



香港明愛  
CARITAS - HONG KONG

THE OFFICIAL SOCIAL SERVICE AGENCY OF THE ROMAN CATHOLIC CHURCH IN HONG KONG  
天主教香港教區社會服務機構

Our Ltr. Ref. CSW/G/0124/2004

**URGENT**

24 March 2004

The Hon. Miss Margaret Ng  
Chairwoman  
Bills Committee on  
Adoption (Amendment) Bill 2003  
11/F, Rm 116  
New Henry House  
10 Ice House Street, Central  
Hong Kong

Re: Adoption (Amendment) Bill 2003

Dear Hon. Miss Ng

Yesterday we learned from Ms Gretchen Ryan of Mother's Choice that you are the chairperson of the Bills Committee. We believe that we have the obligation to present some information to provide you with the whole picture. We would like to share our concern with you and the Committee of the overseas adoption work done by our agency and some of our viewpoints on this Adoption (Amendment) Bill 2003.

Caritas-Hong Kong has been working with 21 overseas partners in the States for over 40 years and successfully placed more than 400 children to overseas homes with good feedbacks from adoptive families and adoption agencies. Please refer to Annex 1 for the background information of our Overseas Adoption Service and Annex 2 for a list of agencies that are our partners in placing children to an overseas nurturing home. We also attached a copy of a letter (Annex 3) addressing our points of view dated March 18, 1997 for your attention.

In response to the Adoption (Amendment) Bill 2003, we agree with the introduction of accreditation mechanism to guard adoptions in Hong Kong and that it has put the child's interests as the primary focus. But we would like to stress that some alternatives/flexibilities should be developed such that natural mother's right to make choices and decisions for her child can be entertained (Please refer to Annex 3 for details). We are always concerned about empowerment but this Bill seems to discourage the natural mother to exercise her own power and ignore the former Hong Kong Chinese citizens who live abroad and may be potential adoptive parents. If the natural

/ mother's .....

國際明愛成員 Member of Caritas Internationalis and through its affiliation

Caritas - Hong Kong has consultative status (Cat. B) with ECOSOC, UNICEF, FAO & UNESCO and is on the special list of ILO

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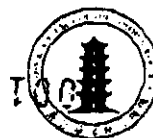
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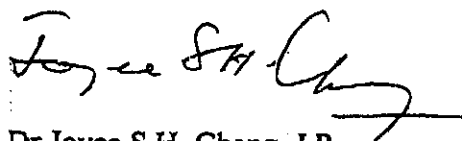
mother's reasons for choosing overseas adoption are rational and understandable, we should respect her own will. In addition, all children regardless of their health condition or social background should be able to enjoy equality, sharing equal opportunity to be adopted overseas. As for those overseas Chinese adoptive parents with existing strong linkage/tie with Hong Kong should have the equal chance as those expatriates residing in Hong Kong to offer their home to our children. We believe that these Chinese families can maintain the child's heritage and offer the same or even stronger sense of cultural connectedness to our children who need a home than some of the expatriates who eventually will return to their home country for good. We do appreciate if you and your committee to look into this issue and provide broader opportunities to the three parties, the natural mother, the adoptee and the adoptive parents involved in adoption.

We also suggest that the government can entrust more adoptive agencies as guardians of children who are available for adoption. This will expedite the adoption process and matters related to the care and attention of the children, especially the disabled ones.

We have also read the information stated in LC Paper No. CB(2) 1729/03-04(01) - "Policy on overseas adoption and measures for facilitating overseas adoption" for the meeting on March 18, 2004. It states that ISS and Mother's Choice are working for placements of special needs children. In fact, we have indicated our interests in early 1990's to Social Welfare Department for the purpose of expediting the placement of children hard to place. Unfortunately, we have received no positive response from them.

We are available anytime to discuss with you and the Committee about the issues mentioned above and or anything related to this Bill if necessary.

Yours sincerely



Dr Joyce S.H. Chang, J.P.  
Director  
Social Work Services

TW/cl

c.c. Ms. Gretchen Ryan  
Mr. Pak Yan Fung  
Ms. Cyd Ho

Annex 1

**The background information of Caritas' overseas adoption service**

In the fifties, Catholic Relief Service (CRS) worked closely with Social Welfare Department on placing children to overseas families. In 1968, Caritas - Hong Kong took up CRS's work. We continued the co-operation with SWD which regularly referred children to us for overseas adoption.

