

Access to adoption information in Australia

See below for brief legislative summaries and contact details of major agencies that provide adoption information in Australian states and territories.

Australian Capital Territory

Australian Capital Territory Adoption Act (1993), implemented July 1993. Access to identifying information (original/ amended birth certificates, adoption files post 1966). For adopted persons (18+), their birth parents and adoptive parents. Qualified rights to adoptive and birth relatives. Contact veto available to those affected by release of information and not wanting contact. Reunion Information Register also available.

All applications to:

Office for Children, Youth and Family Support
ACT Adoptions and Permanent Care Unit
GPO Box 158
Canberra City ACT 2601
Phone: 02 6207 1335
Email: adoptions@act.gov.au
Web: www.dhcs.act.gov.au

New South Wales

For orders finalised before 1 January 2010:

The NSW Adoption Act 2000 allows for the release of identifying information to adopted persons (18+) and acknowledged birth parents about one another. Adopted people over 18 may also access identifying information regarding siblings also placed for adoption. Eligible parties will be issued with a *Supply Authority* containing identifying information from time of adoption and allowing further searches (BDM marriage and death searches). Next of kin may apply to inherit the rights of a deceased adopted person or birth parent. Adopted persons and acknowledged birth parents may place a lifetime contact veto if the adoption was finalised before 26 October 1990.

For orders finalised after 1 January 2010:

2008 Amendments to the above legislation allow for greater access to adoption information for adopted children and adults, birth parents, siblings and adoptive parents in respect to adoptions finalised *after* 1 January 2010. As this comprehensive information is difficult to summarise here, for more information, please visit:

http://www.community.nsw.gov.au/docswr/_assets/main/documents/adoption/adoption_information.pdf .

All applications to:

Adoption Information Unit
NSW Community Services
Locked Bag 4028, Ashfield 1800
Phone: 1300 799 023 / 02 9716 3000
Fax: 02 9716 3400
Email: adoption.information@community.nsw.gov.au
Web: www.community.nsw.gov.au

Northern Territory

The Northern Territory Adoption of Children Act of 1994 allows for the release of identifying information to adopted persons and birth parents for any adoption that took place both after and prior to 1994. Prior to 1994 adoptees and birth parents where the adopted person is 18 years old may have access to identifying information, non-identifying information and original/amended birth certificates. Before attaining the age of 18 years consent may be given by adoptive parents to access information.

Prior to 1994 there is provision for adopted persons and birth parents to lodge a veto to prohibit the release of their identifying information. After 1994 it is not possible to place a veto to prohibit the giving of information. Applicants will not be supplied with identifying information until they receive mandatory counselling.

The NT Adoption Information Service does not charge any fees for the provision of information concerning adoption. Applicants are required to provide proof of their identity.

The Contact Register is administered by:
Family & Children's Services
Adoption Unit
PO Box 40596
Casuarina NT 0811
Phone: 08 8922 7077
Fax: 08 8922 7480

Queensland

On 1 February 2010 the Adoption Act 2009 took effect allowing for the release of identifying and non-identifying information to birth parents and adoptees over the age of 18, and adoptees under the age of 18 with consent from their adoptive parents. Parties to the adoption can lodge a contact statement with Adoption Services Queensland that expresses what type of contact they are interested in having eg face to face, by telephone initially or no contact at all. Adoptees and birth parents can also receive the original birth certificate.

Non-identifying and medical information is also available on request.

For further information and application forms contact:

Adoption Services Queensland

Department of Communities (Child Safety)
GPO Box 806
Brisbane QLD 4001

Phone: 07 3224 7415
Freecall: 1800 647 983
Web: www.childsafety.qld.gov.au/adoption

South Australia

Legislation enacted in 1988. Allows adopted adults, birth parents, adoptive parents and relatives of birth parents to receive identifying information about each other if they wish. The Act allows adopted people and birth parents, where the adoption was legalised prior to 1989, the right to restrict the release of information. The Department may assist in searching, the facilitation of contact and also runs a contact register. There are charges for registration for adoption information. These can be waived in cases of hardship.

