

What is a contact statement? For adoptions in QLD

What is a contact statement?

A contact statement is a document that a person affected by adoption can use to document their wishes concerning contact between themselves and other parties to the adoption. This document must be lodged with Adoption Services Queensland (ASQ), QLD Department of Communities.

Who can lodge a contact statement?

Contact statements can only be lodged by an adopted person who is at least 17 years and six months, or a birth parent of an adopted person.

Can I say how I want the contact to take place?

The contact statement is an opportunity for people to express what type of contact they would like with other people involved in the same adoption. For instance you may not want face-to-face contact immediately but you are comfortable participating in telephone or email contact. Or you may want face-to-face contact only if there is a mediator present and that the contact occurs in a neutral place. Some people prefer no contact at all.

Can I object to contact?

Yes, if you do not want contact with other parties to an adoption you can express this in a contact statement. The information you provide in a contact statement will be provided to other people who were involved in the adoption when they apply for adoption information. You will be advised if they have previously received the information and they will be contacted to be advised of your contact statement.

If the adoption occurred prior to 1 June 1991 it is considered an offence for a person to contact another person knowing that they have lodged a contact statement saying they do not want to be contacted. The maximum penalty is \$10,000 or imprisonment for 2 years.

Specifically, it is an offence to:

- Contact, or attempt to arrange contact, with the person directly.
- Procure someone else to contact or arrange contact with the person.
- Publish information that identifies the person as a party to an adoption.

I'm worried that the Department will contact me

You can record your wishes about being contacted by ASQ in the contact statement. You are able to advise ASQ of how you would like to be contacted in certain circumstances. ASQ will respect your wish not to be contacted however it is helpful to specify if this is only in relation to an application for information about you or whether you would want to be advised of important medical information or if ASQ are advised that another person who was involved in the adoption passes away.

Can I object to having identifying information about me released?

Even if you have an objection to contact, another person who is a party to the same adoption now has a right to receive identifying information under the *Adoption Act 2009*. However the

Children's Court can make an order that identifying information be withheld if there is a risk of harm to a party to the adoption or in case of other special circumstances.

If there is a contact statement in place which states another person does not want contact, the other person will only be given identifying information after they have contact with ASQ who will discuss the contents of the contact statement with them. ASQ will advise them that you do not wish to be contacted and the offence conditions if the adoption occurred prior to 1 June 1991. If you would like ASQ to provide the other person with your reason for not wanting to be contacted you can stipulate this in your contact statement.

What information am I able to request?

For adopted people, this includes:

- Their name before they were adopted;
- the birth parent's name at the time of the adoption and date of birth, and the birth parent's last known name and address, but only with his or her written consent;
- copies of prescribed documents such as the adoption order and form of consent signed by the birth parent;
- information about any other adopted siblings who are adults and who have at least 1 parent who is also a birth parent of the first adopted person –
 - the person's date of birth and the person's name immediately after the person's adoption, and the person's last known name and address, but only with the person's written consent.

For a birth parent, this includes:

- the adopted person's
 - name immediately after the adoption;
 - last known name and address, but only with the person's written consent;
- the name, at the time of the adoption, of an adoptive parent of the adopted person;
- copies of prescribed documents such as the adoption order and form of consent signed by the birth parent.

What if they attempt to contact me through someone else?

If the adoption occurred prior to 1 June 1991, section 272 of the Adoption Act 2009 states that it is an offence to try to make contact with or to ask someone else to make contact with another party to the same adoption if that person has expressed a wish not to be contacted in a contact statement. The penalty is two years imprisonment or \$10,000.

Specifically, it is an offence to:

- Contact, or attempt to arrange contact, with the person directly
- Procure someone else to contact or arrange contact with the person
- Publish information that identifies the person as a party to an adoption.

What if I change my mind about contact?

If you have not had contact with the other person/people involved in the adoption, you can lodge a new contact statement with ASQ that reflects your wishes. However, if you have already made contact with the other person, then you are no longer able to lodge a contact statement requesting no contact. If you are concerned about the contact you have had with a relative or are concerned about future contact there are general laws which will protect you and we encourage you to discuss your concerns with ASQ, Post Adoption Support Queensland or the Police.

What happens if I die?

Your contact statement continues in force only until your death. After that, your relatives eg partner, sibling or child, may request information about the adoption.

Where can I get a contact statement form?

Contact statement forms can be downloaded from ASQ's website or by contacting ASQ:

Adoption Services Queensland
QLD Department of Communities
GPO Box 806
Brisbane, QLD 4001
T 07 3224 7415 or 1800 647 983 (regional Queensland)
E asq@communities.qld.gov.au
www.childsafety.qld.gov.au/adoption

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

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