Since 1974, we ran an unwed mothers home in Hang Hau and assisted young teenagers who relinquished their babies. For some, they gave up their babies for local adoption. For others, we followed through the mothers' decision for overseas adoption. In 1987, SWD suggested that there was no need for Caritas to forward approved adoptive homes for their approval. We received no more subvention from SWD in 1988. At the recommendation of our consultants, the Adoption Service has continued and become almost self sufficient financially with fees charged to adoptive parents.

This Service processes placement of relinquished children to families overseas. Most of the children are the results of unwed pregnancy. Services rendered include matching these children with prospective adoptive parents and liaison with governments and voluntary agencies at an international level. 425 cases have been done successfully and happily. Attached is our statistics for reference.

The Birth Right Society entrusts Caritas to take care of about 50 cases per year. Adoption has been an alternative to abortion for many teenagers. About half of those decide to relinquish their babies for adoption overseas and 90% are destined for USA. The rest will go to Australia or Canada.

The Social Welfare Department is recently exploring with Caritas whether it can help in placing special needs children overseas. Caritas has accordingly conferred with the Catholic Charities of USA and other adoption agencies that it maintains regular contact over the past years, and favorable responses on our possible involvement in such programme were received. Copies of correspondences are attached as Annex 4 for reference.

Pertinent to the Government's present review of the adoption ordinance, Caritas is currently consulting its lawyer who has been responsible for legal procedures on its overseas adoption cases to gauge the effect of such review on the present adoption programmes. Widen consultation will also be made with concerned legal professionals as well as legislators in due course.

Remarks: During 1997-2000, we wrote to the Director of Social Welfare Department to express our view points on the review of the adoption ordinance and we stressed the following six viewpoints:-

- (1) the natural mother's right to choose and make decision for the future of her child;
- (2) the children's right to enjoy equality;
- (3) concern over children with physical and mental disability;
- (4) maintain the child's heritage in overseas home;
- (5) open adoption; and
- (6) stringent screening and court procedures.

**Statistics of overseas adoption cases from 1954 to 2003**

<u>Year</u>	<u>Total no. of completed cases</u>	<u>Accumulation of completed cases</u>
1954 - 1960	62	62
1961 - 1970	208	270
1971 - 1980	35	305
1981 - 1990	12	317
1991 - 2000	107	424
2001 - 2003	1	425

Remarks: In 1997, we were advised by Asst. Director of Social Welfare Department to discontinue our program due to the review of the Bill. Since we had had a list of approved adoptive homes pending for matching, we carried on our service and cleared the list in the year of 2003. Then we discontinued the program.

## Annex 2

	<u>Agency Name</u>	<u>Address</u>
1	ACCEPT	339 South San Antonio Road., Suite 1A, Los Altos, CA 94022, USA
2	Adopt International	121 Springdale Way, Redwood City, CA 94062, USA
3	Adoption Resource Centre Inc.	6630 Baltimore National Pike, Suite 205A, Baltimore, Maryland 21228, USA
4	Adoption Services International	2021 Sperry Ave., Suite 41 Venture, CA 9300, USA
5	Adoption Unlimited Inc	Suite 110, Orion Plaza, 11800 Central Ave., Chino 91710, Usa
6	Australian Aiding Children Adoption Agency	72 Fullarton Road, Norwood, 5067, S. Australia, Australia
7	Bay Area Adoption Services	465 Fairchild Drive, Suite 215, Mountain View, CA 94043, USA
8	C.W.L. Adoption Society	Margaret House, 33 Roberts Ave., Kensington 2094, Johannesburg 2000, South Africa
9	Catholic Charities	250 So. Vineyard Street, Honolulu, Hawaii 96813-2495, USA
10	Catholic Charities	191 Jonalemar St., Brooklyn, NY 11201, USA
11	Catholic Social Services (Pregnancy & Adoption Services)	222 North Seventeenth Street, Philadelphia, PA 19103, USA
12	Catholic Social Services, Holy Family Centre	227 North Eighteenth Street, Philedephia, Pennsylvania 19103, USA
13	Christian Adoption Services Inc.	624 Matthews-Mint Hill Road, Suite 134 Matthews, NC 28105, USA
14	Gentle Shepherd Inc	6310 Lamar Ave., Suite 140, Overland Park, KS 68202, USA
15	Holt International Children's Services	P.O.Box 2880 Eugene, OR 97402 / 1195 City View, Eugene, OR 97402, USA
16	Johannesburg Child Welfare Society	112 Main Street, Liberty Life Broker Centre, Joannesburg 2000, South Africa
17	National Adoption Desk	1st Floor, Finance Building, Tunney's Pasture, Ottawa, Ontario K1A 1B5, Canada
18	New Beginnings Family & Children's Services Inc.	141 Willis Ave., Mineola, NY 11501, USA
19	The Adoption Network of Catholic Charities	98 Bosworth Street, 3rd Floor, San Francisco, CA94112-1002, USA
20	Vista Del Mar Child & Family Services	3200 Motor Avenue, Los Angeles, CA 90034, USA
21	WACAP	315 South Second Street, Renton, WA 98055, USA



