out in section 219 of the Adoption Act 2009. Like a divorce, the reasons an adoptee seeks to sever this legal relationship should be respected, with discharge administered as a no-fault process.

Recommendation

- The Adoption Act 2009 be amended to allow for a no-fault discharge able to be processed administratively by the district court.

7. Commitment to fund and support research on the impacts of adoption, and the education of the wider community of these findings

Adoption and its impacts are poorly understood in both the general community and by health care and welfare or social service workers and organisations. The narratives of the 1950s about adoption remain the wider understanding of adoption. Including

- Babies/children are a blank slate and can be given to others to raise with no harm.
- Adoption is a win-win-win outcome for the child, the mother and the adoptive parents.

These misunderstandings result in

- A lack of understanding of the separation trauma and its impact on the child, parents, adoptive parents, siblings and family members. How this presents and impacts relational, health, emotional, educational and wellbeing outcomes.
- Disenfranchisement of the losses and grief experienced by parties to an adoption.
- A lack of understanding of the additional support needed by parties to an adoption to achieve good relational, health, emotional, educational and wellbeing outcomes.
- Adoption is still being portrayed as a solution for other wicked problems of society.

Adoption and its impacts remain an under-researched area. Research is needed to improve the delivery of best practice supports in health, education, government administration, social, and community sectors to Queenslanders.

Recommendations

- The Queensland Government fund research and actively encourage research initiatives aimed at understanding adoption impacts and improving outcomes for those affected by adoption.

- The Queensland Government actively support community education and communication of adoption research outcomes to the relevant sectors to address community held misunderstandings about adoption.

8. Establish a publicly observed Apology Day.

Most Queenslanders are unaware of the history of forced adoption policies and practices in Queensland and Australia, for which both our state and federal governments have made formal apologies. To ensure past mistakes and crimes are not repeated, our community needs to understand and remember what occurred and the harm done.

The Queensland government currently commemorates important dates in our state's history, including Queensland Day (6 June), National Sorry Day (26 May) and Reconciliation Week (27 May – 3 June). To raise community awareness, a day to remember the Apology for Forced Adoption Policies and Practices should be included in the Queensland Government's list of observed state specific and cultural days and publicised in a like manner.

Recommendations

- The Queensland Government establish an annual date to be included in official lists of state specific and cultural days for which their apology for forced adoption policies and practices in Queensland is remembered.
- This date can be the anniversary of the Queensland or Federal Government apology or another date chosen to minimize overlap of other events that may overshadow communication and recognition activities.
- The Queensland Government will invest in an equivalent level of communication and community education for Apology Day as is invested for other state specific and cultural days.

9. Our support of the submissions made by Jigsaw Queensland to this Commission of Inquiry.

Jigsaw Queensland (Qld) have made a comprehensive submission to this enquiry we have considered and support.

Recommendation

- We strongly encourage the Commission to closely consider Jigsaw Qld's recommendations. Several of PASQ's recommendations compliment Jigsaw's submission.