

Changes to Queensland's adoption legislation

Information sheet 4

Eligibility criteria (fertility treatment)

Background

On 2 November 2016, Queensland Parliament passed the Adoption and Other Legislation Amendment Bill 2016, making important changes to Queensland's adoption laws.

What are the changes to eligibility criteria?

Changes to *Adoption Act 2009* (the Act) commenced on Friday 11 November 2016.

Changes made to the Act include expanding eligibility criteria to enable same-sex couples, single people and people undergoing fertility treatment to have their name entered or remain in the Expression of Interest Register.

I am currently undergoing fertility treatment — can I make an expression of interest to adopt a child?

Yes. Changes to the Act allow people who are undergoing fertility treatment to have their name entered in, and remain in, the Expression of Interest Register.

This recognises the potentially significant period of time a person may remain in the Expression of Interest Register and, if selected for assessment and assessed as suitable, the Suitable Adoptive Parents Register.

If I become pregnant, can I continue my application to adopt a child?

Not immediately. If a person becomes pregnant while their name is in the Expression of Interest Register or Suitable Adoptive Parents Register, they become ineligible once the person has been

pregnant for 14 weeks, and must be removed from the registers.

Requirements regarding pregnancy remain unchanged, including that a person may not be entered in the Expression of Interest Register if they are pregnant.

Whether or not to continue with fertility treatment, while pursuing adoption, is a personal decision by each individual.

Why is infertility still considered during assessment, even though someone who is undertaking fertility treatment can now express an interest to adopt?

The Act requires Adoption Services to consider a person's adjustment to, and acceptance of, their infertility, when assessing the person's suitability to become an adoptive parent. Some intercountry adoption programs also have similar requirements, and this information is provided to the overseas country as part of the person's file.

Contemporary research supports the importance of these matters in determining whether a person is ready to commit to an adoption.

Even though people undergoing fertility treatment are now able to have their name entered in, and remain in, the Expression of Interest Register, it will continue to be an important consideration in assessing a person's suitability to become an adoptive parent.

Adoption Services discuss grief and loss associated with infertility during education sessions, before commencing assessment of suitability to be an adoptive parent/s.

Adoption Services is committed to working through the assessment process in a supportive way, and will talk about these matters with you as sensitively as possible.

Where can I find more information?

For more information about the changes to Queensland's adoption laws, go to the Department of Communities, Child Safety and Disability Services:

Website:

www.communities.qld.gov.au/childsafety

Phone: Adoption Services on **3224 7415** or **1800 647 983** (free call within Queensland)

Email: **ads@communities.qld.gov.au**