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CARITAS - HONG KONG

Annex 3

THE OFFICIAL SOCIAL SERVICE AGENCY OF THE ROMAN CATHOLIC CHURCH IN HONG KONG  
天主教香港教區社會服務總匯

Our Ltr. Ref. CSW/G:0068/97

18 March 1997

The Director of Social Welfare  
Social Welfare Department  
7/F, Wu Chung House  
213 Queen's Road East  
Wanchai  
Hong Kong

(Attn: Miss Ann Lau)

Dear Sir/Madam,

Re: Overseas adoption by unrelated persons

Thank you for your letter dated 22 June 1996 and brief information on "Overseas adoption by unrelated persons". On this subject, after due consultation, we like to submit for your consideration the following six viewpoints which we hope would assist you in the formulation of the future adoption policies in Hong Kong.

1. The natural mother's right to choose and make decision for the future of her child

Much has been spoken about human rights and equality in Hong Kong during these past few years under Government auspices and we as Caritas have always championed the same causes. Naturally, such principles are also embraced by our adoption programme.

We strongly believe that it is the natural mother's inherent right to make her own decision as to the future of her child. In our adoption programme, social workers ensure that the natural mother has sufficient time and guidance to consider her choices before she makes up her mind to relinquish her child and her desire for the child to be adopted either locally or overseas. According to the procedures in your reference paper, the natural mother's right is over ridden.

2. The children's right to enjoy equality

Based on the concepts of human rights and equality, the children should enjoy equal opportunity of being adopted either locally or overseas as long as their future well being is closely guarded by stringent screening procedure and proper court rulings. In your reference paper, the disabled children enjoy greater opportunity to be adopted overseas, while the normal children are deprived of this opportunity.



3. Concern over children with physical and mental disability

We found it disturbing that in your reference paper, overseas adoption arrangement is only considered for wards with special needs who cannot be placed locally e.g. children with physical or mental disability, health problems or older children. Indeed, these groups could encounter far more difficulties in adjustment overseas in comparison with normal healthy babies, not to mention such arrangement itself constitutes discriminatory practice depriving the normal and healthy ones of suitable homes abroad. As shown from our experience, it is doubtful that the overseas receiving countries would issue entry visas to the disabled children. Are we increasing the children's difficulties to adaptation? The proposed amendment gives people the impression that we are dumping unwanted children with disability to overseas and this adversely affects the international reputation on Hong Kong.

4. Maintain the child's heritage in overseas home

The spirit of Article 21 of the United Nations Convention on the Rights of the Child is that the best interests of the child shall be the paramount consideration. We apply this into our program too. If the natural mother chooses overseas adoption for her child, adoption proceedings are done in the relevant overseas Country and the child must go through proper Court hearing procedures in Hong Kong before he/she is removed. The child's well-being is always put in the forefront.

In order to ensure that the child does not lose his/her own culture/heritage, we do require that at least one party of the prospective adoptive parents should be of Chinese origin. Studies have shown that 1 in 12 women of child bearing age in US where over 90% of our cases were placed may have an impaired ability to bear their own children. It is safe to assume that a proportion of these groups are women of Chinese ethnic origin and thus are our potential adoptive homes who meet our basic criteria. Indeed, these cases would probably be inclined to adopt Chinese babies instead of Caucasians. It is also noted from our past records that at least one partner of the many overseas adoptive parents has origin from Hong Kong thus making such adoptions one step closer to home.

