

## **Post Adoption Information Sheet No 3**

### **Information for adopted adults who are thinking of searching for parents in QLD**

#### **To search or not to search**

Everyone's experience of adoption is different as are their reasons for obtaining more information and tracing. Curiosity about origins may begin in childhood and, for some people, persists long into adulthood. Often adopted adults will have considered the possibility of tracing a parent long before making any inquiries. This preoccupation is often not discussed for fear that it may arouse feelings of anxiety or judgement. The decision not to intrude on parents or stir up feelings from the past is often expressed, as is the wish not to appear disloyal to adoptive parents. At Post Adoption Support Queensland (PASQ) we have been impressed by the sensitivity which adopted people show towards their parents, birth and adoptive.

Often curiosity turns to action at particular times in adult life, for example, after leaving home, getting married, the birth of a child or the death of a parent. However, for many people the search is taken up and dropped several times before reaching any conclusion.

Searching is a step-by-step process which might be quite quick and, in other instances, is long and frustrating. It is important that you decide your own pace and allow yourself time to absorb new information and assimilate new feelings.

#### **How do I find out about my parents?**

For people adopted in Queensland, the *Adoption Act of 2009* provides all adopted people and parents the right to obtain identifying information about each other once the adopted person is 18 years of age. This applies to adoptions which occurred before and after 1 June 1991.

Once you are 18 years of age, you can apply for your adoption information from Adoption and Permanent Care Services (APCS) in the Department of Child Safety, Youth and Women. APCS will conduct a search of the adoption records it holds and review your eligibility to receive information held on file. APCS will also search its records to see if any contact statements (see below) have been filed by people involved in your adoption. A contact statement can be lodged with APCS by a person affected by adoption and can express their wishes regarding contact with other parties to the adoption.

APCS will then prepare a letter containing information about your birth and adoption which will include identifying information (names) and non-identifying information (descriptive information such as appearance, occupation) from the information available in the adoption records. You will also be provided with a copy of prescribed documents which may include documents such

as the consent form signed for your adoption or the order dispensing with consent and the adoption order.

APCS carefully reviews all records to ensure that information is accurate before sending it to you in a letter. APCS will discuss sensitive issues with you and will provide you with support from an Adoption Officer or will refer you to Post Adoption Support Queensland (PASQ).

Adoption and Permanent Care Services can be contacted at:

Telephone: 07 3097 5100 or 1800 647 983 (QLD only)

Address: Level 1, 111 George Street, Brisbane QLD 4000

Website: <https://www.qld.gov.au/community/caring-child/contact-adoption-services>

Email: [ads@csyw.qld.gov.au](mailto:ads@csyw.qld.gov.au)

Postal Address: Locked Bag 3405, Brisbane QLD 4001

## Contact statements

A contact statement sets out a person's wishes regarding having contact with another party, or parties, to the same adoption that occurred in Queensland. For example, it may state that a person wishes for contact to happen only by telephone; or for in-person contact to happen only at a neutral place in the presence of a mediator; or the person's wish not to be contacted for any reason. There are important things to know about contact statements:

- Information and contact objections that were in place under the *Adoption of Children Act 1964*, prior to 1 February 2010 automatically became a contact statement expressing the person's request not to be contacted.
- These objections which are now contact statements expressing a wish for no contact do not have to be renewed.
- A contact statement remains in force until revoked by the person who lodged it, or until that person dies. However, a person can update, revoke or replace their contact statement at any time.
- A person can also use a contact statement to provide information about the person's reasons for not wanting to be contacted.

## Releasing identifying information

APCS will be able to release identifying information about a person who had an objection in place under the *Adoption of Children Act 1964* only after:

- An Adoption Officer has spoken to the person, in person or by telephone, to discuss the contact statement and to discuss the conditions of the contact statement.

## Court order restricting access

The Children's Court can make an order preventing the release of someone's identifying information to another person, if doing so would pose an unacceptable risk of harm. For

example, if a person who is seeking identifying information is known to be violent, and previous comments or actions suggest he or she is likely to harm the other person. In such cases, an application can be made to the court for an order to prevent the release of the identifying information by APCS. Please contact APCS for more information. It is recommended that people seek independent legal advice for all court matters

### **Searching options**

#### *The Registry of Births, Deaths and Marriages*

Once you have received your adoption information from APCS you will also receive authority to obtain a copy of your original birth certificate from the QLD Registry of Births, Deaths and Marriages although there is no legal necessity to do so. The certificate will be endorsed 'not to be used for official purposes' which means that it cannot be used as a document of identification.

The authority gained from APCS also allows you to apply for a copy of your birth mother's birth certificate which may provide names of your grandparents. In addition you can apply for a marriage search for your mother and, if specifically requested, the registry will also search their records of deaths. If your mother married you will receive a notice with her marriage details and the change of name which will assist your search.