Write to:

Adoption and Family Information Service South Australia
Families SA
Department for Families and Communities
GPO Box 292
South Australia 5001
Phone: 08 8207 0060
Fax: 08 8207 0066
Email: adoptions@dfc.sa.gov.au
Web: www.adoptions.sa.gov.au

Tasmania

Legislation enacted in 1988. Allows adopted adults (18+), birth parents and birth relatives to receive identifying information about each other. The Department of Community and Human Service's Adoption & Information Service may assist in searching and/or the facilitation of contact. This Department also runs Tasmania's Adoption Information Register (contact register).

Write to:

Department of Health and Human Services
Adoption and Permanency Services
Street Address:
3rd Floor
86 Murray Street
Hobart TAS 7000
Mailing Address:
GPO Box 538
Hobart TAS 7001
Phone: 03 6233 2273
Fax: 03 6223 1343
Email: Adoption.Service@dhhs.tas.gov.au

Victoria

Adopted adults (18+) are entitled to their original birth certificates, and court and agency records, after attending a mandatory interview (individual, group or telephone for interstate or overseas applicants).

Adopted persons under 18 are entitled to apply and can receive information, with the written permission of their birth and adoptive parents.

Birth parents and relatives are entitled to non-identifying information from records about the adopted person. Current and identifying information is given with the agreement in writing of the adult adopted person or the adoptive parents, if the person is under 18 years of age.

The adult children of adopted persons have the same rights as adopted persons. The agency must advise the adopted person that the application has been received unless evidence of the death of the adopted person is provided.

The Department maintains a register through which those entitled may express their wishes about providing or receiving information, and their feelings about contact. Adoptive parents are encouraged to register to facilitate the timing of approaches while the adopted person is under 18.

The Department provides a Search Guide and has a website.

Information is available from:

Adoption and Family Records Service (AFRS)

Street Address:

Level 20, 570 Bourke Street
Melbourne VIC 3000

Mailing Address:

PO Box 588
Collins Street West
Melbourne VIC 8007

Phone: 03 8608 5700 1300 769926

E-mail: afrsduty@dhs.vic.gov.au

Web: www.office-for-children.vic.gov.au

(look under "Placement and Support")

Western Australia

Amendments to the Adoption Act 1994, in 2003 brought changes to Adoption Information Vetoes. As of 1 June 2005 the vetoes ceased. Previously, a lodged veto meant that parties to an adoption were able to prevent the release of identifying information. Access to this information is now available. Existing contact vetoes will remain in force. Prior to any identifying information being released to a person affected by an information veto, they are required to attend an information interview. If they are also affected by a contact veto they will be required to sign an undertaking that they will not contact the person who placed the veto. The undertaking is a legal agreement and breaking it is an offence.

Post Adoption Services can provide further information.

Adoption Service of the Department for Community Development
PO Box 6334
East Perth, WA 6004
Phone: 08 9222 2870
Fax: 08 9222 2607
Toll-free: 1800 640 555
Web: www.fcs.wa.gov.au

Adoption Research & Counselling Service (ARCS)
38 Queens Crescent
PO Box 187
Mount Lawley WA 6929
Phone: 08 9370 4914
Fax: 08 9370 4917
Email: arcs@adoptionwa.org.au
Web: www.adoptionwa.org.au

Adoptions International of Western Australia
Specialising in pre and post intercountry adoption
Suite 6, St Brigid's Centre, 60 John St, Northbridge WA 6003
Phone: 08 9328 2555
Email: aiwa@multiline.com.au
Web: www.multiline.com.au/~aiwa

Adoption Jigsaw WA Inc
(counselling, mediation and search services for Australian and UK adoptions, operates an independent contact register)
91 Hensman Road
Subiaco WA 6008
PO Box 403
Subiaco WA 6904
Phone: 08 9388 1922 (9am to 4pm, Monday to Friday)
Fax: 08 9388 3364
Email: jigsaw@jigsaw.org.au

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

<u>NSW/ACT</u> Post Adoption Resource Centre PO Box 239 Bondi NSW 2026 T 02 9365 3444 F 02 9365 3666 E parc@bensoc.org.au www.bensoc.org.au	<u>QLD</u> Post Adoption Support Queensland PO Box 5347 West End QLD 4101 T 07 3170 4600 or 1300 914 819 F 07 3255 2953 E pasq@bensoc.org.au www.bensoc.org.au
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