



What if I have concerns about an intercountry adoption?

Please note that the information below 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 Commonwealth Department of Social Services, the Australian Central Authority (ACA) 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 Western Australia (WA), the Department of Communities (Communities) is the Central Authority responsible for intercountry adoption. In conjunction with the ACA, Communities is responsible for reviewing and addressing 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 requires 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 in 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.

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Communities is responsible for reviewing concerns brought forward about alleged illicit or illegal intercountry adoption practices to determine the nature of the concern, identify supports and notify appropriate agencies. Intercountry adoptions facilitated by WA Government departments prior to December 1998 may also be included in the scope of this Jurisdictional Support Guide.

Communities is committed to recording all reports of illicit and illegal practices, regardless of when the intercountry adoption occurred. The ability for Communities to investigate historical intercountry adoptions occurring prior to the Hague Convention entering into force in Australia may be impacted by numerous factors, including how the intercountry adoption was arranged and by whom. Communities will record the reported information and assess what level of investigation or support is possible.

Communities meets its obligations under the Hague Convention and adheres to frameworks for intercountry adoption. Communities will only work with overseas government adoption authorities or their accredited agencies that have been vetted by the ACA.

Notification of concern

Allegations of concerns about your adoption or your child's adoption can be distressing and potentially life-altering for everyone involved. All credible allegations or concerns are taken seriously.

If you have experienced concerns about illicit or illegal practices or have concerns about your own adoption or your child's adoption, you should raise this, in the first instance with the relevant STCA that may have been involved. Contact details for STCAs can be found at the [Intercountry Adoption Australia website](#). 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 potential illegal or illicit adoption or practice, you can report these concerns directly to Communities in WA. Communities acknowledges that the information may be distressing and aims to deal with such enquiries in a timely manner and with sensitivity.

By email: adoptions@communities.wa.gov.au

In writing: Adoption Services
Locked Bag 5000
Fremantle WA 6959

Telephone: [1800 182 178](tel:1800182178)

If you choose to contact us via email, please include "concern about illicit intercountry adoption practices" in your subject line.

What if I have concerns about an intercountry adoption?

Can I notify Communities anonymously?

Information can be provided anonymously through the following channels:

By email: adoptions@communities.wa.gov.au

In writing: Adoption Services
Locked Bag 5000
Fremantle WA 6959

Telephone: [1800 182 178](tel:1800182178)

Information provided anonymously **may** influence Communities' ability to engage in a full review and/or investigation.

How do I request access to adoption records held by Communities?

To access adoption records, you must complete an application for Post Adoption Services. The form is available via [Form 303: Post adoption services application form](#) or by mail when contacting Adoption Services in the number or e-mail below. The application form needs to be completed, with your signature on the form witnessed and proof of your identity must be shown when the form is signed.

Approval for access to adoption information is dependent upon many factors which are governed by the [Adoption Act 1994](#) (WA).

By email: adoptions@communities.wa.gov.au

In writing: Adoption Services
Locked Bag 5000
Fremantle WA 6959

Telephone: [1800 182 178](tel:1800182178)

When should I notify Communities about a potential illicit/illegal adoption?

Please contact Communities at your earliest convenience if you become aware of an illicit practice where a child or young person may have been adopted without respect for the rights of the child or for the safeguards of the Hague Convention which may happen in situations where a person or body directly or indirectly:

- misrepresents information to the biological parents
- falsifies documents about the child's origins
- abducts, sells, or traffics a child for intercountry adoption
- uses other fraudulent methods to adopt a child for financial or other gain.

An illegal adoption is a result of abduction, sale, or trafficking of a child or other illegal or illicit activities against children.

What if I have concerns about an intercountry adoption?

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

If you live in WA or the adoption was arranged in WA, Communities will review our database to locate records relating to the adoption. If no records are found, and the matter falls within another jurisdiction, you will be referred to the appropriate STCA and/ or the ACA.

Is there anyone else I should notify?

If you decide to make your own enquiries and/or notify anyone else (such as Police), then this may occur in addition to, or instead of, formal enquiries made through Communities and the ACA.

If a concern raised is substantiated following a review, Communities will notify the ACA. 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. 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.

Please refer to the [Protocol for Responding to Allegations of Illicit or Illegal Practices in Intercountry Adoption](#) (the National Protocol) for further information on a national approach to responding to concerns about illicit or illegal practices in intercountry adoption.

What information is required to review claims?

Communities require all known information relating to the adoption to complete a thorough review of the claims.

Communities can retrieve key documents from present or archived adoption records. You may also wish to supply additional documents or information that support your claim.

To assist us investigate your concerns, types of documents in relation to a specific adoption that may be relevant to review can 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

What if I have concerns about an intercountry adoption?

- Child Study information
- Health / medical information
- Decisions of the overseas Central Authority on matching
- Issuance of Certificate of Conformity.

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

The information you provide is managed in accordance with WA's privacy legislation. This includes the [Adoption Act 1994](#) and [Adoption Regulations 1995](#).

Adoption legislation contains strict confidentiality provisions relating to access to information that is contained in any document in the possession or under the control of Communities that relate to parties to an adoption and has strict penalty provisions for non-compliance.

Adoption legislation places restrictions on identifying information being communicated into the public domain. Persons in breach of the relevant provisions may be prosecuted and be subject to penalties, including fines and imprisonment.

The CEO for Communities has broad discretion when considering an application for access to adoption information and has authority to refuse access in certain circumstances.

The *Privacy and Information Sharing Act 2024* (WA) has not yet come into operation in WA with expected start time early 2026. The Act will provide privacy principles to guide WA agencies to handle personal information responsibly and securely.

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?

Communities will maintain contact with you for the duration of the investigation. You will be allocated a contact person who you can liaise with at any stage of the process. Your contact person will be responsible for updating you on any progress or significant developments. They will notify you in writing of the actions taken (where appropriate) and the outcomes of the concern raised.

If the concerns or allegations are found to be credible and the matter is referred to the ACA, your communities 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 concern raised is in relation to you or your child's adoption, Communities will provide information on how the outcome was reached.

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If the concern raised is not in relation to your own or your child's adoption, Communities will be guided by WA's laws to determine what information can be shared regarding the outcome.

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

You can choose to make private enquiries about concerns of illicit or illegal practices through the Police or other channels. This may occur in addition to, or instead of, formal enquiries made through the Communities or ACA.

The Australian Government is unable to provide assistance to an adoptee and/or adoptive family, making enquiries about their adoption circumstances while they are overseas.

Communities welcomes feedback about its services. For more information on how complaints and feedback are managed, please click visit the [Department of Communities – Complaints and feedback webpage](#)

2.Supports

There are a range of services an adoptee or adoptive family may wish to access. In doing so, it is recognised that the needs of each adoptee and adoptive family will differ.

In addition to the supports listed under the [National Protocol](#), WA service providers may also be able to provide alternative or additional services.

Counselling or case management services

Intercountry Adoption Family Support Service (ICAFSS)

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:

What if I have concerns about an intercountry adoption?

Phone: 1800 422 377

Email: icafss@rasa.org.au

ICAFSS website: <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.

Further details are available at the [ICAV website](#)

There are a range of peer support groups targeted at individual adoptee groups.

Information on peer support groups you may be interested in is available on the [Intercountry Adoption Australia website](#).

Legal Assistance

You may wish to seek independent legal advice about your matter. You can contact Legal Aid on Infoline 1300 650 579. Further details are available at the [Legal Aid WA website](#).