

include Youth Allowance, Family Tax Benefit and Child Care Benefit.

The Australian Government also recently commissioned a study on 'Transition from care: Avoidable costs to governments of alternative pathways of young people exiting the formal child protection care system in Australia'. The key purpose of the study is to inform Ministers, governments and non-government organisations about the current alternate pathways young people, who have left formal care, are believed to follow and what the use of these pathways cost governments over time.

The report will be released following its consideration by the Community Services Ministers' Advisory Council (CSMAC).

Once again, thank you for writing. I hope my comments are of assistance.

Yours sincerely
John Cobb

⌘ *In response to the article by Patricia Hansen and Frank Ainsworth, 'Adoption in Australia: Review and reflection', which was published in Children Australia (Vol 31 No 4), we received the following letter from Lynne Moggach, Principal Officer, Adoption, Barnardos Australia, Sydney.*

Dear Dr Lehmann

As the Principal Officer, Adoption of Barnardos Australia, I was extremely interested to read the above article in the current edition of *Children Australia*. While I agree with the sentiments expressed by the authors, I believe that some of the statistics quoted from AIHW are misleading.

Under the heading 'Known and local adoptions', the authors state that 'A further 65 (11.1%) adoptions were local adoptions ... These 65 children plus the 29 from foster carers and the 5 adopted by kin other than step-parents are those most likely to have been adopted from the 'care' system, although this is not made entirely clear in the AIHW 2005 report.' It is my understanding that these 65 children have never been in the care system; rather they have been adopted because their parents have given consent for their adoption and the children were then placed with their adoptive families. Certainly, the 29 children adopted by their foster carers would most certainly have been from the care system. The inclusion of the 65 local adoptions in this figure gives an inaccurate impression of the total number of children adopted from the care system.

This also has implications for the statement made under the heading 'Where to from here?' that '... of the 65 local adoptions, there was only 1 where a dispensation from consent was made by a Court.' This is a reflection of the circumstances leading to the placement and adoption of these children. The AIHW does not collect information about consents or dispensation of consent for 'known' child adoptions; therefore there is no information as to the number of consent dispense applications made in these adoptions.

Thank you for the inclusion of this article and the opportunity for the generation of discussion about this issue.

Yours sincerely
Lynne Moggach

⌘ *Patricia Hansen and Frank Ainsworth reply to Ms Moggach's concerns in the following letter:*

Dear Dr. Lehmann,

It is good to have received Ms Moggach's letter in response to our article 'Adoption in Australia: Review and reflection' published in the last edition of *Children Australia* (Vol. 31, No. 4).

Extracting data from national databases is complex. In our article we wrote 'These 65 children plus the 29 from foster carers and the 5 adopted by kin other than step-parents are those most likely to have been adopted from the care system'. However, in her letter Ms Moggach says that this statement is misleading. If this is the case we welcome the clarification. But Ms Moggach's proposition: 'It is my understanding that these 65 children have never been in the care system; rather they have been adopted because their parents have given their consent for their adoption and the children were then placed with their adoptive families' may or may not be true, as she gives no reference or evidence to support her view. Neither we, nor the readers of *Children Australia*, can know if this is fact or opinion.

In relation to our section titled 'Where to from here', Ms Moggach states that 'The AIHW does not collect information about consents or dispensation of consent for 'known' child adoptions; therefore there is no information as to the number of consent dispense applications made in these adoptions'. This is, of course, correct. But our comment about the 65 children relates to local adoptions and not 'known' adoptions.

Data about consent dispensations for local adoptions is collected by AIHW. Table 4: Local adoptions, by type of consent, 2004-05 can be found on page 10 of the *Adoption Australia 2004-05* report from the Australian Institute of

Health and Welfare shows this data and has been reproduced below.

We hope that this response is of value to the readers of *Children Australia*.

Yours sincerely
 Patricia Hansen
 Australian Catholic University

Frank Ainsworth
 James Cook University

Table 4 Local adoptions, by type of consent, 2004-05

Type of consent given	Number	Per cent
Mother only	40	62
Father only	1	2
Mother and father	23	35
Dispensations	1	2
Unknown	0	-
TOTAL	65	100

NOTES:

1. A dispensation is usually provided by the relevant court in each state/territory when the birth parent(s) are unable to give consent themselves.
2. There were a total of 12 dispensations for father's consent in Western Australia and Queensland. These adoptions are included in the 'Mother only' category and not included in the 'Dispensations' category.
3. In New South Wales consent is required of both parents, therefore in 15 cases where consent was provided by only one parent (14 mothers and 1 father) the court made dispensation for the other parent. These cases are not recorded under dispensations.

STATES & TERRITORIES

UPDATE

The following state and territory updates have been provided by National Editorial Board members.

ACT

An 'exposure draft' of the Children and Young People Bill 2007 has just been released for community consultation. According to the Department, 'The Bill incorporates significant policy changes across the Child and Young People Act 1999, particularly in the areas of care and protection, youth justice, child care services and employment'.

Howard Bath

NSW

The Department of Community Services has issued a paper – 'Statutory child protection in NSW: Issues and options for reform'. The last date for comments is 30 March 2007.

The paper, which is highly controversial, can be downloaded from the DoCS website <www.community@nsw.gov.au>.

Frank Ainsworth

Children Australia is a refereed journal – all papers submitted are peer reviewed to assess their suitability for publication. However, at the discretion of the editor, papers which have not been reviewed are published from time to time. In order to clarify which articles have been reviewed and which have not, we now include a symbol at the end of each article as follows: ■ = peer reviewed article □ = non-reviewed article