It is noteworthy here that in fact, due to the increased rate in emigration overseas in the past 20 years, some locally adopted babies stand a fairly good chance of moving to another Country eventually. This renders overseas adoption to parents of Chinese origin all the more acceptable as such parents are often more settled socially, psychologically and economically than new emigrants.

5. "Open adoption"

We believe in "open adoption", i.e. should both the natural and adoptive parents request, arrangement could be made by the social worker for them to meet and know each other for the best interest of the child to be adopted. This would defeat the secrecy that has often clouded adoption and indeed put both parties psychologically at ease in the transition. Recent researches have shown that open adoption have great and positive impacts on the child's adjustment.



6. Stringent screening and court procedures

We have been working with a number of reliable licensed adoption agencies in overseas countries which always refer reliable adoptive families. (Please see the attached list). In addition, as we have always been applying a stringent screening process in reviewing applications, all of our past placements turned out to be very successful. Moreover, the adopted children are under good protection as they must go through proper court hearing procedures before leaving Hong Kong.

As we have built up a good reputation among overseas adoptive families and adoption agencies by rendering good services, therefore, we now make a formal request for Caritas to be a recognised agency to arrange overseas adoption.

We look forward to our continued partnership in this very worthwhile cause and await the opportunity to further discuss with you on the subject.

Yours sincerely,



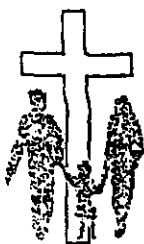
Dr. Joyce S.H. Chang, J.P.  
Director  
Social Work Services

/cl

Encl.

c.c. Ms. Patricia Chu  
Deputy Director of Social Welfare

Annex 4



# Christian Adoption Services, Inc.

624 Matthews-Mint Hill Road • Suite 134 • Matthews, North Carolina 28105-1775

April 10, 2003

Dr. Joyce S.H. Chang, J.P.,  
Director, Social Work Services  
Room 602 Caritas House  
2 Caine Road  
Hong Kong

Dear Dr. Chang:

I am appreciative of your letter in which you informed me of the forthcoming policy changes by the Hong Kong Government that will allow Caritas-Hong Kong to handle overseas adoptions, especially of special needs children.

I am excited to learn of this good news since we have always enjoyed working with your program. As you know, it often takes an asserted effort of several child-placing agencies to recruit the most appropriate family for any child, especially if the child is beyond infancy, physically or mentally challenged or with a negative social history. During this agency's twenty-four year history, we have witnessed some remarkable placements of special needs children. We welcome the opportunity to be part of your network of licensed NGO's to find permanency for orphaned children.

With this letter, I am enclosing a notarized copy of the agency's most current license which is valid until October 1, 2004. Should any additional information be needed from Christian Adoption Services as we work to renew a cooperative agreement for the placement of special needs children, please do not hesitate to ask.

Thanks again for your letter and the opportunity work in partnership with Caritas-Hong Kong.

Most sincerely,

James M. Woodward  
Executive Director

*"Children Are a Heritage of the Lord"*

Social Work Services (03)

寄件者: <JandDWoodward@aol.com>  
收件者: <swsho@caritassws.org.hk>  
傳送日期: 2003年9月5日 上午 11:42  
主旨: Greetings for Dr. Joyce Chang

Dear Dr. Chang

I am hopeful that you received the fax that I sent to you earlier this week. Although we have not communicated recently, I was wondering what progress that Caritas might be making towards being allowed to process adoptions out of country.

I assume that you did receive my letter dated April 10, 2003 in which I expressed the interest that I have for Christian Adoption Services to be recognized as a partner agency with Caritas for adoptive placements of children, the majority of which are likely to be with special needs.

Since I will be in the Philippines to attend a conference the first week of October, I may be able to visit with you on Friday, October 10 before I return to the United States to discuss the program more fully. I will be making my flight itinerary soon so any input that you might have on the issues I have address will be most helpful.

Most sincerely,

James Woodward  
Executive Director  
Christian Adoption Services, Inc.  
Matthews, North Carolina



# NEW BEGINNINGS

Family and Children's Services, Inc.

