

Post Adoption Information Sheet No 16

Information for adopted people about lodging a Contact Veto in NSW

How do I go about registering a Contact Veto?

If your adoption took place before 1990, you may request to register a Contact Veto. The Contact Veto Register enables you to prevent your birth parents or another relative from making contact with you.

You can register a Contact Veto by completing a Contact Veto Register application form available from the NSW Community Services website and mailing it, along with relevant copies of identification, to:

Adoption Information Unit
Department of Community Services and Justice
Locked Bag 4028
ASHFIELD NSW 2131

Why did the adoption laws change?

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. In 1990, the NSW Government 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. This legislation has since been updated to the Adoption Act (2000).

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

The law makes it possible for you to place a veto on contact by your birth parents. You will need to be 17 years and 6 months before you can lodge a veto. You may also place a veto against contact by any brother or sister who was also adopted. When the application is made for an Adoption Information Certificate to gain identifying information about you, the person applying will be informed of the veto. Before receiving this information, the person who has applied for it will be required to sign an undertaking not to contact you. There is a fine of \$2750 if the undertaking is broken.

Should I give reasons for wanting to lodge a veto?

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You are not required by law to give any reasons, and most birth parents realise that their adult children may not want contact. But to know the specific reason for your veto (e.g. "I do not wish to hurt my adoptive parents" or "I don't want my life disrupted by contact.") can help the birth parents see your point of view and ease the possible disappointment.

Some of the most important questions asked by birth parents are:

- a) Is my child alive and well?
- b) Has my child had a happy adoption?
- c) What are my child's current circumstances, what does he/she look like, and how does he/she feel about having been adopted?
- d) Does he or she need any information from me?

Having such information will help your birth parents accept the veto and further decrease the possibility of your birth parents being tempted to make contact despite the risk of the fine. 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 adopted people have left just a few details, others have chosen to leave long letters, giving information about their present health and welfare. Any information you feel able to provide will be helpful for the other party.

I would like to meet my birth parents just once so I can find out about my medical and family history and explain why I don't want contact. Is that possible?

Yes, this is possible. The most appropriate means of arranging it may be to put your name on the Reunion and Information Register with the Adoption Information Unit at the Department of Communities and Justice. This would mean that one of their mediation counsellors would contact you if your birth mother or father had also registered. You could then decide whether you were ready for a meeting at that time or whether you preferred to consider the question further after some exchange of information through the Department.

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

Write to the Adoption Information Unit at Family and Community Services quoting the original veto registration number. You will find this on the letter you received confirming the veto registration.

Can I be guaranteed that this veto will last forever?

Current legislation provides for the veto to last indefinitely. You can remove your name from the veto register 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.

I am unhappy about the law, which would allow my birth relatives to contact me. When my parents adopted me they were assured that their privacy and mine would always be protected. Who can I talk to in confidence about this?

Counsellors working in adoption service providers, hospital social work departments, and Communities and Justice 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 area if this is difficult for you.

Some suggestions as to counsellors you could phone are:

- Post Adoption Resource Centre - (02) 9504 6788
- Anglicare Adoption Services - (02) 9890 6855
- Catholic Care Adoption Services - (02) 8709 9333.
- Adoption Information Unit - 1300 799 023. This is part of the Department of Communities and Justice. Ask for one of the family mediation counsellors.

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

Even if you exercise your right to place a veto, you still have the right to your original birth certificate (once you are over the age of 18). You also have the right to further background information about your origins.

In order to access this information you will need to apply for an Adoption Information Certificate from the Adoption Information Unit at the Department of Communities and Justice which will entitle you to apply for your Original Birth Certificate, and gain access to social and medical information from your adoption file and to other services. There are no charges for this at present. PARC also has forms to apply for this information.

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

Yes, the Adoption Information Unit at Family and Community Services is required to acknowledge your Contact Veto registration by mail and will provide you with a veto registration number.

You will be contacted again if an Adoption Information Certificate and identifying information is issued to either of your birth parents or to a relative. At that time you may be informed that your birth relative has left a letter explaining why they wished for information or contact with you. It will be up to you to request the letter which will remain on file with the Adoption Information Unit.

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You could be contacted again by an Adoption Information Unit mediation counsellor on behalf of your birth parent(s), 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 by the mediation counsellor at any time however, if there is a need for important medical information from your birth family to be passed on to you. They would give you information about your options in those circumstances.

Please don't hesitate to contact us here at PARC if you wish to discuss any aspects of these issues further.

Post Adoption Resource Centre (PARC)

Mail: Locked Bag 6002,
Hurstville BC NSW 1481
Phone: 02 9504 6788
Email: PARC@benevolent.org.au
Website: www.benevolent.org.au

Post Adoption Support Queensland (PASQ)

Location: Ground Floor, 189 Coronation Dr,
Milton QLD 4064
Phone: 07 3170 4600
Email: PASQ@benevolent.org.au
Website: www.benevolent.org.au