

Changes to Queensland's adoption legislation

Information sheet 1

Removal of contact statement offence and penalty

Background

On 2 November 2016, Queensland Parliament passed the Adoption and Other Legislation Amendment Bill 2016, making important changes to Queensland's adoption laws.

What are contact statements?

The *Adoption Act 2009* (the Act) provides that an adopted person who is at least 17 years and six months old, or a birth parent of an adopted person, may make a written statement about:

- whether the person wishes to be contacted by another stated person
- how that contact should occur (for example, only by telephone).

Before changes to the Act commenced, it was an offence to breach a contact statement for an adoption that happened before 1 June 1991. The offence carried a maximum penalty of 100 penalty units or two years imprisonment.

What has changed?

Changes to the Act commenced on Friday 11 November 2016.

The changes do not alter the content of your contact statement in any way. Contact statements will remain in place and new contact statements may be made.

However, the offence and associated penalty for breaching a contact statement for adoptions which occurred before 1 June 1991 have been removed.

Previously, release of adoption information was prohibited to a pre-adoption sibling if the adoption occurred prior to 1 June 1991 and the birth parent has a contact statement in place requesting no contact. This is no longer prohibited.

The changes to the Act will allow for the consistent operation of all contact statements in Queensland.

How do these changes affect me?

If you have a contact statement in place, your contact statement will remain in place, unless you wish to have it revoked.

If the adoption happened before 1 June 1991, and the contact statement states that you do not wish to be contacted by a particular person, it is no longer an offence for that person to contact you.

When an adopted person contacts Adoption Services for pre-adoption information about you, Adoption Services will explain the details of the contact statement to the person. This includes advising of your wishes not to be contacted and your reasons for having a contact statement in place.

A contact statement does not prevent a person from receiving adoption information.

When information is provided about a birth parent or adopted person to another party, Adoption Services encourages the person to initiate contact through an adoption support organisation, rather than attempting initial contact on their own.

How can I stop someone from contacting me?

If someone contacts you and you do not want this, you can make your wishes clear to them about that.

If you feel you are being harassed, you have the right to report the harassment to the police.

Where can I find more information?

For more information about the changes to Queensland's adoption laws, go to the Department of Communities, Child Safety and Disability Services:

Website:

www.communities.qld.gov.au/childsafety

Phone: Adoption Services on **3224 7415** or **1800 647 983** (free call within Queensland)

Email: **ads@communities.qld.gov.au**

You may wish to contact a post adoption support service, such as the Benevolent Society Post Adoption Support Queensland (PASQ):

Website: **www.bensoc.org.au**

Phone: **3170 4600** or **1300 914 819**

Email: **pasq@benevolent.org.au**