141 Willis Avenue  
Mineola, New York 11501  
Telephone (516) 747-2204  
Fax (516) 747-2505

TIMOTHY SUTFIN  
Executive Director

May 23, 2003

Dr. Joyce S.H. Chang, J.P., Director  
Social Work Services  
CARITAS - HONG KONG  
Room 602 Caritas House  
2, Caine Road, Hong Kong  
G.P.O. Box 3522, Hong Kong

Re: Your letter Ref. CSW/G/0290/2003

Dear Dr. Chang:

Thank you for your kind letter of March 2003. It was very informative, and I would like to know more about the changes in the local policy on overseas adoption. I would like to introduce myself to you, since my mother, Pooja Park, MSW, has relocated to Vietnam to serve as a lay missionary for a three-year stint. My name is Pauline Park, and I have been working at New Beginnings for almost ten years, as a social worker, and now most recently, as Coordinator for our China programs. I hope that any future working relationship with you will be as fruitful as previous years. New Beginnings Family and Children's Services may be able to find good families to place waiting special needs children. As you may know, our agency is licensed in New York, New Jersey, Connecticut, Pennsylvania and Florida, and we have placed children in many other states.

However, we are interested to know whether the requirements remain the same for prospective adoptive applicants. For example, must one or both parents be of Hong Kong/Chinese background? Are there marriage or age restrictions? Is there any way to estimate the waiting time for assignment and arrival? Also, would the prospective applicants be allowed a sex and/or age preference? We have a high number of applicants who are of Chinese descent who may be open to a special needs child, but we would need to inform them of the severity of the special need in order to educate them for a successful placement.

New Beginnings would appreciate any further information you could give regarding the above questions. Our past cooperation with you has resulted in several happy families with beautiful thriving children from your agency. These adoptive families could not speak more highly of the facilities there and the loving care given to the children. New Beginnings could proceed with the full confidence that the children are well cared for there. We look forward to receiving any other information you might have. Thank you.

Yours truly,

Pauline Park  
NBFCSS

8 Pennsylvania Avenue • Matamoras, Pennsylvania 18336 • Telephone (570) 491-2366 • Fax (570) 491-6310  
1301 Seminole Boulevard, Suite 111B • Largo, Florida • Telephone (727) 584-5262 • Fax (727) 584-6322  
97 Franklin Avenue • Auburn, New York 13021 • Telephone (315) 255-1861 • Fax (315) 255-4352

e-mail: newbegin@aol.com

website: www.newbeginnings.org

Social Work Services (AY)

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寄件者: <Newbegin@aol.com>  
收件者: <vwho@caritasws.org.hk>  
傳送日期: 2004年1月13日 AM 04:32  
主旨: International Adoption - Dr. Joyce S.H. Chang, J.P.

January 12, 2004

Dr. Joyce S.H. Chang, J.P.  
Director  
Social Work Service

Dear Dr. Chang:

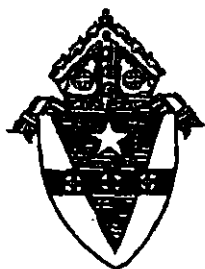
I hope this letter finds you well. We are writing this email in regards to your overseas adoption program. We received a letter from you in March 2003, informing us that changes in local policy have restricted placement of adoptees to only special needs children. We would be grateful for further information on your program, so that we can guide our adoptive families to the most appropriate program for them and for the children they adopt. We receive an average of 2-5 inquiries per month on the Hong Kong program, mostly from couples who have Chinese descent and who are originally from Hong Kong. We are not certain at this time whether adopting from Hong Kong would be a viable option for them because we are unclear of waiting times, children available, age and sex preferences, and any restrictions in the program.

We have had a wonderfully cooperative relationship in the past few years with CARITAS, and would appreciate any feedback you can give regarding the Hong Kong adoption program.

Hoping to hear from you soon, and wishing you a most healthy and prosperous Lunar New Year to come, I remain,

Sincerely yours,

Pauline Park  
New Beginnings Family & Children's Services, Inc.



**CATHOLIC SOCIAL SERVICES**  
ARCHDIOCESE OF PHILADELPHIA

Holy Family Center  
227 North Eighteenth Street • Philadelphia, Pennsylvania 19103 • (215) 587-3900 • Fax (215) 854-7100

March 19, 2003

Dr. Joyce S.H. Chang, J.P.  
Director  
Social Work Services  
Room 602 Caritas House  
2-8 Caine Road  
Hong Kong

Dear Dr. Chang,

We are pleased to be of assistance in placing special needs children.

