

Changes to Queensland's adoption legislation

Information sheet 6

Access to adoption information

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 the changes to accessing adoption information?

Changes to *Adoption Act 2009* (the Act) commenced on Friday 11 November 2016.

Changes made to the Act improve access to adoption information by:

- enabling Adoption Services to consider the release of identifying information without consent from adoptive or birth parents, in exceptional circumstances
- broadening the definition of 'relative' to include grandparents and grandchildren, and people recognised as parents and children under Aboriginal tradition or Island custom, to enable access or consent to access information
- expanding when information about a person who may be an adopted person's biological father, may be provided to them.

My grandfather was adopted but is now deceased. Am I entitled to request information about his adoption?

Yes. Changes to the Act mean that grandchildren can now make a request for adoption information.

However, this can only occur in circumstances where the adopted person or birth parent is

deceased; does not have capacity to ask for, or consent to the information; or cannot be located after all reasonable enquiries have been made.

Now that more information can be provided about my birth father, do I need to make another application for information?

Changes to the Act allow for information to be provided about a birth father, which may not have been previously released. There will not be an automatic release of information due to these changes.

However, there may be circumstances where an adoptive parent has given consent for a request for information, by or on behalf of their adopted child, prior to the changes to the Act.

Under the Act, further consent by the adoptive parent will not be required to provide additional information if an application is made after commencement.

If an adult has previously made a request for information, they may make a further request to receive the information.

Can a pre-adoption sibling (a person who shares the same birth parent) receive adoption information, even when there is a contact statement in place by the birth parent?

Yes. Changes to the Act mean that a pre-adoption sibling will now be able to receive information regardless of whether a birth parent has made a contact statement stating they do not wish to be contacted by the adopted person.

However, a pre-adoption sibling will still require the adopted person's written consent to receive information about the adopted person.

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**