



# Placing a Child for Adoption

## Introduction

If you are considering having your child raised by another family you will have many questions about what may be involved and the choices open to you. This leaflet provides some information, however, if you wish to know more please contact the Adoptions and Permanency Service.

Whenever possible it is best that a birth parent or parents speak with an Adoption Officer before the child is born, giving them time to think about the effects of adoption, and discuss alternative arrangements for the care of their child.

All adoptions in Tasmania are guided by the *Adoption Act 1988* and the *Adoption Regulations 2006*.

## What is Adoption?

When an adoption order is made, the child becomes legally the child of the adoptive parents and ceases in law to be the child of the birthparents. All the parental rights and responsibilities of the birthparents end and are granted to the adoptive parents.

## When can a birth mother consent to adoption?

A birth mother can consent to her child's adoption at any time after her child is nine days old. The law states that she must be given counselling and information at least 24 hours before she consents. This is to make sure she has information about the alternatives to adoption and fully understands what it means to sign consent.

## When does a birth father need to sign consent?

A birth father needs to sign consent if his identity is legally established. He is also required to be given counselling and information at least 24 hours before he consents to the adoption of his child. A father's identity is legally established if he is married to the mother of the child, if his name is on the child's birth certificate or if he has been required to pay child support.

The father's consent is also required if he takes steps to establish paternity within the thirty days after the mother signs her consent. It is best that the birth father is given an opportunity to sign consent and the birth mother will be requested to provide his name.

## Can birth parents change their mind?

For 30 days from the day that consent is signed, a birth parent or parents can change their mind and withdraw their consent to adoption. However, at the end of the 30 days the consent cannot be withdrawn.

## Who looks after the child during the process?

Usually the hospital will provide care immediately after the birth until the child is ready to be discharged. The Adoptions and Permanency Service can then arrange for the child to be placed in short term foster care until they are placed with an adoptive family. While the child is in hospital the birth parents have the right to name, see and nurse the child if they wish. While in foster care, arrangements can be made for birth parents to visit their child. This can occur up until 30 days after consent is signed.

Until consent is signed, birth parents remain the child's legal guardian. Once consent is signed, the Secretary of the Department of Health and Human Service becomes the child's guardian until either consent is revoked or an Adoption Order is granted in the Magistrates Court.

## Can birth parents be involved in choosing an adoptive family?

Yes. Usually the adoptive family will be chosen with the help of the birth parents by discussing non identifying details of suitable adoptive families. The individual needs of the child and the wishes of the birth parents are carefully considered.

## Updates/information

Most adoptive parents are willing to provide information and/or photographs about the child's progress and development as the child grows up.

When adoptive parents and birth parents agree, arrangements can be made to meet. Arrangements could also be made for the birth parent's to have contact with the child. The best interests of the child need to be the paramount consideration. Any agreements made are agreements made in good faith and are not legally binding. Once an Adoption Order is granted the adoptive parents are the child's legal parents and as such can make all decisions about contact.

## What happens when the child reaches 18 years?

All people adopted in Tasmania have the right to obtain their pre-adoption birth certificate after they turn 18 years. Not all choose to do this, but many do. A birth parent may also apply for information which identifies their child once the child is 18 years old. A birth parent may also record their wishes about future contact with the adopted person on the Adoption Information Service Register including a veto on contact.

## Obtaining more information

To speak with an Adoption Officer please contact the Adoptions and Permanency Service Office on (03) 6166 0422 or email [adoption.service@dhhs.tas.gov.au](mailto:adoption.service@dhhs.tas.gov.au).