We will make every effort to find appropriate homes that are able to provide stimulation and nurture for these special children as well as the necessary cultural competency to assist the child in developing a strong, healthy self-esteem and a love for and appreciation of Chinese heritage.

We look forward to our continuing association.

Sincerely,

Mary Lark Merman, MSS, LSW  
Administrator  
Adoption Services



April 10, 2003

Caritas - Hong Kong  
 ATTN: Dr. Joyce S.H. Chang, J.P.  
 Director Social Work Services  
 Room 602 Caritas House  
 2, Caine Road  
 Hong Kong

Helping  
 children  
 find families  
 worldwide  
 since 1976

Dear Dr. Chang,

We were delighted to receive your recent letter informing us that your agency will soon be accredited by the Hong Kong Government to handle overseas adoptions, especially those of children with special needs.

Please accept this letter as confirmation that World Association for Children and Parents (WACAP) is pleased to accept your invitation to work with you to find families for special needs children. We have valued our past working relationship, and look forward to continuing this work as soon as you are allowed to do so by the Hong Kong Government.

As you know, WACAP has a long history of finding families for special needs children. We have developed a new program within the agency called the Family Finder's Project that I am sure will benefit your children with special needs.

As you have requested, enclosed is a copy of WACAP's current license. Please let me know what other information you need at this time. We look forward to partnering with you and serving those children in greatest need.

Sincerely,

*Barbara Knowles*  
 Barbara Knowles  
 Assistant Executive Director

Mailing Address:  
 PO Box 88948  
 Seattle, WA 98138  
 Street Address:  
 5 S. Second St.  
 Everett, WA 98055  
 5575 4550  
 5575 4148 fax  
 wacap@wacap.org  
 www.wacap.org

enc.  
 cc: Mary K Duncan  
 Janice Neilson

If you wish to speak to us on the telephone about this, one of our social workers speaks Cantonese and could ring you at your convenience. Please do not hesitate to write to us further if you wish. If you have internet access our email address is :

adoption@community.nsw.gov.au.

We look forward to hearing from you if you wish to have further discussions regarding your special needs children.

Yours sincerely,



Mary Baker  
A/Supervisor  
Intercountry Section  
ADOPTION SERVICES BRANCH

25 JUN 1993





Dr Joyce S.H. Chang, J.P.  
Director  
Social Work Services  
Caritas - Hong Kong  
2, Caine Road  
Hong Kong

*Contact: Rebecca Lau  
Section: Intercountry  
Telephone No: (02) 9865 5916*

Dear Dr Chang,

**RE: Adoption and Placement of Special Needs Children**

I am writing in relation to the letter that you sent to Rt. Rev. Pell of Caritas Australia dated 29.1.99 and which we received on 24.5.99.

Our Department has established adoption programmes with a number of overseas countries and Hong Kong is one of them. Under our adoption agreement with Hong Kong, we have to work through the Hong Kong Social Welfare Department in cooperation with International Social Service - Hong Kong Branch. All children entering Australia for the purpose of adoption have to meet the medical standards that the Australian Commonwealth Government sets before our Department of Immigration and Multicultural Affairs would issue an entry visa to them. These medical requirements may preclude some of the special needs children coming to Australia if they have health problems.

Presently, we do not have any prospective adoptive applicants in New South Wales who have expressed an interest in adopting special needs children from Hong Kong specifically, however, we do have applicants who are willing to consider adopting older children from other overseas countries. If you have particular children that need families, we could write to all our prospective applicants to see if any of them are willing to consider those particular children. We would need some details about the children of course for the prospective couples to think about. It would also be necessary for the adoption procedure to be handled through the Hong Kong Social Welfare Department.

**Adoption Services Branch NSW Department of Community Services**

Level 13, The Ferguson Centre, 130 George Street, Parramatta 2150

PO Box 3485, Parramatta 2124, NSW Australia

DX 8250 Parramatta Facsimile: (02) 9689 3507 Email: [adoption@community.nsw.gov.au](mailto:adoption@community.nsw.gov.au)

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