

Information for birth parents about the contact veto in NSW

1 I believed I was guaranteed secrecy years ago when I signed the adoption consent. Why has the government changed this?

As with any other law, changes can be made as people's needs change over the years. The law responds to those changing needs by enacting new legislation. The NSW Government only decided to change the law relating to adoption after they had received thousands of requests from adopted people as well as birth parents and adoptive parents, urging change.

2 I do not want contact with the adopted person - I gave birth to them, but I'm not their parent. What can I do to make sure I'm never contacted?

The Adoption Act (2000) makes it possible for you to place a veto on contact by your son or daughter, if they were adopted prior to 1991, or if your son or daughter has died, on contact by any member of their family (a relative of an adopted person who has died is entitled to apply for the Supply Authority.) Your son or daughter will still be given their Supply Authority and identifying information but will be required to sign an undertaking agreeing not to make contact. There is a fine of \$2750 and/or 12 months gaol sentence if the undertaking is broken.

3 How do I go about lodging a contact veto?

You must lodge your veto in person at any accredited adoption service provider, or at the NSW Community Services' Adoption Information Unit or any of the departments' District Offices. Please ring us if you are not sure where to go. You will need to take proof of your identity to the interview. No fee is charged for this service.

4 Why should I be asked reasons for wanting to lodge a veto?

You are not required by law to give any reasons. But to know the specific reason for your veto (e.g. 'I have never told my husband and he'd be angry' or 'I've had many difficulties in my life and don't want to face one more') can help the adopted person see your point of view and to somewhat come to terms with their possible disappointment. Adopted people who have found out that their birth parent placed a contact veto have described feelings of extreme grief, and understanding your reasons or circumstances may alleviate these feelings of sadness.

5 What else can I do to make sure I'm never contacted?

Some of the most important questions asked by adopted people are:

- a) *Why was I placed for adoption?*
- b) *What is the medical history of my birth parents?*
- c) *What were my birth parents like? (e.g. physical appearance, nationality, education, interests, likes and dislikes.)*

Having such information will further help your son or daughter accept the veto and decrease the possibility of them being tempted to make contact despite the risk of the fine and gaol sentence, since the information may provide answers to some of the questions which they see as being of such importance to their well-being and peace of mind. Some birth parents lodging vetoes have left only a few details, others have left long letters of explanation and information, sometimes with a photo.

6 I would like to meet my adopted son or daughter just once so I can explain the reason for the adoption and why I don't want contact. Is that possible?

Yes, this is possible and the most appropriate means of arranging it may be to put your name on the Reunion and Information Register at the same time as lodging a veto and leaving this message with it. This would mean that a NSW Community Services' Adoption Information Unit mediation counsellor would contact you if your adopted son or daughter had also registered. You could then decide whether you are ready for a meeting at that time or whether you would prefer to consider the question further after some exchange of information.

7 If I change my mind about the veto, what must I do to withdraw the veto?

Write to the Adoption Information Unit at Community Services quoting the original veto registration number. (You will find this on the letter you received confirming the veto registration). Their address is:

Adoption Information Unit
NSW Community Services
Locked Bag 4028
Ashfield NSW 2131

Their phone number is 1300 799 023.

8 Can I be guaranteed that this veto will last forever?

Currently legislation provides for the veto to be left in place indefinitely. You can remove your veto at any time. You should be aware that as previously, legislation may change and so you should keep up to date with any changes to the adoption law.

9 When I placed my child for adoption I was assured that my privacy would always be protected. Who can I talk to in confidence about it?

Counsellors working with adoption service providers, hospital social work departments, and NSW Community Services would be willing to hear your concerns and explain your options. There is no need to give your name to the counsellor if you wish to remain anonymous. Also, it is not necessary for you to speak to a counsellor in your local area if this is difficult for you.

Some suggestions as to counsellors you could phone are:

Post Adoption Resource Centre - 02 9365 3444 or toll free on 1300 659 814 (in regional NSW only)

Anglicare Adoption Services - 02 9890 6855

Catholic Care Adoption Services (formerly Catholic Adoption Agency) - 02 9793 7522.

Adoption Information Unit - 02 9716 3002 or 1300 799 023 (NSW only). This is part of NSW Community Services. Ask for one of the family mediation counsellors.

10 What rights do I have under the Adoption Act (2000)?

Even though you may exercise your right to place a veto, you still have the right to your son or daughter's amended (adoptive) birth certificate (once they are over 18). You also have the right to further information which would help in tracing them.

In order to access this information you will need to apply for a Supply Authority from the Adoption Information Unit, which will entitle you to apply for your child's Amended Birth Certificate, to identifying information (known as *Prescribed Information*) from the adoption file and to other services. The Supply Authority costs \$135 (\$35 with a Health Care Card), and the Amended Birth Certificate is an additional \$29.

11 Once I have lodged a veto will I ever be contacted again?

Yes, by the Adoption Information Unit. The first time will be to acknowledge registration of your veto and to provide your veto registration number.

You will be contacted again if a Supply Authority is issued to your son or daughter or to a relative of him or her. At that time you may be told that your son or daughter has left a letter for you explaining why he or she wished for information or contact. It will be up to you to request the letter which will otherwise remain on file with the Department.

You could also be contacted again by the mediation counsellor at the Adoption Information Unit, on behalf of your son or daughter, a minimum of 6 months after you signed the veto, to see whether you still feel the same way about having contact.

You could be contacted at any time, however, if there are reasons considered of sufficient seriousness and urgency relating to the health of your son or daughter.

Please phone us if you wish to talk further about any issues raised in this information sheet.

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