There is an additional fee for searches conducted and certificates provided by the Registry of Births, Deaths and Marriages.

You can contact the Registry of Births, Deaths and Marriages at:  
 Level 32, 180 Ann Street, Brisbane  
 (Office hours: 8.30am-4.30pm Monday-Friday)

Telephone: 13 74 68 or +61 7 3405 0985 (international)  
 Website: <https://www.qld.gov.au/law/births-deaths-marriages-and-divorces>  
 Email: [bdm-mail@justice.qld.gov.au](mailto:bdm-mail@justice.qld.gov.au)

#### *Electoral Rolls*

Once you are sure of any change of name for your mother or other birth relatives, you can search for their current address by way of an Australia-wide Electoral Roll search. You can only conduct an Australia-wide search at one of the main Electoral offices.

A list of these offices can be found on the Australian Electoral Commission's website:  
[http://www.aec.gov.au/About\\_Aec/Contact\\_the\\_AEC/](http://www.aec.gov.au/About_Aec/Contact_the_AEC/)

#### *State Libraries*

Australia-wide information can be researched at the Family History section of each state's State Library.

#### *Other options include*

Public Records: Telephone books or online

Internet Search engines

## Searching Support

Searching can at times be a complex process and become overwhelming for those involved. PASQ counsellors are skilled at searching and navigating public records in order to assist you in your search for relatives. PASQ can either guide you in conducting your own search or search records and online databases on your behalf. For more information about how and where we search, you can speak to one of our counsellors.

### Expressing your interest for contact

If you have not been able to find your birth relatives, you can state your interest for contact in your application for adoption information. If a birth relative has applied for adoption information in the past or applies for information in the future, they will be informed of a contact statement (if you have placed one) and last known contact details by APCS (if you have provided prior consent for this).

Alternatively, APCS also operates the Mailbox Service which allows you to write to your birth relatives and for this correspondence to be facilitated by APCS. If one of your relatives has previously contacted APCS or contacts APCS in the future they will be able to receive your letter. The same works in reverse if you have a birth relative who would like to contact you.

### How do I make contact?

If after searching you are able to locate a birth relative you may then wish to make contact with them. We strongly recommend that you make first contact with a birth relative by using the services of an intermediary such as PASQ or by writing a letter rather than making direct contact yourself. This provides the person who is being approached with an opportunity to consider the request for contact and think about their response, rather than having to respond immediately and limits the risk of a negative reaction to unwanted contact. It is at this point that adopted people often talk with an experienced counsellor about the various ways of making contact and the pros and cons of each. You may wish to read Information Sheet 10 *Writing to Your Parent* to assist in your decision making.

Some adopted people also feel concerned about the reaction of their adoptive parents who, quite understandably, can experience some strong conflicting emotions when their son or daughter decides to search for a parent, even if they can understand the need to do this. The kinds of feelings that adoptive parents describe include fear, anger, sorrow, jealousy, betrayal, guilt and a sense of failure; these emotions quite often coexist with feelings of sympathy, interest, relief and a sense of achievement. It may be helpful for your adoptive parents to read Information Sheet 3c *Information for adoptive parents whose adult sons or daughters are thinking of searching - QLD*

### Should I use an intermediary?

2019 © The Benevolent Society Post Adoption Services. This material may be reproduced for non-commercial purposes provided the author of the material is identified with the copyright notice.

PASQ has an intermediary service which offers support for both parties. Ask for further details about this if you are interested.

Whatever method of approach you choose it is important that you give yourself time to consider your own hopes and expectations and that you allow the person you are approaching time to consider their response.

You may find Information Sheet 32 *Intermediary Service* helpful in deciding how to go about making contact. The Benevolent Society's Post Adoption Resource Centre undertook a piece of research in 2000 entitled *At Least Now I Know* about the experiences of people who have made contact. You can borrow this from PASQ's library. A summary from the results of the research showed that those people who contacted their birth relative indirectly either through an intermediary or by writing a letter were generally more successful in their reunion experience. It is often a good idea to take things slowly and consider the situation from all different points of view.

## Getting help

The experience of some adults who were adopted is that they have not been able to discuss their feelings with anyone for fear that they may be misunderstood or their motives misconstrued. The opportunity to hear other people's experiences, to discuss things individually with a counsellor or with other people who share a common interest can be very helpful and supportive. These are all services that PASQ provides.

## Medical information

- APCS will provide you with all available information contained within the adoption records about your family's medical history when you receive adoption information. The amount of information recorded at the time of birth or adoption is often very limited.
- APCS are able to contact adopted person's parent or other biological relative and respectfully request them to provide up-to-date family medical information at your request.
- A parent may also provide APCS with medical information to be passed onto their son or daughter who was adopted. In these situations, APCS will try to contact the adopted person to see if he or she would like to receive the information.
- APCS is able to approach people regardless of whether a contact statement prevents these people from asking for, or providing, the information themselves.
- APCS may give medical information to a nominated medical practitioner, instead of directly to the person, if requested.
- Parents and adopted people will not be obliged to provide, or to accept, medical information if they do not wish to do so.

## Frequently asked questions

### *What about other adopted siblings?*

If you have any other siblings who were also adopted in Queensland you will be advised at the time when you apply for your adoption information. If they are over 18 when you apply for your adoption information, you will also be provided with their identifying information which will give you their adopted name.

### *What about siblings who were not adopted?*

A sibling who was not adopted may apply for information about the adopted person. APCS will provide this information if the adopted person has given APCS permission in writing for the information to be released. There is an opportunity to provide this permission when you apply for adoption information.

### *What about fathers?*

A man is recognised as an adopted person's father if:

- He consented to the adoption or the need for his consent was dispensed with.
- He is recorded on the birth certificate as the person's father.
- APCS's records demonstrate he accepted paternity of the adopted person before or at the time of the adoption.
- There is otherwise sufficient evidence to satisfy APCS that the man is the adopted person's father.

This will enable adoption information to be provided to fathers about their son or daughter who was adopted and about fathers to the adopted person in more circumstances than under the current adoption law.

## Can I get my father's name?

If in your situation, APCS recognises someone in your records as your father (as per the requirements listed above), the name of your father will be provided as part of your adoption information request.

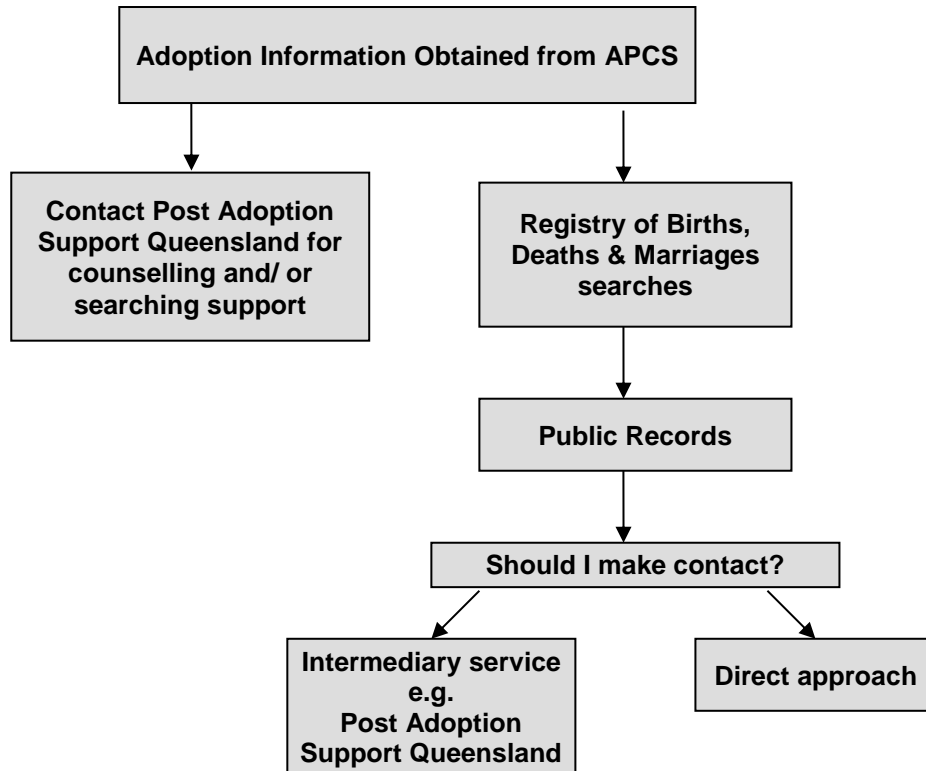
In November 2016, the Adoption and Other Legislation Amendment Bill brought changes to the information that can be released. The changes made to the Act expands on when information about a person who may be an adopted person's biological father, may be provided to them. This means that if your father was not named on your original birth certificate and/or he didn't claim paternity at the time of the adoption, but there is information contained within the records held by APCS naming a possible father i.e. your mother provided the name of someone at the time of your adoption, who is thought to be your father, then this information may be passed onto you.

If you applied for your adoption information prior to these legislative changes (before November 2016) and wasn't provided with your father's name, you may wish to reapply for your adoption information to see whether APCS have any information identifying your father, that they were unable to provide before these changes in law.

Overleaf is a flow chart of the basic steps that need to be undertaken in searching for a family member.



**FLOW CHART**



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

**Post Adoption Support Queensland (PASQ)**

**Location:** Ground Floor, 189 Coronation Dr, Milton QLD 4064

**Phone:** 07 3170 4600

**Email:** [PASQ@benevolent.org.au](mailto:PASQ@benevolent.org.au)

**Website:** [benevolent.org.au](http://benevolent.org.au)